

**THE STATE OF OHIO, APPELLEE, v. KOOGLER, APPELLANT.**

**[Cite as *State v. Koogler*, 1999-Ohio-241.]**

*Appeal dismissed as improvidently allowed.*

(No. 98-2292—Submitted August 25, 1999—Decided October 13, 1999.)

APPEAL from the Court of Appeals for Franklin County, No. 98AP-219.

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*Ron O'Brien*, Franklin County Prosecuting Attorney, and *Steven L. Taylor*, Assistant Prosecuting Attorney, for appellee.

*Judith M. Stevenson*, Franklin County Public Defender, and *Paul Skendelas*, Assistant Public Defender, for appellant.

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{¶ 1} The cause is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.

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