

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

**[Cite as *State v. Duncan*, 2000-Ohio-243.]**

*Criminal procedure—R.C. 2967.28—Post-release control—Court of appeals’ judgment reversed on authority of Woods v. Telb, cause remanded to trial court for judgment consistent with Woods, and defendant’s conviction for escape reinstated.*

(No. 00-730—Submitted July 25, 2000—Decided August 3, 2000.)

APPEAL from the Court of Appeals for Hamilton County, No. C-990582.

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*Michael K. Allen*, Hamilton County Prosecuting Attorney, and *Philip R. Cummings*, Assistant Prosecuting Attorney, for appellant.

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{¶ 1} The discretionary appeal is allowed. The judgment of the court of appeals is reversed on the authority of *Woods v. Telb* (2000), 89 Ohio St.3d 504, 733 N.E.2d 1103, the cause is remanded to the trial court for judgment consistent with *Woods*, and defendant’s conviction for escape is reinstated.

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

DOUGLAS, J., dissents.

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