

**KIRBY, ADMR., APPELLANT, v. PIONEER INSURANCE COMPANY ET AL.,
APPELLEES.**

[Cite as *Kirby v. Pioneer Ins. Co.*, 2000-Ohio-400.]

Appeal dismissed as improvidently allowed.

(No. 99-875—Submitted April 10, 2000—Decided May 24, 2000.)

APPEAL from the Court of Appeals for Warren County, No. CA98-09-120.

Eddie Lawson and Thomas B. Kirby, for appellant.

Smith, Rolfes & Skavdahl Co., L.P.A., Matthew J. Smith and Patricia J. Trombetta, for appellees.

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

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

DOUGLAS, J., dissents.
