

**MORONEY ET AL., APPELLEES, v. ANNIS ET AL.; STATE FARM MUTUAL
AUTOMOBILE INSURANCE COMPANY, APPELLANT.**

[Cite as *Moroney v. Annis*, 2000-Ohio-417.]

Automobile liability insurance—Uninsured/underinsured motorist coverage—

Court of appeals’ judgment vacated and cause remanded to trial court.

(No. 99-2155—Submitted April 26, 2000—Decided, May 24, 2000.)

APPEAL from the Court of Appeals for Richland County, No. 99CA27.

*Gallagher, Bradigan, Gams, Pryor & Littrell, L.L.P., and James R.
Gallagher, for appellant.*

{¶ 1} The judgment of the court of appeals is vacated, and the cause is remanded to the trial court for further proceedings and consideration, where applicable, of the Supreme Court’s decisions in *Wolfe v. Wolfe* (2000), 88 Ohio St.3d 246, 725 N.E.2d 261, and *Moore v. State Auto. Mut. Ins. Co.* (2000), 88 Ohio St.3d 27, 723 N.E.2d 97.

DOUGLAS, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.

DOUGLAS, J., concurs separately.

MOYER, C.J., COOK and LUNDBERG STRATTON, JJ., dissent.

DOUGLAS, J., concurring.

{¶ 2} I concur for the reasons set forth in my concurrence in *Stickney v. State Farm Mut. Auto. Ins. Co.* (2000), 88 Ohio St.3d 504, 727 N.E.2d 1286.

SUPREME COURT OF OHIO

LUNDBERG STRATTON, J., dissenting.

{¶ 3} I respectfully dissent for the reasons set forth in the dissenting opinions in *Wolfe v. Wolfe* (2000), 88 Ohio St.3d 246, 252-255, 725 N.E.2d 261, 267-269, and *Moore v. State Auto. Mut. Ins. Co.* (2000), 88 Ohio St.3d 27, 33-36, 723 N.E.2d 97, 103-105.

MOYER, C.J., and COOK, J., concur in the foregoing dissenting opinion.
