

**THE STATE EX REL. PHEILS v. PIETRYKOWSKI, JUDGE, ET AL.**

**[Cite as *State ex rel. Pheils v. Pietrykowski*, 2001-Ohio-1891.]**

*Prohibition—Motion for reconsideration of court’s decision granting writ—Motion granted—Opinion vacated and cause dismissed.*

(No. 01-713—Submitted October 30, 2001—Decided December 19, 2001.)

IN PROHIBITION.

ON MOTION FOR RECONSIDERATION.

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{¶ 1} The motion for reconsideration is granted.

{¶ 2} The judgment in *State ex rel. Pheils v. Pietrykowski* (2001), 93 Ohio St.3d 460, 755 N.E.2d 893, decided October 17, 2001, is vacated, and this cause is dismissed.

DOUGLAS, ACTING C.J., F.E. SWEENEY, PFEIFER, COOK and Lundberg  
Stratton, JJ., concur.

MOYER, C.J., and RESNICK, J., not participating.

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*Pheils & Wisniewski and David R. Pheils, Jr., pro se.*

*Julia R. Bates*, Lucas County Prosecuting Attorney, and *John A. Borell*,  
Assistant Prosecuting Attorney, for respondents.

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