

**JUSTICE, ADMR., ET AL., APPELLANTS, v. STATE FARM INSURANCE COMPANY,
APPELLEE.**

[Cite as *Justice v. State Farm Ins. Co.*, 2002-Ohio-345.]

Appeal dismissed as improvidently allowed.

(No. 00-2156—Submitted December 12, 2001—Decided January 30, 2002.)

APPEAL from the Court of Appeals for Licking County, No. 2000CA29.

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

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

COOK, J., dissents.

COOK, J., dissenting.

{¶ 2} I respectfully dissent. Instead of dismissing this case as improvidently allowed, I would affirm the judgment of the court of appeals.

Calhoun, Kademenos & Heichel Co., L.P.A., and *Janet L. Phillips*, for
appellants.

Gallagher, Gams, Pryor, Tallan & Littrell L.L.P., and *James R. Gallagher*,
for appellee.
