

THE STATE OF OHIO, APPELLANT, v. YORK, APPELLEE.

[Cite as *State v. York*, 99 Ohio St.3d 136, 2003-Ohio-2768.]

Court of appeals' judgment reversed on authority of State v. Fisher and cause remanded for consideration of defendant's remaining assignments of error.

(No. 2002-0767 — Submitted May 14, 2003 — Decided June 11, 2003.)

CERTIFIED by the Court of Appeals for Seneca County, No. 13-01-19, 2002-Ohio-1398.

{¶1} The judgment of the court of appeals is reversed on the authority of *State v. Fisher*, 99 Ohio St.3d 127, 2003-Ohio-2761, 789 N.E.2d 222, and the cause is remanded to the court of appeals to consider the defendant's remaining assignments of error.

MOYER, C.J., RESNICK, F.E. SWEENEY, PFEIFER, LUNDBERG STRATTON and O'CONNOR, JJ., concur.

COOK, J., not participating.

Ken Egbert Jr., Seneca County Prosecuting Attorney, for appellant.
