

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

[Cite as *State v. Finger*, 104 Ohio St.3d 157, 2004-Ohio-6390.]

Criminal law — Postrelease control law — Certified question answered.

(No. 2003-0396 — Submitted October 26, 2004 — Decided December 8, 2004.)

CERTIFIED BY the Court of Appeals for Cuyahoga County, No. 80691, 2003-Ohio-402.

{¶1} The Court of Appeals for Cuyahoga County certified the following issue to this court:

{¶2} “Whether, when a trial court fails to notify an offender at plea or sentencing of mandatory post-release control, a reviewing court should reverse the sentence and remand for resentencing that includes the post-release control advisory or find that the defendant’s prison sentence does not include post-release control.”

{¶3} On the authority of *State v. Jordan*, 104 Ohio St.3d 21, 2004-Ohio-6085, 817 N.E.2d 864, we answer affirmatively to the first alternative in the certified issue.

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

William D. Mason, Cuyahoga County Prosecuting Attorney, and Lisa Reitz Williamson, Assistant Prosecuting Attorney, for appellant.
