

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

[Cite as *State v. Rowan*, 104 Ohio St.3d 244, 2004-Ohio-6394.]

Criminal law — Prosecution for escape — Court of appeals’ judgment reversed and cause remanded to the trial court for further proceedings on the authority of State v. Thompson.

(No. 2003-0873 — Submitted November 30, 2004 — Decided December 8, 2004.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 80540, 2003-Ohio-2458.

{¶1} The judgment of the court of appeals is reversed on the authority of *State v. Thompson*, 102 Ohio St.3d 287, 2004-Ohio-2946, 809 N.E.2d 1134, and the cause is remanded to the trial court for further proceedings not inconsistent with *State v. Thompson*.

MOYER, C.J., RESNICK, LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ., concur.

F.E. SWEENEY and PFEIFER, JJ., dissent.

William D. Mason, Cuyahoga County Prosecuting Attorney, and Jon W. Oebker, Assistant Prosecuting Attorney, for appellant.

Robert L. Tobik, Cuyahoga County Public Defender, Carlos Warner and John T. Martin, Assistant Public Defenders, for appellee.
