

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

[Cite as *State v. Carter*, 108 Ohio St.3d 532, 2006-Ohio-1711.]

*Criminal procedure — Court costs — Collection from indigent defendant —
Court of appeals’ judgment reversed and judgments of the trial court
reinstated on the authority of State v. Threatt.*

(Nos. 2004-1324 and 2004-1692 — Submitted March 15, 2006 — Decided April
19, 2006.)

APPEAL from and CERTIFIED by the Court of Appeals for Stark County,
No. 2003CA00372, 2004-Ohio-3523.

{¶ 1} The certified question is answered in the affirmative, the judgment
of the court of appeals is reversed on the authority of *State v. Threatt*, 108 Ohio
St.3d 277, 2006-Ohio-905, 843 N.E.2d 164, and the judgments of the trial court
denying appellee's motions to waive court costs and to vacate the order of
garnishment are reinstated.

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

PFEIFER, J., dissents for the reasons stated in his separate opinion in *State*
v. White, 103 Ohio St.3d 580, 2004-Ohio-5989, 817 N.E.2d 393.

John D. Ferrero, Stark County Prosecuting Attorney, and Kathleen O.
Tatarsky and Amy S. Andrews, Assistant Prosecuting Attorneys, for appellant.

J. Dean Carro, for appellee.
