

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

[Cite as *State v. Stevens*, 109 Ohio St.3d 1210, 2006-Ohio-2580.]

Criminal law — Sentencing — Appellate review — Court of appeals’ judgment reversed and cause remanded to the trial court on the authority of State v. Saxon.

(Nos. 2006-0102 — Submitted April 25, 2006 — Decided June 7, 2006.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 86101, 2005-Ohio-6384.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed on the authority of *State v. Saxon*, 109 Ohio St.3d 176, 2006-Ohio-1245, 846 N.E.2d 824, and the cause is remanded to the trial court for further proceedings consistent therewith.

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

RESNICK and PFEIFER, JJ., dissent.

William D. Mason, Cuyahoga County Prosecuting Attorney, and T. Allan Regas, Assistant Prosecuting Attorney, for appellant.
