

IN RE OHIO CRIMINAL SENTENCING STATUTES CASES.

**[Cite as *In re Ohio Criminal Sentencing Statutes Cases*,
109 Ohio St.3d 518, 2006-Ohio-3254.]**

*Criminal law — Felonies — Sentencing — Cases accepted and disposed of on the
authority of State v. Foster.*

(Submitted June 7, 2006 — Decided July 12, 2006.)

{¶ 1} The following dispositions of currently pending appeals are hereby entered based on our decision in *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, 845 N.E.2d 470.

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

I.

{¶ 2} Discretionary appeals are accepted in the following cases, the judgments of the courts of appeals are reversed, and the causes are remanded to the trial courts for resentencing. If propositions of law are noted, such reversals apply only to those portions of the judgments of the courts of appeals as are implicated by the applicable propositions of law:

{¶ 3} 2006-0411. *State v. Hall*, Cuyahoga App. No. 85861, 2006-Ohio-89. Also reversed and remanded on the authority of *State v. Mathis*, 109 Ohio St.3d 54, 2006-Ohio-855, 846 N.E.2d 1, and *State v. Saxon*, 109 Ohio St.3d 176, 2006-Ohio-1245, 846 N.E.2d 824.

{¶ 4} 2006-0421. *State v. Berry*, Scioto App. No. 04CA2961, 2006-Ohio-244. Accepted on Proposition of Law Nos. I and II.

SUPREME COURT OF OHIO

{¶ 5} 2006-0455. *State v. Perry*, Ross App. No. 05CA2837, 2006-Ohio-219. Accepted on Proposition of Law No. I.

{¶ 6} 2006-0534. *State v. Batin*, Stark App. No. 2005CA00066, 2006-Ohio-512.

{¶ 7} 2006-0541. *State v. LaBoy*, Cuyahoga App. No. 86255, 2006-Ohio-168.

II.

{¶ 8} The discretionary appeal is accepted in the following case, the judgment of the court of appeals is affirmed in part and reversed in part, and the cause is remanded to the trial court for resentencing:

{¶ 9} 2006-0399. *State v. Mozena*, Hamilton App. No. C-050208, 2006-Ohio-717, and 2006-Ohio-1220.
