

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

[Cite as *State v. Colston*, 111 Ohio St.3d 266, 2006-Ohio-5703.]

Criminal law – Sufficiency of indictment – Indictment that tracks language of the charged offense and identifies predicate offense by referring to statute number is not defective for failure to include each element of predicate offense – Court of appeals’ judgment affirmed on the authority of State v. Buehner.

(No. 2006-0272 — Submitted September 20, 2006 — Decided
November 15, 2006.)

CERTIFIED BY the Court of Appeals for Clermont County,
No. CA2004-11-099, 2005-Ohio-7031.

{¶ 1} The certified question is answered in the affirmative and the judgment of the court of appeals is affirmed on the authority of *State v. Buehner*, 110 Ohio St.3d 403, 2006-Ohio-4707, 853 N.E.2d 1162..

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

PFEIFER, J., dissents for the reasons he dissented in *State v. Buehner*, 110 Ohio St.3d 403, 2006-Ohio-4707, 853 N.E.2d 1162.

Law Firm of Curt C. Hartman and Curt C. Hartman, for appellant.
