

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

[Cite as *State v. Webb*, 113 Ohio St.3d 254, 2007-Ohio-1789.]

Criminal law — Sentencing — Court of appeals' judgment reversed and cause remanded for further proceedings consistent with State v. Saxon and State v. Evans.

(No. 2005-1693 — Submitted April 4, 2007 — Decided May 2, 2007.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 85318, 2005-Ohio-3839.

{¶1} The judgment of the court of appeals ordering a complete resentencing hearing is reversed on the authority of *State v. Saxon*, 109 Ohio St.3d 176, 2006-Ohio-1245, 846 N.E.2d 824, and *State v. Evans*, 113 Ohio St.3d 100, 2007-Ohio-861, 863 N.E.2d 113, and the cause is remanded to the trial court for the purpose of vacating the portions of appellee's sentence that pertain to the convictions previously vacated by the court of appeals.

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

PFEIFER, J., dissents for the reasons stated in his dissenting opinion in *State v. Evans*, 113 Ohio St.3d 100, 2007-Ohio-861, 863 N.E.2d 113.

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