

[Cite as *State v. Irvin*, 114 Ohio St.3d 453, 2007-Ohio-4559.]

**THE STATE OF OHIO, APPELLEE, v. IRVIN, APPELLANT.**

**[Cite as *State v. Irvin*, 114 Ohio St.3d 453, 2007-Ohio-4559.]**

*Child pornography – Certified question answered in the negative on the authority of State v. Tooley.*

(No. 2007-0177 — Submitted August 14, 2007 — Decided September 19, 2007.)

CERTIFIED by the Court of Appeals for Fairfield County,

No. 06-CA-9, 2006-Ohio-6563.

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{¶ 1} The certified question is answered in the negative on the authority of *State v. Tooley*, 114 Ohio St.3d 366, 2007-Ohio-3698, \_\_\_ N.E.2d \_\_\_.

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

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Dagger, Johnston, Miller, Ogilvie & Hampson, L.L.P., and Scott P. Wood, for appellant.

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