

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

[Cite as *State v. Pierce*, 117 Ohio St.3d 1225, 2008-Ohio-1428.]

*Appeal dismissed as improvidently accepted.*

(No. 2007-1605 — Submitted March 26, 2008 — Decided April 2, 2008.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 88470, 2007-Ohio-3665.

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{¶1} The cause is dismissed, sua sponte, as having been improvidently accepted.

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

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William D. Mason, Cuyahoga County Prosecuting Attorney, and Mary H. McGrath, Assistant Prosecuting Attorney, for appellee.

Robert L. Tobik, Cuyahoga County Public Defender, and Cullen Sweeney, Assistant Public Defender, for appellant.

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