

**FRANKLIN COUNTY PROSECUTING ATTORNEY,
APPELLEE, v. WALKER, APPELLANT.**

**[Cite as *Franklin Cty. Pros. Atty. v. Walker*,
117 Ohio St.3d 537, 2008-Ohio-1589.]**

Court of appeals' judgment reversed on the authority of Hyle v. Porter.

(No. 2007-2121 — Submitted March 12, 2008 — Decided April 9, 2008.)

APPEAL from the Court of Appeals for Franklin County,
No. 07AP-165, 2007-Ohio-5095.

{¶ 1} The discretionary appeal is accepted on Proposition of Law No. I.

{¶ 2} The judgment of the court of appeals is reversed on the authority of
Hyle v. Porter, 117 Ohio St.3d 165, 2008-Ohio-542, 882 N.E.2d 899.

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

O'DONNELL, J., dissents.

Ron O'Brien, Franklin County Prosecuting Attorney, and Tracie M. Boyd,
Assistant Prosecuting Attorney, for appellee.

Shaw & Miller and Mark J. Miller, for appellant.
