

THE STATE OF OHIO, CROSS-APPELLEE, v. MOORE, CROSS-APPELLANT.

[Cite as *State v. Moore*, 117 Ohio St.3d 69, 2008-Ohio-501.]

Cause remanded to the court of appeals for further consideration in light of the decision in State v. Crager.

(No. 2006-0502 — Submitted January 9, 2008 — Decided February 13, 2008.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 85828, 2006-Ohio-277.

{¶ 1} As to Proposition of Law No. II of the cross-appeal, the cause is dismissed, sua sponte, as having been improvidently accepted.

{¶ 2} As to Proposition of Law No. III of the cross-appeal, the cause is remanded to the court of appeals for further consideration in light of our decision in *State v. Crager*, 116 Ohio St.3d 369, 2007-Ohio-6840, 879 N.E.2d 745.

{¶ 3} As to Proposition of Law No. VII of the cross-appeal, the cause is remanded to the court of appeals for further consideration in light of our decision in *State v. Foster*, 109 Ohio St.3d 1, 2006-Ohio-856, 845 N.E.2d 470.

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

William D. Mason, Cuyahoga County Prosecuting Attorney, and Lisa Reitz Williamson, Assistant Prosecuting Attorney, for cross-appellee.

Robert L. Tobik, Cuyahoga County Public Defender, and John T. Martin, Assistant Public Defender, for cross-appellant.
