

THE CITY OF TOLEDO ET AL., APPELLEES, v. THE STATE OF OHIO, APPELLANT.

[Cite as *Toledo v. State*, 122 Ohio St.3d 542, 2009-Ohio-4117.]

Court of appeals' judgment reversed on the authority of Lima v. State.

(No. 2008-0975 — Submitted July 14, 2009 — Decided August 20, 2009.)

APPEAL from the Court of Appeals for Lucas County, No. L-07-1261,
2008-Ohio-1957.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Lima v. State*, 122 Ohio St.3d 155, 2009-Ohio-2597, 909 N.E.2d 616.

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

LANZINGER, J., dissents.

Richard Cordray, Attorney General, Benjamin C. Mizer, Solicitor General,
and Sharon A. Jennings and Pearl M. Chin, Assistant Attorneys General, for
appellant.

Kalniz, Iorio & Feldstein Co., L.P.A., and Donato Iorio, for amici curiae
Toledo Police Patrolman's Association and Toledo Fire Fighters Local 92 in
support of appellant.
