

**IN RE J.M.**

**[Cite as *In re J.M.*, 127 Ohio St.3d 8, 2010-Ohio-4935.]**

*Court of appeals' judgment vacated in part on the authority of State v. Arnold,  
and cause remanded to the court of appeals.*

(No. 2009-1589 — Submitted July 6, 2010 — Decided October 14, 2010.)

APPEAL from the Court of Appeals for Pike County, No. 08CA782,  
2010-Ohio-1484.

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{¶ 1} The discretionary appeal was accepted in this case on Proposition of Law No. I and held for the decision in *State v. Arnold*, 126 Ohio St.3d 290, 2010-Ohio-2742, 933 N.E.2d 775.

{¶ 2} We are unable to determine from the court of appeals' opinion whether the juvenile court erroneously admitted statements by the child victim to child advocacy center employees. It is uncertain whether the statements were made for forensic or medical purposes and, if the statements were made for forensic purposes, whether their admission was harmless error. Accordingly, the portion of the court of appeals' judgment with respect to appellant J.M.'s third assignment of error is vacated, and the cause is remanded to the court of appeals for further proceedings consistent with *State v. Arnold*.

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

BROWN, C.J., concurs in judgment only.

O'DONNELL, J., concurs in the judgment to vacate the judgment of the court of appeals in part but would remand for application of the principles articulated in his dissenting opinion in *State v. Arnold*.

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SUPREME COURT OF OHIO

Timothy Young, Ohio Public Defender, and Angela Miller, Assistant  
Public Defender, for appellant, J.M.

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