

THE STATE OF OHIO, APPELLEE, v. MCKAY, APPELLANT.

[Cite as *State v. McKay*, 124 Ohio St.3d 442, 2010-Ohio-718.]

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

(No. 2007-1023 — Submitted January 13, 2010 — Decided March 4, 2010.)

APPEAL from the Court of Appeals for Ashtabula County, No. 2006-A-0066,
2007-Ohio-1923.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *State v. Singleton*, 124 Ohio St.3d 173, 2009-Ohio-6434, 920 N.E.2d 958, to the extent that the court of appeals held that R.C. 2929.191 could be applied in this case. R.C. 2929.191 may not be applied to a sentence entered prior to July 11, 2006.

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

LUNDBERG STRATTON and LANZINGER, JJ., dissent for the reasons stated in
the dissenting opinion of LANZINGER, J., in *State v. Singleton*.

Thomas L. Sartini, Ashtabula County Prosecuting Attorney, and Shelley
M. Pratt, Assistant Prosecuting Attorney, for appellee.

Ashtabula County Public Defender Office, Inc., and Marie Lane, for
appellant.
