

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

[Cite as *State v. Schmick*, 144 Ohio St.3d 376, 2015-Ohio-3924.]

Judgment reversed and cause remanded on the authority of State v. Rogers.

(No. 2013-1852—Submitted August 11, 2015—Decided September 29, 2015.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 99262,
2013-Ohio-4488.

{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to the Cuyahoga County Court of Common Pleas on the authority of *State v. Rogers*, 143 Ohio St.3d 385, 2015-Ohio-2459, 38 N.E.3d 860.

O’CONNOR, C.J., and PFEIFER, O’DONNELL, LANZINGER, KENNEDY, and FRENCH, JJ., concur.

O’NEILL, J., dissents.

Timothy J. McGinty, Cuyahoga County Prosecuting Attorney, and Joseph J. Ricotta and Adam M. Chaloupka, Assistant Prosecuting Attorneys, for appellant.

John P. Parker, for appellee.
