

**THE STATE OF OHIO, APPELLANT, v. BLACK, APPELLEE.**

**[Cite as *State v. Black*, 144 Ohio St.3d 127, 2015-Ohio-3925.]**

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

(No. 2013-1947—Submitted August 11, 2015—Decided September 29, 2015.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 99421,  
2013-Ohio-4908.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to that court for further proceedings 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.

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

Michael B. Telep, for appellee.

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