

[Cite as *State v. Overholser*, 147 Ohio St.3d 165, 2016-Ohio-2969.]

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

[Cite as *State v. Overholser*, 147 Ohio St.3d 165, 2016-Ohio-2969.]

*Criminal law—Felony sentencing—Standard of review upon appeal of sentence—  
R.C. 2953.08(G)(2)—Judgment affirmed on the authority of State v.  
Marcum.*

(No. 2015-0956—Submitted April 7, 2016—Decided May 17, 2016.)

APPEAL from the Court of Appeals for Clark County,  
No. 2014-CA-42, 2015-Ohio-1980.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority of  
*State v. Marcum*, 146 Ohio St.3d 516, 2016-Ohio-1002, 59 N.E.3d 1231.

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

LANZINGER and KENNEDY, JJ., dissent and would dismiss the appeal as  
having been improvidently accepted.

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D. Andrew Wilson, Clark County Prosecuting Attorney, and Ryan A.  
Saunders, Assistant Prosecuting Attorney, for appellant.

Richard E. Mayhall, for appellee.

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