

[Cite as *State v. Diamond*, 147 Ohio St.3d 248, 2016-Ohio-4849.]

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

[Cite as *State v. Diamond*, 147 Ohio St.3d 248, 2016-Ohio-4849.]

*Court of appeals' judgment reversed, and cause remanded for further proceedings consistent with State v. Heinz.*

(No. 2014-1714—Submitted June 1, 2016—Decided July 11, 2016.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 101914.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded for further proceedings consistent with our decision in *State v. Heinz*, 146 Ohio St.3d 374, 2016-Ohio-2814, 56 N.E.3d 965.

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

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Timothy J. McGinty, Cuyahoga County Prosecuting Attorney, and T. Allan Regas and Frank Romeo Zeleznikar, Assistant Prosecuting Attorneys, for appellant.

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