THE STATE OF OHIO, APPELLEE, *v*. SHAFFER, APPELLANT. [Cite as *State v. Shaffer*, 144 Ohio St.3d 591, 2016-Ohio-52.]

Appeal dismissed as having been improvidently accepted.

(No. 2014-1255—Submitted November 17, 2015—Decided January 12, 2016.) APPEAL from the Court of Appeals for Medina County, Nos. 12CA0071-M and 12CA0077-M, 2014-Ohio-2461.

 $\{\P 1\}$ The cause is dismissed, sua sponte, as having been improvidently accepted.

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

KENNEDY, J., dissents.

Dean Holman, Medina County Prosecuting Attorney, and Matthew A. Kern, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Peter Galyardt, Assistant Public Defender, for appellant.