

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Mobarak*, Slip Opinion No. 2016-Ohio-8372.]

NOTICE

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**SLIP OPINION NO. 2016-OHIO-8372**

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

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Mobarak*, Slip Opinion No. 2016-Ohio-8372.]

*Court of appeals' judgment reversed on authority of State v. Shalash and cause remanded.*

(No. 2015-1259—Submitted December 20, 2016—Decided December 27, 2016.)

APPEAL from the Court of Appeals for Franklin County,  
No. 14AP-517, 2015-Ohio-3007.

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{¶ 1} The judgment of the court of appeals is reversed on the authority of *State v. Shalash*, \_\_\_ Ohio St.3d \_\_\_, 2016-Ohio-8358, \_\_\_ N.E.3d \_\_\_, and this cause is remanded to the court of appeals for further proceedings consistent with our decision in *Shalash*.

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

O'NEILL, J., dissents.

SUPREME COURT OF OHIO

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Ron O'Brien, Franklin County Prosecuting Attorney, Seth L. Gilbert, Assistant Prosecuting Attorney, and Steven L. Taylor, Chief Counsel, Appellate Division, for appellant.

The Behal Law Group, L.L.C., Robert J. Behal, John M. Gonzales, and Gilbert J. Gradisar, for appellee.

Michael DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael J. Hendershot, Chief Deputy Solicitor, and Hannah C. Wilson, Deputy Solicitor, urging reversal for amicus curiae, Ohio Attorney General.

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