

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

[Cite as *State v. Mobarak*, 150 Ohio St.3d 26, 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.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *State v. Shalash*, 148 Ohio St.3d 611, 2016-Ohio-8358, 71 N.E.3d 1089, 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.

Ron O'Brien, Franklin County Prosecuting Attorney, Seth L. Gilbert, Assistant Prosecuting Attorney, and Steven L. Taylor, Assistant Prosecuting Attorney, 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.
