

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. McClurg*, Slip Opinion No. 2020-Ohio-3696.]

NOTICE

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**SLIP OPINION NO. 2020-OHIO-3696**

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

**[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. McClurg*, Slip Opinion No. 2020-Ohio-3696.]**

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

(No. 2018-1410—Submitted July 8, 2020—Decided July 15, 2020.)

APPEAL from the Court of Appeals for Richland County,  
No. 17CA98, 2018-Ohio-3840.

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{¶ 1} The judgment of the court of appeals is reversed, and the cause is remanded to the court of appeals for application of *State v. Howard*, \_\_ Ohio St.3d \_\_, 2020-Ohio-3195, \_\_ N.E.3d \_\_.

O'CONNOR, C.J., and KENNEDY, FRENCH, FISCHER, DEWINE, DONNELLY, and STEWART, JJ., concur.

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SUPREME COURT OF OHIO

Gary D. Bishop, Richland County Prosecuting Attorney, and Joseph C. Snyder, Assistant Prosecuting Attorney, for appellant, state of Ohio.

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