

[Corrected Entry: Please see original at 2004-Ohio-7218.]

STATE OF OHIO	)	IN THE COURT OF APPEALS
	)SS.	
COUNTY OF LAKE	)	ELEVENTH DISTRICT

STATE OF OHIO,

Plaintiff-Appellee,

- VS -

JASON R. LAVECK,

Defendant-Appellant.

**JUDGMENT ENTRY**

**CASE NOS. 2002-L-189  
and 2003-L-122**

1/7/05

{¶ 1} Pursuant to an inadvertent error on the front page of this Court's Opinion released on December 30, 2004, it is ordered, sua sponte, that the attached front page be substituted.

{¶ 2} The Clerk of Courts is instructed to substitute the front page of this Court's December 30, 2004 Opinion with the front page attached to this entry.

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JUDGE WILLIAM M. O'NEILL  
FOR THE COURT

**THE COURT OF APPEALS  
ELEVENTH APPELLATE DISTRICT  
LAKE COUNTY, OHIO**

STATE OF OHIO,	:	<b>O P I N I O N</b>
Plaintiff-Appellee,	:	
- vs -	:	<b>CASE NOS. 2002-L-189 2003-L-122</b>
JASON R. LAVECK,	:	
Defendant-Appellant.	:	

Criminal Appeals from the Court of Common Pleas, Case No. 02 CR 000034.

Judgment: Reversed and remanded.

*Charles E. Coulson*, Lake County Prosecutor, and *Brian L. Summers*, Assistant Prosecutor, 105 Main Street, P.O. Box 490, Painesville, OH 44077 (For Plaintiff-Appellee).

*Amy Marie Freeman*, 8440 Station Street, Mentor, OH 44060 (For Defendant-Appellant).

WILLIAM M. O'NEILL, J.

{¶1} These appeals arise from the Lake County Court of Common Pleas. On May 17, 2002, appellant, Jason R. Laveck ("Laveck"), was indicted on one count of burglary, a felony in the second degree.

{¶2} The following facts were presented by the state at trial.

{¶3} On November 19, 2001, Abdulla Hussain left his house, where he resided with his seventeen-year-old son, Muthana Hussain, at approximately 6:30 a.m. to work