

[Cite as *Cleveland v. Washington Mut. Bank*, 2010-Ohio-2957.]

Court of Appeals of Ohio

EIGHTH APPELLATE DISTRICT
COUNTY OF CUYAHOGA

JOURNAL ENTRY AND OPINION
No. 91379

CITY OF CLEVELAND

PLAINTIFF-APPELLEE

vs.

WASHINGTON MUTUAL BANK

DEFENDANT-APPELLANT

JUDGMENT:
VACATED AND REMANDED

Criminal Appeal from the
Cleveland Municipal Court
Case No. 2007 CRB 005057

BEFORE: Rocco, J., Sweeney, J., and Boyle, J.

RELEASED: June 24, 2010

JOURNALIZED:

ATTORNEY FOR APPELLANT

Benjamin D. Carnahan
Shapiro, Van Ess, Phillips & Barragate, LLP
1500 West 3d Street, Suite 455
Cleveland, Ohio 44113

ATTORNEYS FOR APPELLEE

Robert J. Triozzi
Director of Law

BY: Andrew A. Meyer
Assistant Director of Law
City of Cleveland Law Department
601 Lakeside Avenue, Room 106
Cleveland, Ohio 44114

N.B. This entry is an announcement of the court's decision. See App.R. 22(B), 22(D) and 26(A); Loc.App.R. 22. This decision will be journalized and will become the judgment and order of the court pursuant to App.R. 22(E) unless a motion for reconsideration with supporting brief, per App.R. 26(A), is filed within ten (10) days of the announcement of the court's decision. The time period for review by the Supreme Court of Ohio shall begin to run upon the journalization of this court's announcement of decision by the clerk per App.R. 22(E). See, also, S.Ct. Prac.R. II, Section 2(A)(1).

KENNETH A. ROCCO, J.:

{¶ 1} The Ohio Supreme Court has affirmed our judgment in *City of Cleveland v. Washington Mutual Bank, et al.*, 179 Ohio App.3d 692, 2008 -Ohio- 6956, 903 N.E.2d 384, and remanded the matter to this court for further proceedings consistent with its opinion.

{¶ 2} In accordance with the supreme court's decision, we vacate the judgment of conviction entered by the municipal court and remand for further proceedings consistent with the Ohio Supreme Court's opinion.

Vacated and remanded.

KENNETH A. ROCCO, JUDGE

JAMES J. SWEENEY, J., and
MARY J. BOYLE, J., CONCUR