

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

[Cite as *State v. Shelly* (1998), ___ Ohio St.3d ____.]

Court of appeals' judgment affirmed on the authority of State v. Rush.

(No. 98-598 — Submitted August 19, 1998 — Decided September 23, 1998.)

CERTIFIED by the Court of Appeals for Medina County, No. 2676-M.

*Mentzer, Vuillemin & Mygrant, Ltd., and Donald J. Malarcik, Jr., for
appellant.*

The judgment of the court of appeals is affirmed on the authority of *State v. Rush* (1998), 83 Ohio St.3d 53, 697 N.E.2d 634.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and
LUNDBERG STRATTON, JJ., concur.