

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

[Cite as *State v. Holloway*, 113 Ohio St.3d 1201, 2007-Ohio-793.]

*Motion for reconsideration granted.*

(No. 2006-1331 — Submitted January 23, 2007 — Decided February 28, 2007.)

APPEAL from the Court of Appeals for Cuyahoga County,

Nos. 86426 and 86427, 2006-Ohio-2591.

ON MOTION FOR RECONSIDERATION

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{¶1} Appellee's motion for the court to reconsider its decision in *State v. Holloway*, 111 Ohio St.3d 496, 2006-Ohio-6114, 857 N.E.2d 141, which reversed the judgment of the court of appeals, is granted to the following extent: The cause is remanded to the court of appeals for consideration of appellee's remaining assignments of error.

MOYER, C.J., LUNDBERG STRATTON, O'CONNOR and LANZINGER, JJ., concur.

PFEIFER and O'DONNELL, JJ., dissent.

CUPP, J., not participating.

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Paul Mancino Jr., for appellee.

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