

[Cite as *State v. Murphy*, 127 Ohio St.3d 120, 2010-Ohio-5271.]

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

[Cite as *State v. Murphy*, 127 Ohio St.3d 120, 2010-Ohio-5271.]

*Cause remanded to the court of appeals for application of State v. Rohrbaugh.*

(No. 2009-1309 — Submitted August 10, 2010 — Decided November 2, 2010.)

APPEAL from the Court of Appeals for Muskingum County, No. CT2008-0067,  
2009-Ohio-2690.

---

{¶ 1} The cause is remanded to the court of appeals for application of our decision in *State v. Rohrbaugh*, 126 Ohio St.3d 421, 2010-Ohio-3286, 934 N.E.2d 920, including a determination of whether the three conditions set forth in the syllabus of *State v. Rohrbaugh* were present with regard to appellant's guilty plea to the amended indictment.

BROWN, C.J., and PFEIFER, LUNDBERG STRATTON, O'CONNOR,  
O'DONNELL, LANZINGER, and CUPP, JJ., concur.

---

David A. Sams, for appellant.

---