

[Cite as *State v. Harris*, 124 Ohio St.3d 472, 2010-Ohio-722.]

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

[Cite as *State v. Harris*, 124 Ohio St.3d 472, 2010-Ohio-722.]

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

(No. 2008-0057 — Submitted January 13, 2010 — Decided March 4, 2010.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 89128,
2007-Ohio-6850.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Singleton*, 124 Ohio St.3d 173, 2009-Ohio-6434, 920 N.E.2d 958.

MOYER, C.J., and PFEIFER, O'CONNOR, O'DONNELL, and CUPP, JJ.,
concur.

LUNDBERG STRATTON and LANZINGER, JJ., dissent for the reasons stated in the dissenting opinion of LANZINGER, J., in *State v. Singleton*.

William D. Mason, Cuyahoga County Prosecuting Attorney, and Matthew E. Meyer, Assistant Prosecuting Attorney, for appellant.

Robert L. Tobik, Cuyahoga County Public Defender, and Paul A. Kuzmins, Assistant Public Defender, for appellee.
