

[Cite as *State v. Jordan*, 128 Ohio St.3d 268, 2011-Ohio-737.]

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

[Cite as *State v. Jordan*, 128 Ohio St.3d 268, 2011-Ohio-737.]

Discretionary appeal accepted and judgment of the court of appeals reversed in part on the authority of State v. Hodge.

(No. 2010-1868 — Submitted February 1, 2011 — Decided February 22, 2011.)

APPEAL from the Court of Appeals for Trumbull County, No. 2009-T-0110,
2010-Ohio-5183.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The portion of the judgment of the court of appeals addressing appellant's first assignment of error below is reversed on the authority of *State v. Hodge*, 128 Ohio St.3d 1, 2010-Ohio-6320, 941 N.E.2d 768.

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

Dennis Watkins, Trumbull County Prosecuting Attorney, and LuWayne Annos, Assistant Prosecuting Attorney, for appellant.
