

[Cite as *State v. Rucker*, 135 Ohio St.3d 218, 2012-Ohio-5633.]

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

**[Cite as *State v. Rucker*, 135 Ohio St.3d 218, 2012-Ohio-5633.]**

*Court of appeals' judgment affirmed in part and reversed in part on the authority of State v. Moore.*

(Nos. 2012-1097 and 2012-1218—Submitted December 5, 2012—Decided  
December 6, 2012.)

APPEAL from and CERTIFIED by the Court of Appeals for Summit County,  
No. 26212, 2012-Ohio-2176.

---

{¶ 1} The judgment of the court of appeals is affirmed in part and reversed in part on the authority of *State v. Moore*, 135 Ohio St.3d 151, 2012-Ohio-5479, 985 N.E.2d 432. The cause is remanded to the trial court for resentencing regarding the mandatory fine.

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

---

Sherri Bevan Walsh, Summit County Prosecuting Attorney, and Richard S. Kasay, Assistant Prosecuting Attorney, for Appellee.

Dewitt Rucker, pro se.

---