

[Cite as *Ballard v. State*, 136 Ohio St.3d 83, 2013-Ohio-2412.]

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

[Cite as *Ballard v. State*, 136 Ohio St.3d 83, 2013-Ohio-2412.]

*Court of appeals' judgment reversed and cause remanded on the authority of Dunbar v. State.*

(No. 2012-1525—Submitted June 5, 2013—Decided June 13, 2013.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 97882, 2012-Ohio-3086.

---

{¶ 1} The judgment of the court of appeals is reversed and the cause is remanded on the authority of *Dunbar v. State*, 136 Ohio St.3d 181, 2013-Ohio-2163, 992 N.E.2d 1111.

O'CONNOR, C.J., and PFEIFER, O'DONNELL, LANZINGER, KENNEDY, FRENCH, and O'NEILL, JJ., concur.

---

Samuel S. Riotte and David B. Malik, for appellee.

Michael DeWine, Attorney General, Alexandra T. Schimmer, Solicitor General, and Peter K. Glenn-Applegate, Deputy Solicitor; and Timothy J. McGinty, Cuyahoga County Prosecuting Attorney, and Michael A. Dolan, Assistant Prosecuting Attorney, for appellant.

---