

[Cite as *State v. Terrell*, 152 Ohio St.3d 160, 2018-Ohio-258.]

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

[Cite as *State v. Terrell*, 152 Ohio St.3d 160, 2018-Ohio-258.]

Appeal dismissed as having been improvidently accepted.

(No. 2016-1100—Submitted November 21, 2017—Decided January 16, 2018.*)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 103428, 2016-Ohio-4563.

{¶ 1} This cause is dismissed as having been improvidently accepted.

O'DONNELL, KENNEDY, FISCHER, and DEWINE, JJ., concur.

O'CONNOR, C.J., and FRENCH and O'NEILL, JJ., dissent.

Michael C. O'Malley, Cuyahoga County Prosecuting Attorney, and
Christopher D. Schroeder, Assistant Prosecuting Attorney, for appellee.

Robert L. Tobik, Cuyahoga County Public Defender, and Erika B. Cunliffe,
Assistant Public Defender, for appellant.

*Reporter's Note: This cause was decided on January 16, 2018, but was released to the public on January 30, 2018, subsequent to the resignation of Justice William M. O'Neill, who participated in the decision.