

[Cite as *State v. Gapen*, 167 Ohio St.3d 408, 2022-Ohio-1328.]

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

**[Cite as *State v. Gapen*, 167 Ohio St.3d 408, 2022-Ohio-1328.]**

*Appeal dismissed as having been improvidently accepted.*

(No. 2021-1336—Submitted April 12, 2022—Decided April 26, 2022.)

APPEAL from the Court of Appeals for Montgomery County,

No. 28808, 2021-Ohio-3252.

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

O’CONNOR, C.J., and KENNEDY, FISCHER, DEWINE, DONNELLY, STEWART,  
and BRUNNER, JJ., concur.

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Mathias H. Heck, Montgomery County Prosecuting Attorney, and Andrew  
T. French, Assistant Prosecuting Attorney, for appellee.

Allen L. Bohnert and Adam M. Rusnak, Assistant Federal Public  
Defenders, for appellant, Larry Gapen.

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