

THE STATE OF OHIO, APPELLEE, v. L.A.B., APPELLANT.

[Cite as *State v. L.A.B.*, 170 Ohio St.3d 193, 2022-Ohio-4484.]

Appeal dismissed as having been improvidently accepted.

(No. 2022-0085—Submitted December 6, 2022—Decided December 16, 2022.)

APPEAL from the Court of Appeals for Franklin County,

No. 20AP-120, 2021-Ohio-4323.

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

{¶ 2} The court orders that the opinion of the court of appeals may not be cited as authority with regard to the issue raised in proposition of law No. I (whether the state may criminally indict a juvenile on counts for which the state failed to show probable cause in the juvenile court) except by the parties inter se.

DONNELLY, J., concurs.

KENNEDY and FISCHER, JJ., concur but would not order that the opinion of the court of appeals not be cited.

O’CONNOR, C.J., and STEWART and BRUNNER, JJ., concur in part and dissent in part and would affirm the court of appeals’ judgment as to proposition of law Nos. II, III, and IV.

DEWINE, J., concurs in part and dissents in part and would order oral argument on proposition of law No. I.

G. Gary Tyack, Franklin County Prosecuting Attorney, and Kimberly M. Bond, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Timothy B. Hackett, Assistant Public Defender, for appellant.
