

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. L.A.B.*, Slip Opinion No. 2022-Ohio-4484.]

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2022-OHIO-4484

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

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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.

SUPREME COURT OF OHIO

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.
