

EIGHMEY, APPELLEE, ET AL., v. THE CITY OF CLEVELAND, APPELLANT.

[Cite as *Eighmey v. Cleveland*, 171 Ohio St.3d 636, 2022-Ohio-4729.]

Court of appeals' judgment reversed on the authority of *Lycan v. Cleveland*.

(No. 2020-0677—Submitted December 23, 2022—Decided December 30, 2022.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 108540, 2020-Ohio-1500.

{¶ 1} The judgment of the court of appeals is reversed on the authority of *Lycan v. Cleveland*, 171 Ohio St.3d 550, 2022-Ohio-4676, 218 N.E.3d 913.

KENNEDY, DEWINE, STEWART, and BRUNNER, JJ., concur.

O'CONNOR, C.J., and DONNELLY, J., dissent for the reasons set forth in Chief Justice O'Connor's dissenting opinion in *Lycan*.

FISCHER, J., dissents and would order briefing.

Dworken & Bernstein Co., L.P.A., Patrick J. Perotti, and Frank A. Bartela, for appellee, Allyson Eighmey.

Mark D. Griffin, Cleveland Director of Law, and Craig J. Morice, Assistant Director of Law, for appellant.
