

**LINDSAY, APPELLEE, ET AL., v. THE CITY OF GARFIELD HEIGHTS ET AL.,
APPELLANTS.**

[Cite as *Lindsay v. Garfield Hts.*, 171 Ohio St.3d 636, 2022-Ohio-4730.]

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

(No. 2020-1032—Submitted December 23, 2022—Decided December 30, 2022.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 108967, 2020-Ohio-3672.

{¶ 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, Nicole T. Fiorelli, and James S. Timmerberg, for appellee, Nell Lindsay.

O'Toole, McLaughlin, Dooley & Pecora Co., L.P.A., and John D. Latchney, for appellant City of Garfield Heights.

Bricker & Eckler, L.L.P., and Quintin F. Lindsmith, for appellant Redflex Traffic Systems, Inc.
