

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Walker*, Slip Opinion No. 2023-Ohio-652.]

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. 2023-OHIO-652

THE STATE OF OHIO, APPELLEE, v. WALKER, APPELLANT.

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Walker*, Slip Opinion No. 2023-Ohio-652.]

Court of appeals' judgment affirmed on the authority of State v. Messenger.

(No. 2021-1421—Submitted February 8, 2023—Decided March 7, 2023.)

APPEAL from the Court of Appeals for Lucas County,

No. L-20-1047, 2021-Ohio-3860.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Messenger*, __ Ohio St.3d __, 2022-Ohio-4562, __ N.E.3d __.

KENNEDY, C.J., and FISCHER, DEWINE, DONNELLY, BRUNNER, and DETERS, JJ., concur.

STEWART, J., dissents and would dismiss the appeal as having been improvidently accepted.

SUPREME COURT OF OHIO

Julia R. Bates, Lucas County Prosecuting Attorney, and Evy Jarrett, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Peter Galyardt, Assistant Public Defender, for appellant, Malcolm Walker.

Steven L. Taylor, urging affirmance for amicus curiae, Ohio Prosecuting Attorneys Association.
