

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

[Cite as *State v. Walker*, 170 Ohio St.3d 394, 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.

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.
