

THE STATE OF OHIO, APPELLEE, v. MAXCY-TIPTON, APPELLANT.

[Cite as *State v. Maxcy-Tipton*, 2024-Ohio-448.]

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

(No. 2022-1255—Submitted February 6, 2024—Decided February 13, 2024.)

CERTIFIED by the Court of Appeals for Wood County,

No. WD-22-003, 2022-Ohio-3502.

{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Daniel*, 173 Ohio St.3d 270, 2023-Ohio-4035, 229 N.E.3d 81.

KENNEDY, C.J., and DEWINE, STEWART, and DETERS, JJ., concur.

FISCHER and BRUNNER, JJ., concur in judgment only for the reasons set forth in their separate opinions in *Daniel*.

DONNELLY, J., dissents.

Paul A. Dobson, Wood County Prosecuting Attorney, and David T. Harold, Assistant Prosecuting Attorney, for appellee.

Jeffrey P. Nunnari, for appellant, Brooke Marie Maxcy-Tipton.
