

[Cite as *State v. Laber*, 140 Ohio St.3d 65, 2014-Ohio-3154.]

**THE STATE OF OHIO, APPELLEE, v. LABER, APPELLANT.**

**[Cite as *State v. Laber*, 140 Ohio St.3d 65, 2014-Ohio-3154.]**

*Appeal dismissed as having been improvidently accepted.*

(No. 2013-1174—Submitted June 24, 2014—Decided July 22, 2014.)

APPEAL from the Court of Appeals for Lawrence County,  
No. 12CA24, 2013-Ohio-2681.

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{¶ 1} The cause is dismissed as having been improvidently accepted.

PFEIFER, O'DONNELL, KENNEDY, and O'NEILL, JJ., concur.

O'CONNOR, C.J., and LANZINGER and FRENCH, JJ., dissent from the decision to dismiss the appeal as improvidently accepted.

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Michael DeWine, Attorney General, Eric E. Murphy, State Solicitor, Michael J. Hendershot, Chief Deputy Solicitor, and Jeffrey Jarosch, Deputy Solicitor; and Brigham Anderson, Lawrence County Prosecuting Attorney, and Mack Anderson, Assistant Prosecuting Attorney, for appellee.

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

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