

State of Ohio

Case No. 2007-0595

v.

E N T R Y

Fernando Cabrales

This cause is pending before the Court on the certification of a conflict by Court of Appeals for Hamilton County. On review of the order certifying a conflict,

It is determined that a conflict exists. It is ordered by the Court that the parties brief the issue stated in the court of appeals' entry filed March 29, 2007, as follows:

“Are the offenses of trafficking in a controlled substance in violation of R.C. 2925.03(A)(2) and possession of a controlled substance in violation of R.C. 2925.11(A) allied offenses of similar import when the same controlled substance is involved in both offenses?”

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2007-0651, *State v. Cabrales*.

It is further ordered that briefing in Case Nos. 2007-0595 and 2007-0651 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. VI and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. VI.

It is ordered by the Court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Hamilton County.

(Hamilton County Court of Appeals; No. C050682)

THOMAS J. MOYER
Chief Justice