

State of Ohio

v.

Roger L. Tooley, Jr.

Case No. 2006-0216

JUDGMENT ENTRY

CERTIFIED CONFLICT FROM
THE COURT OF APPEALS

This cause, here on the certification of a conflict by the Court of Appeals for Portage County, was considered in the manner prescribed by law. On consideration thereof, the certified questions are answered in the negative, the judgment of the court of appeals is reversed, and this cause is remanded to the trial court for proceedings consistent with the opinion rendered herein.

It is further ordered that a mandate be sent to the Court of Appeals for Portage County by certifying a copy of this judgment entry and filing it with the Clerk of the Court of Appeals for Portage County for entry.

(Portage County Court of Appeals; No. 2004P0064)

THOMAS J. MOYER
Chief Justice