

State of Ohio

v.

David McIntosh

Case No. 2006-0988

JUDGMENT ENTRY

CERTIFIED CONFLICT FROM
THE COURT OF APPEALS

This cause, here on a certification of a conflict by the Court of Appeals for Montgomery County, was considered in the manner prescribed by law. On consideration thereof, the certified conflict is answered by the opinion in *State v. Carswell*, 114 Ohio St.3d 210, 2007-Ohio-3723, 871 N.E.2d 547.

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

(Montgomery County Court of Appeals; No. 21093)

THOMAS J. MOYER
Chief Justice