

State of Ohio

v.

William J. Silsby

Case No. 2007-1254

JUDGMENT ENTRY

CERTIFIED CONFLICT FROM
THE COURT OF APPEALS

This cause, here on a certification of a conflict by the Court of Appeals for Geauga County, was considered in the manner prescribed by law. On consideration thereof, the first certified question is answered in the affirmative, the second certified question is answered in the negative on the authority of *State v. Payne*, 114 Ohio St.3d 502, 2007-Ohio-4642, 873 N.E.2d 306, and the judgment of the court of appeals is affirmed, consistent with the opinion rendered herein.

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

(Gauga County Court of Appeals; No. 2006G2725)

THOMAS J. MOYER
Chief Justice