

State of Ohio

Case No. 2008-2170

v.

E N T R Y

Raynell Robinson

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

It is determined that a conflict exists. The parties are to brief the issue stated in the court of appeals' Judgment Entry filed October 10, 2008, as follows:

“Does the damaging of a single, private telephone or cellular telephone disrupt 'public services' sufficiently to constitute a violation of R.C. 2909.04(A)(3)?”

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2008-2170, *State v. Robinson*.

It is further ordered by the Court that the briefing in Case Nos. 2008-1942 and 2008-2170 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 further ordered that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Union County.

Upon consideration of amicus curiae's motions to strike the notice of appeal and notice of certified conflict and to dismiss both cases,

It is ordered by the Court that the motions are denied.

(Union County Court of Appeals; No. 140720)

THOMAS J. MOYER
Chief Justice