State of Ohio	Case No. 2007-2186
v.	JUDGMENT ENTRY
Donald K. Malone, III	CERTIFIED CONFLICT FROM THE COURT OF APPEALS

This cause, here on a certification of a conflict by the Court of Appeals for Marion County, was considered in the manner prescribed by law. On consideration thereof, the certified question is answered in the negative 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 Marion County by certifying a copy of this judgment entry and filing it with the Clerk of the Court of Appeals for Marion County.

(Marion County Court of Appeals; No. 90643)

THOMAS J. MOYER
Chief Justice