

State of Ohio

v.

Gregory Horner

Case No. 2009-0311

E N T R Y

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

It is determined that a conflict exists.

It is ordered by the Court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2009-0079, *State v. Horner*, and held for the decision in Supreme Court Case No. 2008-1725, *State v. Lester*, and the briefing schedule is stayed.

(Lucas County Court of Appeals; No. L071224)

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THOMAS J. MOYER  
Chief Justice