

FILED

SEP 29 2010

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

State of Ohio

Case No. 2010-1372

v.

ENTRY

Stephen M. Lester

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

It is determined that a conflict exists. The parties are to brief the issue stated at page of the court of appeals' Judgment Entry filed July 12, 2010, as follows:

"Is a nunc pro tunc judgment filed for the purpose of correcting a clerical omission in a prior sentencing judgment by adding "means of conviction" language, which was readily apparent throughout the record and to the parties but not originally included as required by Crim.R. 32(C), a final order subject to appeal?"

It is ordered by the Court that the Clerk shall issue an order for the transmittal of the record from the Court of Appeals for Auglaize County.

(Auglaize County Court of Appeals; No. 21020)



ERIC BROWN
Chief Justice