

FILED

The Supreme Court of Ohio

JAN 27 2011

CLERK OF COURT
SUPREME COURT OF OHIO

State ex rel. Cordray [DeWine] et al.

Case No. 2010-1216

v.

JUDGMENT ENTRY

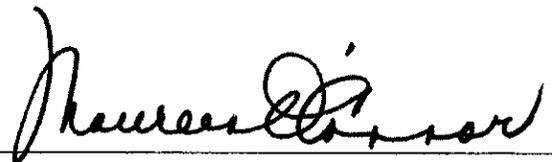
The Honorable James M. Burge

APPEAL FROM THE
COURT OF APPEALS

This cause, here on appeal from the Court of Appeals for Lorain County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed and the writ of prohibition is granted to compel Judge Burge to vacate his acquittal of Smith and to issue a corrected sentencing entry that complies with Crim.R. 32(C), consistent with the opinion rendered herein.

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

(Lorain County Court of Appeals; Nos. 09CA009723 and 09CA009724)



Maureen O'Connor
Chief Justice