

The Supreme Court of Ohio

FILED

FEB 16 2011

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2010-2134

v.

JUDGMENT ENTRY

Lesley L. Nickel

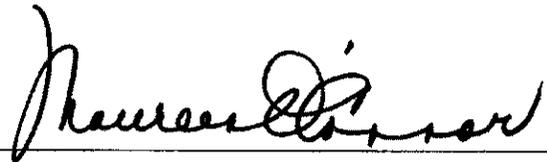
CERTIFIED CONFLICT FROM
THE COURT OF APPEALS

This cause is pending before the Court on the certification of a conflict by the Court of Appeals for Ottawa County. In view of the Court's opinion in *State v. Johnson*, ___ Ohio St.3d ___, 2010-Ohio-6314, ___ N.E.2d ___, it is determined that no conflict exists. Accordingly, this cause is dismissed as moot.

Upon consideration of appellee's motion to dismiss and appellant's motion to remand, it is ordered by the Court that the motions are denied as moot.

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

(Ottawa County Court of Appeals; No. OT10004)



Maureen O'Connor
Chief Justice