

FILED

FEB 23 2011

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

State of Ohio ex rel. Dennis J. Varnau

Case No. 2010-1655

v.

JUDGMENT ENTRY

Dwayne Wenninger

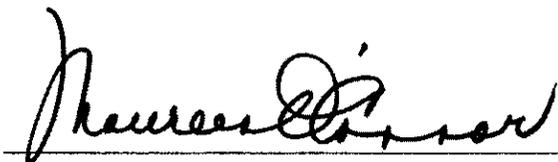
APPEAL FROM THE
COURT OF APPEALS

This cause, here on appeal from the Court of Appeals for Brown County, was considered in the manner prescribed by law. On consideration thereof, the judgment of the court of appeals is reversed and this cause is remanded to the court of appeals for further proceedings consistent with the opinion rendered herein.

Upon consideration of the appellant's request for oral argument, it is ordered by the Court that the request is denied.

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

(Brown County Court of Appeals; No. CA200902010)



Maureen O'Connor
Chief Justice