

The Supreme Court of Ohio

FILED

MAR 27 2012

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

v.

Troy L. Gates

Case No. 2012-0030

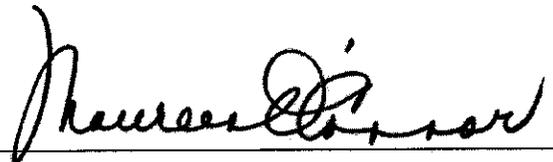
JUDGMENT ENTRY

APPEAL FROM THE
COURT OF APPEALS

This cause, here on appeal from the Court of Appeals for Portage 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 application of our decision in *State v. Smith*, ___ Ohio St.3d ___, 2012-Ohio-781, ___ N.E.2nd ___.

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

(Portage County Court of Appeals; No. 2011-P-0001)



Maureen O'Connor
Chief Justice