

FILED

MAY 23 2012

CLERK OF COURT
SUPREME COURT OF OHIO

The Supreme Court of Ohio

State of Ohio

Case No. 2012-0302

v.

ENTRY

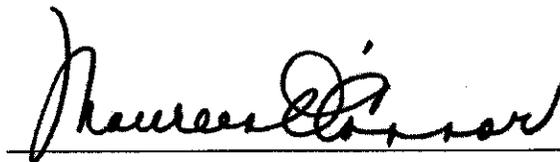
Daniel Lalain

This cause is pending before the court on the certification of a conflict by the Court of Appeals for Cuyahoga 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 1 of the court of appeals' Journal Entry filed January 23, 2012, as follows:

“Whether, despite the defendant's failure to object, it is error for the trial court to order defendant to pay an amount of restitution in the absence of a specific plea agreement and without a hearing or evidence substantiating the economic loss claimed by the plaintiff?”

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 Cuyahoga County.

(Cuyahoga County Court of Appeals; No. 95857)



Maureen O'Connor
Chief Justice