

FILED

The Supreme Court of Ohio

JAN 28 2015

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2014-2028

v.

ENTRY

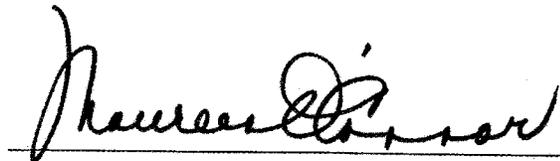
Terry Lee Martin

This cause is pending before the court on the certification of a conflict by the Court of Appeals for Montgomery 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 6 of the court of appeals' Judgment Entry filed November 4, 2014, as follows:

"With respect to R.C. 2907.323(A)(1), which proscribes the creation or production of nudity-oriented material involving a minor, which definition of nudity applies: the statutory definition (R.C. 2907.01(H)), or the narrower definition set forth in *State v. Young*, 37 Ohio St.3d 249, 525 N.E.2d 1363, which requires additional elements of "lewd depiction" and "graphic focus on the genitals?""

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 Montgomery County.

(Montgomery County Court of Appeals; No. 26033)



Maureen O'Connor
Chief Justice