

The Supreme Court of Ohio

FILED

AUG 26 2015

CLERK OF COURT
SUPREME COURT OF OHIO

State of Ohio

Case No. 2015-1048

v.

ENTRY

Clinton Richardson

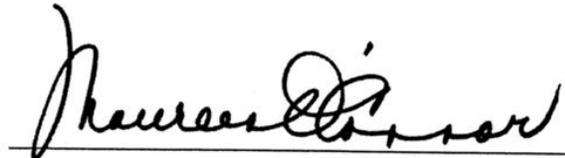
This cause is pending before the court on the certification of a conflict by the Court of Appeals for Montgomery County. On review of the order certifying a conflict, it is determined that a conflict exists. The parties are to brief the issue stated at page 7 of the court of appeals' Judgment Entry filed May 27, 2015, as follows:

“Once the state presents evidence that a person is impaired and has taken a specific prescription medication, is the trier of fact able to draw a reasonable inference that the driver has violated R.C. 4511.19(A)(1)(a) or R.C. 4511.19(A)(2), without evidence (lay or expert) as to how the medication actually affects the driver and/or expert testimony about whether the particular medication has the potential to impair a person's judgment or reflexes?”

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.

It is ordered by the court, sua sponte, that this cause is consolidated with Supreme Court Case No. 2015-629, *State of Ohio v. Clinton Richardson*, and that the briefing in Case Nos. 2015-1048 and 2015-629 shall be consolidated. The parties shall file two originals of each of the briefs permitted under S.Ct.Prac.R. 16.02-16.04 and include both case numbers on the cover page of the briefs. The parties shall otherwise comply with the requirements of S.Ct.Prac.R. 16.01-16.04.

(Montgomery County Court of Appeals; No. 26191)



Maureen O'Connor
Chief Justice