

ORIGINAL

IN THE SUPREME COURT OF OHIO
2011

REGINALD COOK,

Case No. 11-594

Petitioner-Appellee,

On Appeal from the
Franklin County Court
of Appeals, Tenth
Appellate District

-vs-

STATE OF OHIO,

Court of Appeals
Case No. 10AP-641

Respondent-Appellant

NOTICE OF DENIAL OF MOTION TO CERTIFY CONFLICT

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FILED
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CLERK OF COURT
SUPREME COURT OF OHIO

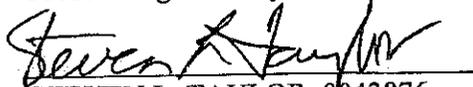
NOTICE OF DENIAL OF MOTION TO CERTIFY CONFLICT

Pursuant to S.Ct.Prac.R. 4.4(B), appellant State of Ohio hereby gives notice that the Tenth District Court of Appeals denied the State's timely motion to certify conflict on April 12, 2011. A copy of the memorandum decision is attached.

Respectfully submitted,

RON O'BRIEN 0017245

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was hand delivered on this 13th day of April, 2011, to office of David Strait, 373 South High Street, 12th Floor, Columbus, Ohio 43215, counsel for appellee.



STEVEN L. TAYLOR

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IN THE COURT OF APPEALS OF OHIO
TENTH APPELLATE DISTRICT

Reginald Cook,

Petitioner-Appellant,

v

State of Ohio,

Respondent-Appellee.

2011 APR 12 PM 12:43

CLERK OF COURTS

No. 10AP-641
(C P C No 08MS-05-400)

(REGULAR CALENDAR)

MEMORANDUM DECISION

Rendered on April 12, 2011

Reginald Cook, pro se.

Ron O'Brien, Prosecuting Attorney, and Steven L. Taylor, for appellee.

ON MOTION OF APPELLEE TO CERTIFY A CONFLICT

TYACK, J

{¶1} The state of Ohio has filed a motion requesting that we certify a conflict between our decision in this case and the decision of the Twelfth District Court of Appeals in *Lyttle v. State*, 12th Dist No CA2010-04-089, 2010-Ohio-6277.

{¶2} A panel of this court has addressed this issue in *Core v. State* (Dec. 21, 2010), 10th Dist No 09AP-192. We agree with that panel's decision that no certifiable conflict exists. We therefore overrule the state of Ohio's motion to certify a conflict.

Motion to certify a conflict overruled.

KLATT and CONNOR, JJ., concur.

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