

ORIGINAL

IN THE SUPREME COURT OF OHIO

State of Ohio	*	On Appeal from the Court of Appeals, Third Appellate District
Appellant	*	
v.	*	Court of Appeals Case No. 13-10-23
David L. Deanda	*	
Appellee	*	

12-0471

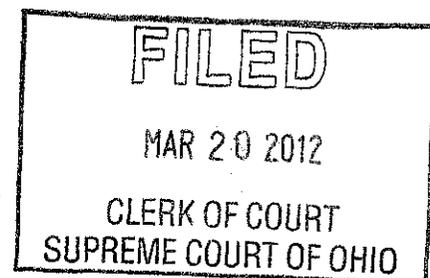
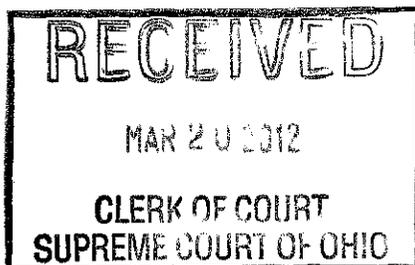
NOTICE OF APPEAL OF APPELLANT STATE OF OHIO

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Notice of Appeal of Appellant State of Ohio

Appellant State of Ohio hereby gives notice of appeal to the Supreme Court of Ohio from the judgment of the Court of Appeals of Ohio, Third Appellate District, entered in Court of Appeals Case No. 13-10-23 on February 6, 2012.

This case involves a felony and is one of public or great general interest.

Respectfully Submitted,

Derek W. DeVine
Prosecuting Attorney

BY:

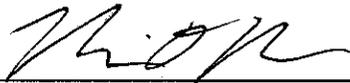


Brian O. Boos (Counsel of Record)
Assistant Prosecuting Attorney

COUNSEL FOR APPELLANT,
STATE OF OHIO

Certificate of Service

I hereby certify that a true and accurate copy of the foregoing instrument was served upon counsel for Defendant-Appellant, John M. Kahler, II, by mailing said copy to his office at 216 S. Washington Street, Tiffin, Ohio 44883, and Ohio Public Defender at 250 E. Broad St., Ste 1400, Columbus, OH, 43215 this 19th day of March, 2012.



Brian O. Boos
Assistant Prosecuting Attorney

COUNSEL FOR APPELLANT,
STATE OF OHIO

**IN THE COURT OF APPEALS OF OHIO
THIRD APPELLATE DISTRICT
SENECA COUNTY**

STATE OF OHIO,

PLAINTIFF-APPELLEE,

CASE NO. 13-10-23

v.

DAVID L. DEANDA,

**J U D G M E N T
E N T R Y**

DEFENDANT-APPELLANT.

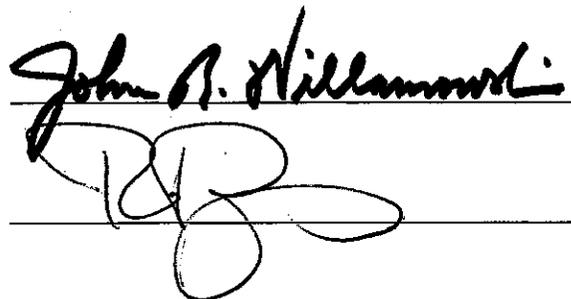
For the reasons stated in the opinion of this Court, the fourth assignment of error is sustained and it is the judgment and order of this Court that the judgment of the trial court is reversed with costs assessed to Appellee for which judgment is hereby rendered. The cause is hereby remanded to the trial court for further proceedings and for execution of the judgment for costs.

It is further ordered that the Clerk of this Court certify a copy of this Court's judgment entry and opinion to the trial court as the mandate prescribed by App.R. 27; and serve a copy of this Court's judgment entry and opinion on each party to the proceedings and note the date of service in the docket. See App.R. 30.

FILED IN THE COURT OF APPEALS
SENECA COUNTY

FEB 6 2012

MARY K. WARD, CLERK



SHAW, J., DISSENTS
JUDGES

DATED: February 6, 2012