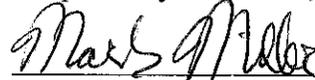


present set of facts. Instead two jurisdictions in Ohio have rendered conflicting decisions which require this Court to make a final ruling on this question of law. As such, Appellant requests this Court reconsider its decision not to hear Appellant's case due to the conflict between the Tenth District's decision in *State v. Silguero*, Slip Copy, 2011 WL 6147057, 10th Dist. No. 11 AP-274, 2011 -Ohio- 6293, and the Seventh District's decision in *Young, supra*.

Respectfully submitted,

 By Nick Testa (0087854)
per authority

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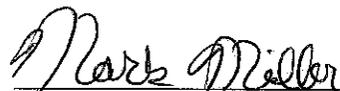
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Counsel for Appellant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served upon the Assistant Prosecuting Attorney and counsel for Appellee, via hand-delivery, this 16th day of April, 2012.

 By Nick Testa (0087854)
per authority

MARK J. MILLER (0076300)

Counsel for Appellant