

[Cite as *State v. Winningham*, 132 Ohio St.3d 77, 2012-Ohio-1998.]

**THE STATE OF OHIO, APPELLEE, v. WINNINGHAM, APPELLANT.**

**[Cite as *State v. Winningham*, 132 Ohio St.3d 77, 2012-Ohio-1998.]**

*Discretionary appeal accepted, court of appeals' judgment vacated, and cause remanded for application of United States v. Jones.*

(No. 2012-0099—Submitted March 20, 2012—Decided May 10, 2012.)

APPEAL from the Court of Appeals for Hamilton County, No. C-11134,  
2011-Ohio-6229.

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{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is vacated, and the cause is remanded to the court of common pleas for application of *United States v. Jones*, \_\_\_ U.S. \_\_\_, 132 S.Ct. 945, 181 L.Ed.2d 911 (2012).

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, LANZINGER, CUPP, and MCGEE BROWN, JJ., concur.

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Joseph T. Deters, Hamilton County Prosecuting Attorney, and Melynda Machol, Assistant Prosecuting Attorney, for appellee.

Raymond L. Katz, for appellant.

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