

[Cite as *State v. Faraj*, 128 Ohio St.3d 233, 2010-Ohio-6333.]

THE STATE OF OHIO, APPELLEE, v. FARAJ, APPELLANT.

[Cite as *State v. Faraj*, 128 Ohio St.3d 233, 2010-Ohio-6333.]

Discretionary appeal accepted and judgment of the court of appeals affirmed on the authority of State v. Hodge.

(No. 2010-1679 — Submitted December 14, 2010 — Decided
December 29, 2010.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 93491,
2010-Ohio-3719.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is affirmed on the authority of *State v. Hodge*, 128 Ohio St.3d 1, 2010-Ohio-6320, 941 N.E.2d 768.

PFEIFER, LUNDBERG STRATTON, O’CONNOR, O’DONNELL, LANZINGER, and CUPP, JJ., concur.

BROWN, C.J., dissents for the reasons stated in his dissenting opinion in *State v. Hodge*.

William D. Mason, Cuyahoga County Prosecuting Attorney, and T. Allan Regas, Assistant Prosecuting Attorney, for appellee.

Russell S. Bensing, for appellant.
