

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

[Cite as *State v. Loesser* (1997), \_\_\_ Ohio St.3d \_\_\_\_.]

*Criminal law — Requirements for waiver of right to trial by jury — Absent strict compliance with R.C. 2945.05, trial court lacks jurisdiction to try defendant without a jury — Appellate procedure — Supreme Court jurisdiction — Certification of conflict dismissed, when.*

(Nos. 95-2439 and 95-2441 — Submitted November 5, 1997 — Decided December 24, 1997.)

APPEAL from and CERTIFIED by the Court of Appeals for Cuyahoga County, No. 66762.

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*Stephanie Tubbs Jones*, Cuyahoga County Prosecuting Attorney, *L. Christopher Frey* and *Gail Denise Baker*, Assistant Prosecuting Attorneys, for appellee.

*John P. Parker*, for appellant.

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The judgment of the court of appeals in case No. 95-2439 is reversed and the cause is remanded to the trial court for further proceedings on the authority of *State v. Haught* (1996), 76 Ohio St.3d 645, 670 N.E.2d 232. See, also, *State v. Pless* (1996), 74 Ohio St.3d 333, 658 N.E.2d 766.

Case No. 95-2441 is dismissed on the basis that no conflict now exists.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and LUNDBERG STRATTON, JJ., concur.