

[Cite as *Young v. Cuyahoga Cty. Bd. of Mental Retardation & Dev. Disabilities*, 131 Ohio St.3d 370, 2012-Ohio-1222.]

**YOUNG, APPELLEE, v. CUYAHOGA COUNTY BOARD OF MENTAL RETARDATION
& DEVELOPMENTAL DISABILITIES, APPELLANT, ET AL.**

[Cite as *Young v. Cuyahoga Cty. Bd. of Mental Retardation & Dev. Disabilities*,
131 Ohio St.3d 370, 2012-Ohio-1222.]

*Court of appeals' judgment vacated, and cause remanded for application of
DiGiorgio v. Cleveland.*

(No. 2011-1073—Submitted March 21, 2012—Decided March 27, 2012.)

APPEAL from the Court of Appeals for Cuyahoga County, No. 95955,
2011-Ohio-2291.

{¶ 1} The judgment of the court of appeals is vacated, and the cause is remanded to the court of appeals for application of the Eighth District's en banc decision in *DiGiorgio v. Cleveland*, 196 Ohio App.3d 575, 2011-Ohio-5824, 964 N.E.2d 495.

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

Spangenberg, Shibley & Liber, L.L.P., Peter J. Brodhead, Stuart E. Scott, Nicholas A. Dicello, and Melissa Z. Kelly; and Mark S. Fishman, for appellee.

Tomino & Latchney, L.L.C., L.P.A, and Nick C. Tomino, for appellant.
