

[Cite as *State v. Griffis*, 132 Ohio St.3d 88, 2012-Ohio-2201.]

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

**[Cite as *State v. Griffis*, 132 Ohio St.3d 88, 2012-Ohio-2201.]**

*Appeal dismissed as having been improvidently accepted. Motion to vacate stay of briefing denied as moot.*

(No. 2011-1194—Submitted May 9, 2012—Decided May 23, 2012.)

APPEAL from the Court of Appeals for Muskingum County, No. CT2010-57,  
2011-Ohio-2955.

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{¶ 1} The cause is dismissed as having been improvidently accepted. Appellant’s motion to vacate stay of briefing is denied as moot.

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

LANZINGER, J., dissents.

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Timothy Young, Ohio Public Defender, and Peter Galyardt, Assistant Public Defender, for appellant.

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