

[Cite as *Royse v. Dayton*, 132 Ohio St.3d 125, 2012-Ohio-2574.]

ROYSE, APPELLEE, v. CITY OF DAYTON, APPELLANT.

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Appeal dismissed as having been improvidently accepted.

(No. 2011-1477—Submitted May 9, 2012—Decided June 13, 2012.)

APPEAL from the Court of Appeals for Montgomery County, No. 24172,
195 Ohio App.3d 81, 2011-Ohio-3509.

{¶ 1} The cause is dismissed, sua sponte, as having been improvidently accepted.

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

Thompson Hine, L.L.P., and Terry Posey Jr.; and Terry Posey, for appellee.

John J. Danish, Dayton City Attorney, and Jonathan W. Croft and Norma Dickens, Assistant City Attorneys, for appellant.

Michael DeWine, Attorney General, Alexandra T. Schimmer, Solicitor General, and Michael J. Hendershot, Chief Deputy Counsel, for amicus curiae state of Ohio.

Ice Miller L.L.P., Stephen L. Byron, and Rebecca K. Schaltenbrand; and John Gotherman, urging reversal for amicus curiae Ohio Municipal League.
