

[Cite as *State v. Samples*, 124 Ohio St.3d 120, 2009-Ohio-6542.]

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

**[Cite as *State v. Samples*, 124 Ohio St.3d 120, 2009-Ohio-6542.]**

*Court of appeals' judgment affirmed on the authority of State v. Lester.*

(No. 2009-0699 — Submitted September 30, 2009 — Decided  
December 17, 2009.)

APPEAL from the Court of Appeals for Stark County, No. 2008 CA 00027,  
2009-Ohio-1043.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority  
of *State v. Lester*, 123 Ohio St.3d 396, 2009-Ohio-4225, 916 N.E.2d 1038.

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

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John D. Ferrero, Stark County Prosecuting Attorney, and Kathleen O.  
Tatarsky, Assistant Prosecuting Attorney, for appellee.

Timothy Young, Ohio Public Defender, and Spencer Cahoon, Assistant  
Public Defender, for appellant.

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