

**THE STATE EX REL. WHITE, PROS. ATTY.,  
APPELLEE, v. BILLINGS, APPELLANT, ET AL.**

[Cite as *State ex rel. White v. Billings*, 117 Ohio St.3d 536, 2008-Ohio-1590.]

*Court of appeals' judgment reversed on the authority of Hyle v. Porter.*

(No. 2007-1839 — Submitted March 12, 2008 — Decided April 9, 2008.)

APPEAL from the Court of Appeals for Clermont County,  
No. CA2006-09-072, 2007-Ohio-4356.

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{¶ 1} The judgment of the court of appeals is reversed on the authority of *Hyle v. Porter*, 117 Ohio St.3d 165, 2008-Ohio-542, 882 N.E.2d 899.

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

O'DONNELL, J., dissents.

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Donald W. White, Clermont County Prosecuting Attorney, and David H.  
Hoffmann, Assistant Prosecuting Attorney, for appellee.

Ohio Justice & Policy Center and David A. Singleton, for appellant.

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