

THE STATE OF OHIO, APPELLANT, v. SMITH, APPELLEE.

[Cite as *State v. Smith*, 105 Ohio St.3d 289, 2005-Ohio-1651.]

Criminal law — Postrelease control — Court of appeals’ judgment reversed and cause remanded to trial court for resentencing consistent with State v. Jordan.

(No. 2004-2152 — Submitted March 8, 2005 — Decided April 20, 2005.)

APPEAL from the Court of Appeals for Cuyahoga County,

No. 84292, 2004-Ohio-6111.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed, and the cause is remanded to the trial court for resentencing consistent with *State v. Jordan*, 104 Ohio St.3d 21, 2004-Ohio-6085, 817 N.E.2d 864.

MOYER, C.J., RESNICK, PFEIFER, LUNDBERG STRATTON, O’CONNOR and O’DONNELL, JJ., concur.

LANZINGER, J., dissents.

William D. Mason, Cuyahoga County Prosecuting Attorney, and Lisa Reitz Williamson, Assistant Prosecuting Attorney, for appellant.
