

[Cite as *State v. Harmon*, 118 Ohio St.3d 195, 2008-Ohio-2202.]

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

**[Cite as *State v. Harmon*, 118 Ohio St.3d 195, 2008-Ohio-2202.]**

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

(No. 2007-1269 — Submitted May 6, 2008 — Decided May 14, 2008.)

APPEAL from the Court of Appeals for Hamilton County, No. C-060614.

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{¶ 1} The judgment of the court of appeals is affirmed on the authority of *State v. Simpkins*, 117 Ohio St.3d 420, 2008-Ohio-1197, 884 N.E.2d 568.

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

LANZINGER, J., dissents.

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Michaela M. Stagnaro, for appellant.

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