

**NASAL, PROS. ATTY., APPELLANT, v. DOVER, APPELLEE.**

[Cite as *Nasal v. Dover*, 117 Ohio St.3d 531, 2008-Ohio-1592.]

*Certified question answered and court of appeals' judgment affirmed on the authority of Hyle v. Porter.*

(Nos. 2006-2220 and 2006-2311 — Submitted March 12, 2008 — Decided April 9, 2008.)

APPEAL from and CERTIFIED by the Court of Appeals for Miami County,  
No. 2006-CA-9, 169 Ohio App.3d 262, 2006-Ohio-5584.

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{¶ 1} The certified question is answered in the affirmative and the judgment of the court of appeals is affirmed 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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Gary A. Nasal, Miami County Prosecuting Attorney, and James R. Dicks Jr., Assistant Prosecuting Attorney, for appellant.

Marc Dann, Attorney General, Stephen P. Carney, Deputy Solicitor, and Frank M. Strigari, Assistant Attorney General, urging reversal for amicus curiae Attorney General of Ohio.

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