

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

[Cite as *State v. Babb*, 120 Ohio St.3d 1201, 2008-Ohio-5364.]

Appeal dismissed as improvidently accepted.

(No. 2007-2111 — Submitted October 14, 2008 — Decided October 22, 2008.)

APPEAL from the Court of Appeals for Summit County,

No. 23631, 2007-Ohio-5102.

{¶ 1} The cause is dismissed, sua sponte, as having been improvidently accepted.

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

Sherri Bevan Walsh, Summit County Prosecuting Attorney, and Richard S. Kasay, Assistant Prosecuting Attorney, for appellee.

Nathan A. Ray, for appellant.
