

NOTICE

This slip opinion is subject to formal revision before it is published in an advance sheet of the Ohio Official Reports. Readers are requested to promptly notify the Reporter of Decisions, Supreme Court of Ohio, 65 South Front Street, Columbus, Ohio 43215, of any typographical or other formal errors in the opinion, in order that corrections may be made before the opinion is published.

SLIP OPINION NO. 2012-OHIO-2576

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

[Until this opinion appears in the Ohio Official Reports advance sheets, it may be cited as *State v. Collins*, Slip Opinion No. 2012-Ohio-2576.]

Discretionary appeal accepted, court of appeals' judgment reversed, and cause remanded for application of State v. Smith.

(No. 2012-0427—Submitted June 6, 2012—Decided June 13, 2012.)

APPEAL from the Court of Appeals for Warren County, No. CA2011-08-083.

{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed, and the cause is remanded to the court of appeals for application of our decision in *State v. Smith*, 131 Ohio St.3d 297, 2012-Ohio-781, 964 N.E.2d 423.

O'CONNOR, C.J., and PFEIFER, LUNDBERG STRATTON, O'DONNELL, LANZINGER, CUPP, and MCGEE BROWN, JJ., concur.

Bradley Collins, pro se.
