[This opinion has been published in *Ohio Official Reports* at 68 Ohio St.3d 1212.]

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

[Cite as *State v. Bailey*, 1994-Ohio-516.]

Appeal dismissed as improvidently allowed.

(No. 92-2122—Submitted December 8, 1993—Decided January 26, 1994.)

APPEAL from the Court of Appeals for Lake County, No. 91-L-021.

Steven C. LaTourette, Lake County Prosecuting Attorney, *Ariane E. Tarighati*, *Kimberly A. Mahaney* and *Geoffrey W. Weaver*, Assistant Prosecuting Attorneys, for appellant.

John J. Gill, for appellee.

{¶ 1} The appeal is dismissed, *sua sponte*, as having been improvidently allowed.

MOYER, C.J., A.W. SWEENEY, DOUGLAS, WRIGHT, RESNICK, F.E. SWEENEY and PFEIFER, JJ., concur.
