

Court of Appeals of Ohio, Eighth District
County of Cuyahoga
Nailah K. Byrd, Clerk of Courts

AUG 13 2021

STATE OF OHIO

Appellee COA NO. LOWER COURT NO.
108463 CR-18-626899-B

COMMON PLEAS COURT

-VS-

DEONTE LEWIS

Appellant MOTION NO. 542457

Date 8/13/21

Journal Entry

This matter is before the court on appellant's application for en banc consideration. Pursuant to App.R. 26, Loc.App.R.26, and *McFadden v. Cleveland State Univ.*, 120 Ohio St.3d 54, 2008-ohio-4914, 896 N.E.2d 672, we are obligated to resolve conflicts between two or more decisions of this court on any issue of law that is dispositive of the case and in which en banc consideration is necessary to secure and maintain uniformity of this court's decisions.

Upon review, the majority of the judges of the en banc court find no conflict on a dispositive point of law between the panel decision and the prior decisions from this court. Appellant's application for en banc consideration is denied.

RECEIVED FOR FILING

May S. Bales

MARY J. BOYLE, ADMINISTRATIVE JUDGE

AUG 13 2021

Voting to Deny En Banc Review:

17 CUYAHOGA COUNTY CLERK
OF THE COURT OF APPEALS
By H. Hoffmeyer Deputy

Voting to Grant En Banc Review:

MARY J. BOYLE, A.J.,
FRANK D. CELEBREZZE, JR., J.,
LISA B. FORBES, J.,
EILEEN A. GALLAGHER, J.,
EILEEN T. GALLAGHER, J.,
EMANUELLA D. GROVES, J.,
LARRY A. JONES, SR., J.,
KATHLEEN A. KEOUGH, J.,
MARY EILEEN KILBANE, J.,
ANITA LASTER MAYS, J., and
MICHELLE J. SHEEHAN, J.

SEAN C. GALLAGHER, J.

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