

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

**[Cite as *State v. Smith*, 1996-Ohio-79.]**

*Criminal law—Drug offenses—R.C. 2925.14(H) does not violate the due process or equal protection provisions of the Ohio and United States Constitutions.*

(No. 95-1183—Submitted June 5, 1996—Decided July 3, 1996.)

APPEAL from the Court of Appeals for Washington County, No. 94 CA 21.

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*Robert J. Smith*, for appellee.

*David H. Bodiker*, Ohio Public Defender.

*J. Michael Westfall*, Assistant Public Defender, and *Janet A. Fogle*, Washington County Public Defender, for appellant.

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{¶ 1} The judgment of the court of appeals, upholding the constitutionality of R.C. 2925.14(H), is affirmed on the authority of *State v. Thompkins* (1996), 75 Ohio St.3d 558, \_\_\_ N.E.2d \_\_\_.

MOYER, C.J., DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER, COOK and STRATTON, JJ., concur.

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