

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

**[Cite as *State v. Towe*, 1998-Ohio-703.]**

*Criminal procedure—Classification as sexual predator—Court of appeals’ judgment affirmed on authority of State v. Cook—APPEAL dismissed as improvidently allowed on Propositions of Law Nos. III, IV, and V.*

(Nos. 98-604 and 98-606—Submitted October 13, 1998—Decided November 25, 1998.)

APPEAL from and CERTIFIED by the Court of Appeals for Hamilton County, No. C-970283.

---

*Joseph T. Deters*, Hamilton County Prosecuting Attorney, and *Sherry Green*, Assistant Prosecuting Attorney, for appellee.

*Schuh & Goldberg* and *J. Robert Andrews*, for appellant.

---

{¶ 1} The judgment of the court of appeals on Propositions of Law Nos. I and II is affirmed on the authority of *State v. Cook* (1998), 83 Ohio St.3d 404, 700 N.E.2d 570.

{¶ 2} Propositions of Law Nos. III, IV, and V are dismissed as having been improvidently allowed.

DOUGLAS, RESNICK, F.E. SWEENEY, PFEIFER and LUNDBERG STRATTON, JJ., concur.

MOYER, C.J., and COOK, J., concur in part and dissent in part.

---

**Cook, J., concurring in part and dissenting in part.**

{¶ 3} I dissent from the dismissal of Propositions of Law Nos. III, IV, and V.

MOYER, C.J., concurs in the foregoing opinion.

---