

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

[Cite as *State v. Booher* (1999), ___ Ohio St.3d ____.]

Certification of conflict accepted — Criminal procedure — Classification as sexual predator — Court of appeals' judgment reversed, and trial court's finding that defendant is a sexual predator reinstated on authority of State v. Cook.

(No. 98-1960 — Submitted November 10, 1998 — Decided January 20, 1999.)

CERTIFIED by the Court of Appeals for Huron County, No. H-97-050.

Russell V. Leffler, Huron County Prosecuting Attorney, for appellant.

The certification of conflict by the Court of Appeals for Huron County is accepted.

The judgment of the court of appeals is reversed on the authority of *State v. Cook* (1998), 83 Ohio St.3d 404, 700 N.E.2d 570. The trial court's finding that defendant is a sexual predator is reinstated.

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

RESNICK, J., not participating.