

[Cite as *State v. Helsel*, 2002-Ohio-256.]

COURT OF APPEALS
STARK COUNTY, OHIO
FIFTH APPELLATE DISTRICT

STATE OF OHIO	:	JUDGES:
Plaintiff-Appellee	:	Hon. Julie A. Edwards, P.J.
	:	Hon. Sheila G. Farmer, J.
	:	Hon. John F. Boggins, J.
-vs-	:	
	:	
STEVEN HELSEL	:	Case No. 2001CA00139
	:	
Defendant-Appellant	:	<u>O P I N I O N</u>

CHARACTER OF PROCEEDING: Appeal from the Court of Common Pleas, Case No. 85-5313

JUDGMENT: Affirmed

DATE OF JUDGMENT ENTRY: January 15, 2002

APPEARANCES:

For Plaintiff-Appellee

For Defendant-Appellant

RONALD MARK CALDWELL
P.O. Box 20049
Canton, OH 44701

BARRY T. WAKSER
306 Market Avenue, North
Canton, OH 44702

Farmer, J.

On July 17, 1985, the Stark County Grand Jury indicted appellant, Steven Helsel, on one count of rape in violation of R.C. 2907.02 with a force specification. On September 9, 1985, appellant pled guilty to said count without the force specification. By judgment entry filed November 7, 1985, the trial court sentenced appellant to an indeterminate term of eight to twenty-five years in prison.

On March 28, 2001, a hearing was held to determine appellant's status pursuant to the Sex Offender Registration Act, R.C. Chapter 2950. Appellant stipulated to a "sexual predator" classification. By judgment entry filed March 30, 2001, the trial court classified appellant as a sexual predator.

Appellant filed an appeal and this matter is now before this court for consideration. Assignments of error are as follows:

I

THE TRIAL COURT ERRED IN OVERRULING APPELLANT'S MOTION TO DISMISS THE HOUSE BILL 180 (HEREINAFTER H.B. 180) PROCEEDINGS AGAINST HIM ON EX POST FACTO GROUNDS.

II

THE TRIAL COURT ERRED IN OVERRULING APPELLANT'S MOTION TO DISMISS THE H.B. 180 PROCEEDINGS AGAINST HIM ON DOUBLE JEOPARDY GROUNDS.

III

**THE TRIAL COURT ERRED IN OVERRULING
APPELLANT'S MOTION TO DISMISS BECAUSE H.B. 180 IS
UNCONSTITUTIONALLY VAGUE.**

I, II, III

This court has previously reviewed these arguments in *State v. Royce Albaugh* (February 1, 1999), Stark App. Nos.1997CA00167 and 1997CA00222, unreported, *State v. Earl Bair* (February 1, 1999), Stark App. No.1997CA00232, unreported, and *Frederick A. McIntyre* (February 1, 1999), Stark App. No.1997CA00366, unreported. We hereby adopt and incorporate the corresponding assignments of error from these opinions herein. See, also, *State v. Cook* (1998), 83 Ohio St.3d 404, certiorari denied (1999), 525 U.S. 1182; *State v. Williams* (2000), 88 Ohio St.3d 513.

Assignments of Error I, II, and III are denied.

The judgment of the Court of Common Pleas of Stark County, Ohio is hereby affirmed.

By Farmer, J.

Edwards, P.J. and

Boggins, J. concur.

SGF/db 0104

JUDGES

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IN THE COURT OF APPEALS FOR STARK COUNTY, OHIO
FIFTH APPELLATE DISTRICT

STATE OF OHIO	:	
	:	
Plaintiff-Appellee	:	
	:	
-vs-	:	JUDGMENT ENTRY
	:	
STEVEN HELSEL	:	
	:	
Defendant-Appellant	:	CASE NO. 2001CA00139

For the reasons stated in the Memorandum-Opinion on file, the judgment of the Court of Common Pleas of Stark County, Ohio is affirmed.

JUDGES