

[Cite as *State v. Walker*, 2001-Ohio-1968.]

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 W. Wise, J.
-vs-	:	
	:	
DANIEL WALKER	:	Case No. 2001CA00208
	:	
Defendant-Appellant	:	<u>O P I N I O N</u>

CHARACTER OF PROCEEDING: Appeal from the Court of Common Pleas, Case No. 94CR0185

JUDGMENT: Affirmed

DATE OF JUDGMENT ENTRY: December 17, 2001

APPEARANCES:

For Plaintiff-Appellee

For Defendant-Appellant

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*Farmer, J.*

On May 9, 1995, the Stark County Grand Jury indicted appellant, Daniel Walker, on two counts of rape in violation of R.C. 2907.02, three counts of gross sexual imposition in violation of R.C. 2907.05 and three counts of child endangering in violation of R.C. 2919.22. Said charges arose from incidents involving appellant's two sons, both under the age of thirteen.

A jury trial commenced on November 1, 1995. The jury found appellant guilty as charged. By judgment entry filed November 21, 1995, the trial court sentenced appellant to an aggregate term of life in prison. This conviction was affirmed on appeal. See, *State v. Walker* (December 9, 1996), Stark App. No. 1995CA00405, unreported.

On June 11, 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 June 14, 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 RETROACTIVE APPLICATION GROUNDS.**

**III**

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

**IV**

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

**I, II, III, IV**

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.

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

**[Cite as *State v. Walker*, 2001-Ohio-1968.]**

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

**By Farmer, J.**

**Edwards, P.J. and**

**Wise, J. concur.**

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**JUDGES**

**SGF/db 1127**

