

[Cite as *State v. Pavlofsky*, 2009-Ohio-3032.]

**IN THE COURT OF APPEALS OF OHIO  
SECOND APPELLATE DISTRICT  
MONTGOMERY COUNTY**

STATE OF OHIO	:	
	:	Appellate Case No. 22983
Plaintiff-Appellee	:	
	:	Trial Court Case No. 00-CR-1925
v.	:	
	:	(Criminal Appeal from
GARY PAVLOFSKY	:	Common Pleas Court)
	:	
Defendant-Appellant	:	
	:	

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OPINION

Rendered on the 19<sup>th</sup> day of June, 2009.

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MATHIAS H. HECK, JR., by DOUGLAS M. TROUT, Atty. Reg. #0072027, Montgomery County Prosecutor’s Office, Appellate Division, Montgomery County Courts Building, P.O. Box 972, 301 West Third Street, Dayton, Ohio 45422  
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Attorney for Defendant-Appellant

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BROGAN, J.

{¶ 1} Gary Pavlofsky appeals from the judgment of the Montgomery County Common Pleas Court overruling his objection to his reclassification under Chapter 2950 as amended by S.B. 10. Pavlofsky was convicted of six counts of the illegal use of a minor in nudity oriented material on November 14, 2000. In January 2001, the trial court

determined Appellant to be a sexually oriented offender. In December 2007, the Attorney General of Ohio notified Appellant that his new classification was as a Tier II Sex Offender, subjecting him to more frequent and longer registration requirements.

{¶ 2} Pavlofsky raised numerous constitutional objections in the trial court to his reclassification. He has chosen to rely on the assignments of error and the brief filed in *State v. Barker*, Mont. App. 22963. The Appellant's assignments of error are Overruled and the judgment of the trial court is Affirmed on the authority of *State v. Barker*, Montgomery App. No. 22963, 2009-Ohio-2774. Judgment Affirmed.

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FAIN and FROELICH, JJ., concur.

Copies mailed to:

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Hon. Mary Lynn Wiseman