

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-070022
	:	TRIAL NO. B-0306027
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
WILLIAM AHRENS,	:	
	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Defendant-appellant, William Ahrens, appeals the judgment of the Hamilton County Court of Common Pleas denying a motion to vacate his sexual-predator classification.

In 1992, while he was living in Texas, Ahrens was convicted of aggravated sexual assault for digitally penetrating his seven-year-old stepdaughter. As a result of the conviction, Ahrens was required to register annually in Texas as a sex offender.

Ahrens later moved to Hamilton County, where the sheriff determined that he was a sexual predator because of the Texas conviction. In 2006, Ahrens filed a motion to remove the sexual-predator classification.

At the hearing on the motion, Ahrens stipulated that the Texas conviction would have supported a sexual-predator adjudication under Ohio law. But he argued

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

that evidence of his rehabilitation made it unlikely that he would commit future sexually-oriented offenses. The trial court denied the motion.

In a single assignment of error, Ahrens now argues that the trial court erred in refusing to vacate the sexual-predator classification. Specifically, he argues that the trial court's judgment was against the manifest weight of the evidence.

Under R.C. 2950.09(F)(2), a court may determine that an out-of-state sex offender is not a sexual predator if the offender proves by clear and convincing evidence that he is not likely to commit future sexually-oriented offenses.² In making the determination whether the offender is likely to engage in future sexually-oriented offenses, the trial court is to consider all relevant factors, including those enumerated in R.C. 2950.09(B)(3).³ Where a sexual-predator determination is supported by some competent, credible evidence, it will not be reversed on the manifest weight of the evidence.⁴

In this case, the trial court's judgment was in accordance with the evidence. Ahrens had sexually assaulted his own stepdaughter when she was only seven years old. He had been convicted of other crimes, including domestic violence, and he had a history of alcohol abuse. Personality evaluations indicated that he tended to minimize his problems and that he had difficulty managing anger.

In arguing that he is unlikely to re-offend, Ahrens notes that he scored in the "low-to-moderate" range in a test evaluating the likelihood of committing future sex-related offenses. He also points to his completion of various rehabilitative programs and his compliance with the rules of his community control. Nonetheless, we hold

² *Logue v. Leis*, 169 Ohio App.3d 356, 2006-Ohio-5597, 862 N.E.2d 900, at ¶4, jurisdictional motion overruled, 113 Ohio St.3d 1441, 2007-Ohio-1266, 863 N.E.2d 657.

³ *State v. Eppinger*, 91 Ohio St.3d 158, 166, 2001-Ohio-247, 743 N.E.2d 881.

⁴ See *State v. Wilson*, 113 Ohio St.3d 382, 2007-Ohio-2202, 865 N.E.2d 1264, syllabus.

that the trial court's judgment was supported by competent, credible evidence. We overrule the assignment of error and affirm the judgment of the trial court.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HILDEBRANDT, P.J., HENDON and DINKELACKER, JJ.

To the Clerk:

Enter upon the Journal of the Court on November 7, 2007
per order of the Court _____.
Presiding Judge