

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

[Cite as *State v. Marker* (1998), ___ Ohio St.3d ____.]

Criminal procedure — Classification as sexual predator — Court of appeals' judgment reversed and cause remanded to trial court to conduct sexual predator classification hearing pursuant to R.C. 2950.09(C)(2) on authority of State v. Cook.

(No. 98-71 — Submitted October 13, 1998 — Decided November 25, 1998.)

APPEAL from the Court of Appeals for Seneca County, No. 13-97-39.

Paul F. Kutscher, Jr., Seneca County Prosecuting Attorney, and *Kenneth H. Egbert, Jr.*, Assistant Prosecuting Attorney, for appellant.

Kent D. Nord, for appellee.

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 cause is remanded to the trial court to conduct a sexual predator classification hearing pursuant to R.C. 2950.09(C)(2).

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