

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

STATE OF OHIO,	:	APPEAL NOS. C-200268 C-200269
Plaintiff-Appellee,	:	TRIAL NOS. B-2000516 B-2001228
vs.	:	
JEROME MOSLEY,	:	<i>JUDGMENT ENTRY.</i>
Defendant-Appellant.	:	

The court sua sponte removes these cases from the regular calendar and places them on the court's accelerated calendar, 1st Dist. Loc.R. 11.1.1(A), and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E).

In July 2020, Jerome Mosley pled guilty to three counts of aggravated robbery with firearm specifications and three counts of having a weapon while under a disability. The trial court imposed a nine-year mandatory incarceration sentence to be served consecutively to an indefinite three to four-and-a-half-year sentence under the Reagan Tokes Law. Mr. Mosley now appeals, claiming in his sole assignment of error that the Reagan Tokes sentencing scheme is violative of both the Ohio and the United States Constitutions.

In the first issue presented for review in his assignment of error, Mr. Mosley argues that the Reagan Tokes Law contravenes the doctrine of separation of powers by delegating a judicial function to the executive branch. Next, Mr. Mosley claims that the Reagan Tokes Law violates substantive due process because it deprives him of a

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fundamental liberty interest to be free from illegal bodily restraint beyond his lawful sentence. Third, Mr. Mosley alleges that the Reagan Tokes Law fails to provide the procedural due process required by law before depriving him of a liberty interest. And finally, Mr. Mosley maintains that the Reagan Tokes Law denies him the equal protection of the law by treating first- and second-degree felony offenders differently than inmates serving time on lesser degree felony convictions.

This court recently rejected similar constitutional challenges to the Reagan Tokes Law after a thorough analysis of the statute and relevant case law. *See State v. Guyton*, 1st Dist. Hamilton No. C-190657, 2022-Ohio-2962. Guided by that precedent, which we incorporate by reference, we overrule all of Mr. Mosley's assignments of error and affirm the judgment of the trial court.

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.

MYERS, P.J., BERGERON and WINKLER, JJ.

To the clerk:

Enter upon the journal of the court on 09/02/2022,
per order of the court _____.

Administrative Judge