

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

STATE OF OHIO,	:	APPEAL NO. C-210546
		TRIAL NO. B-2005771
Plaintiff-Appellee,	:	
		<i>JUDGMENT ENTRY.</i>
vs.	:	
LARISSA CRUMPLEY,	:	
Defendant-Appellant.	:	

The court sua sponte removes this case from the regular calendar and places it 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); 1st Dist. Loc.R. 11.1.1.

Larissa Crumpley pled guilty to felonious assault and was sentenced to an indefinite prison term of five years to seven years and six months. In four assignments of error, Crumpley argues that the Reagan Tokes Law is ripe for review, violates her due-process rights, her right to a jury trial, and the separation-of-powers doctrine.

In her first assignment of error, Crumpley argues that her constitutional challenges are ripe for review. We agree. *See State v. Maddox*, Slip Opinion No. 2022-Ohio-764, ¶ 11; *State v. Guyton*, 1st Dist. Hamilton No. C-190657, 2022-Ohio-2962, ¶ 10. We sustain the first assignment of error.

Next, she argues that the Reagan Tokes Law violates her due-process protections and the separation-of-powers doctrine. This court recently held that the Reagan Tokes Law does not violate substantive- and procedural-due-process rights or

the separation-of-powers doctrine. *See Guyton* at ¶ 28, 37 and 57. Guided by that precedent, which we incorporate by reference, we overrule Crumpley's second and fourth assignments of error.

In the third assignment of error, Crumpley contends the Reagan Tokes Law violates her right to a jury trial. We have recently held that the Reagan Tokes Law does not violate the right to a jury trial because the law does not allow the Ohio Department of Rehabilitation and Correction to engage in fact-finding and increase the sentence. *See State v. Smith*, 1st Dist. Hamilton No. C-210449, 2022-Ohio-3629, ¶ 13. We overrule the third assignment of error.

While Crumpley's constitutional challenges are ripe for review, they are without merit. Accordingly, we 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.

ZAYAS, P.J., CROUSE and BOCK, JJ.

To the clerk:

Enter upon the journal of the court on November 2, 2022

per order of the court _____.

Administrative Judge