

Commonwealth Of Kentucky

Court of Appeals

NO. 1999-CA-003072-MR

THOMAS RAY CARRINGTON

APPELLANT

v. APPEAL FROM FULTON CIRCUIT COURT
HONORABLE WILLIAM L. SHADOAN, JUDGE
ACTION NO. 90-CR-00018

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION

AFFIRMING

** ** * * *

BEFORE: COMBS, McANULTY, AND PAISLEY, JUDGES.

McANULTY, JUDGE. Thomas Ray Carrington appeals the Order of the Fulton Circuit Court which required him to register as a sex offender pursuant to KRS 17.500 et seq. Carrington argued that requiring him to register violated the constitutional provisions against ex post facto laws, since he was convicted of his offenses prior to the enactment of the Sex Offender's Registration Act. This question was answered in Hyatt v. Commonwealth, Ky., 72 S.W.3d 566, 571-73 (2002), wherein the

court found that the statutes were not punitive and did not amount to an ex post facto violation. The court stated that any potential punishment arising from the violation of the Sex Offender's Registration Act is totally prospective and is not punishment for past criminal behavior. Id. at 572.

For the foregoing reasons, this Court affirms the Fulton Circuit Court's order requiring Carrington to register under the Sex Offender's Registration Act.

ALL CONCUR.

BRIEF FOR APPELLANT:

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BRIEF FOR APPELLEE:

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