

RENDERED: JUNE 6, 2003; 2:00 P.M.
NOT TO BE PUBLISHED

Commonwealth Of Kentucky

Court of Appeals

NO. 2000-CA-001584-MR

RICKY VAUGHN

APPELLANT

v. APPEAL FROM KNOX CIRCUIT COURT
HONORABLE LEWIS B. HOPPER, JUDGE
ACTION NO. 96-CR-00019

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION

AFFIRMING

** ** * * *

BEFORE: BAKER, BARBER, AND JOHNSON, JUDGES.

BARBER, JUDGE: Appellant Ricky Vaughn appeals a trial court judgment requiring him to register as a sex offender. Vaughn asserts that because the offenses in question occurred in 1993, and he was convicted under the 1996 version of the Sex Offender Registration Act, he should not be required to so register. Vaughn argues that the law, as applied to him, is an ex post facto law, and violated constitutional law.

Vaughn objects to the retroactive application of Kentucky's version of "Megan's Law," as his conviction occurred prior to the enactment of that law. The sex offender registration act has been held to be remedial, rather than punitive, in nature. Hyatt v. Commonwealth, Ky., 72 S.W.3d 566 (2002). The ex post facto provision relied upon by Vaughn prohibits only retroactive application of punishment. For this reason, the sex offender registration act may be applied to persons committing offenses prior to the date of enactment of that law.

Application of the sex offender registration act does not violate any Constitutional rights of a defendant. Hyatt v. Commonwealth, supra., 72 S.W.3d at 575. The law may properly be retroactively applied. Martinez v. Commonwealth, Ky., 72 S.W.3d 581, 584 (2002).

Vaughn has not shown facts or circumstances giving rise to reversible error in his conviction. For this reason, the judgment of the Knox circuit court is affirmed.

ALL CONCUR.

BRIEF FOR APPELLANT:

Linda Roberts Horsman
Assistant Public Advocate
Frankfort, Kentucky

BRIEF FOR APPELLEE:

Albert B. Chandler, III
Attorney General
Frankfort, Kentucky

Anitria M. Franklin
Assistant Attorney General
Frankfort, Kentucky