

# Commonwealth Of Kentucky

## Court of Appeals

NO. 2003-CA-001457-MR

RAY ANTHONY WASHINGTON

APPELLANT

v.

APPEAL FROM FAYETTE CIRCUIT COURT  
HONORABLE SHEILA R. ISAAC, JUDGE  
ACTION NO. 99-CR-00996

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION  
AFFIRMING

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BEFORE: BARBER, SCHRODER, AND VANMETER, JUDGES.

SCHRODER, JUDGE: This is an appeal from a judgment pursuant to a conditional guilty plea convicting appellant of, among other offenses, possession of a handgun by a convicted felon (KRS 527.040). Appellant's sole argument on appeal is that KRS 527.040 is unconstitutional because it violates Section 1(7) of the Kentucky Constitution which grants to all men "[t]he right to bear arms in defense of themselves . . . ." This issue has already been addressed in Eary v. Commonwealth, Ky., 659 S.W.2d 198, 200 (1983), wherein the Court adjudged that KRS 527.040 was

constitutional as a reasonable and legitimate exercise of police power. Hence, we affirm.

ALL CONCUR.

BRIEF FOR APPELLANT:

John Rampulla  
Lexington, Kentucky

BRIEF FOR APPELLEE:

Gregory D. Stumbo  
Attorney General

Todd D. Ferguson  
Assistant Attorney General  
Frankfort, Kentucky