

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

STATE OF OHIO,	:	APPEAL NO. C-090070
Plaintiff-Appellee,	:	TRIAL NO. 08-TRD61033
vs.	:	<i>JUDGMENT ENTRY.</i>
JOEL BRIGGS,	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court.¹

Following a bench trial, defendant-appellant Joel Briggs was convicted of violating R.C. 4513.263(B)(1), the mandatory seat-belt law, and fined \$35. Briggs now appeals his conviction, arguing that R.C. 4513.236(B)(1) is unconstitutional.

In *State v. Batsch*,² the Eleventh Appellate District considered this issue and held that R.C. 4513.236(B)(1) is constitutional because “legislation promoting the state’s interest in protecting the health, safety and welfare of its citizens is a proper exercise of the state’s police power[, and] a law compelling motorists to use a seat belt promotes such a state interest.”³ Agreeing with this analysis, we likewise hold

¹ See S.Ct.R.Rep.Op. 3(A), App.R. 11.1(E), and Loc.R. 12.

² (1988), 44 Ohio App.3d 81, 541 N.E.2d 475.

³ Id. at 82; see, also, *State v. Krohn* (Oct. 18, 1996), 11th Dist. No. 96-G-1970.

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that R.C. 4513.236(B)(1) is constitutional. Accordingly, we affirm the judgment of the trial court.

Further, a certified copy of this Judgment Entry shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

HILDEBRANDT, P.J., DINKELACKER and MALLORY, JJ.

To the Clerk:

Enter upon the Journal of the Court on November 4, 2009
per order of the Court _____.
Presiding Judge