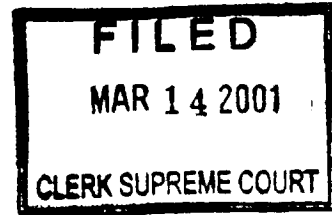


IN THE COURT OF APPEALS OF IOWA

No. 1-080 / 00-0247
Filed March 14, 2001



IN RE THE DETENTION OF MICHAEL E. GENZ

MICHAEL E. GENZ,
Appellant.

Appeal from the Iowa District Court for Clinton County, C. H. Pelton,
Judge.

Appellant challenges his commitment under Iowa's Sexually Violent
Predator Act, Iowa Code chapter 229A (1999). **AFFIRMED.**

Mark Smith, First Assistant Public Defender, and Christopher A. Cooklin,
Assistant Public Defender, for appellant.

Thomas J. Miller, Attorney General, and Scott D. Brown and Roxanne M.
Ryan, Assistant Attorneys General, for appellee.

Considered by Huitink, P.J., and Vogel and Mahan, JJ.

MAHAN, J.

On appeal from a jury finding he is a sexually violent predator, the appellant argues Iowa Code chapter 229A (1999) is punitive in nature and state and federal double jeopardy and ex post facto protections apply. He also argues chapter 229A violates substantive due process.

The Iowa Supreme Court recently addressed and rejected the issues raised by Genz. *In re the Detention of Garren*, __ N.W.2d __ (Iowa 2000). The court held chapter 229A is a civil statute that does not implicate the state and federal Ex Post Facto Clauses or Double Jeopardy Clauses, and does not violate substantive due process. *Garren*, __ N.W.2d at __. The court's decision in *Garren* controls in this case. Therefore, we affirm the district court.

AFFIRMED.