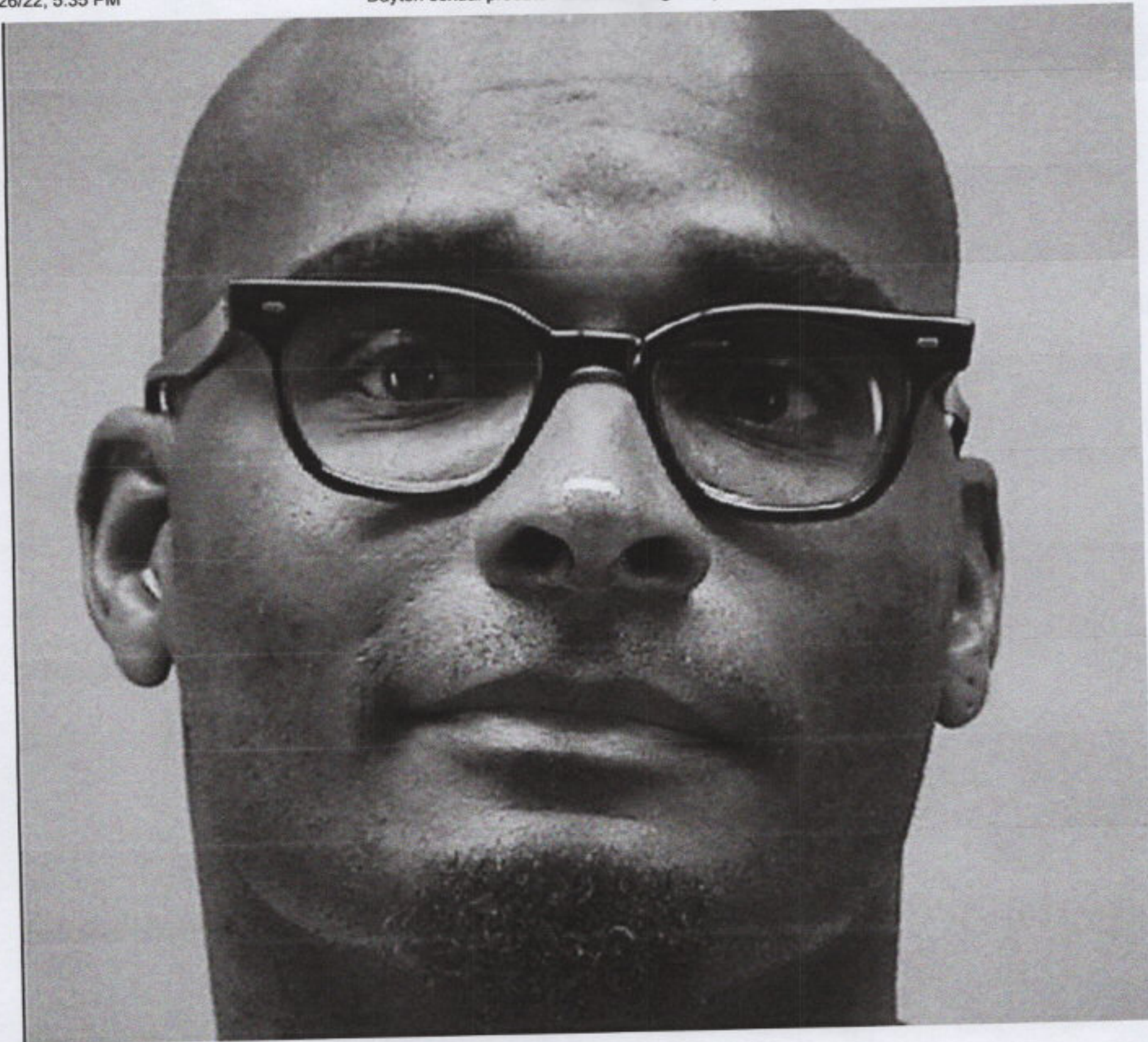


Dayton sexual predator back in Montgomery County Jail

DOC # 04

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Dayton sexual predator back in Montgomery County Jail Brian Henley



October 26, 2016 at 5:19 pm EDT

DAYTON — A sexual predator who has been in prison for the past dozen years is back in the Montgomery County Jail.

Brian D. Henley, 40, is due in court Thursday morning, likely to correct an error made in his sentencing, Greg Flannagan of the Montgomery County Prosecutor's Office.

Henley was sentenced to a total 22 years in prison — with a 10-year mandatory sentence — following his conviction on four counts of rape, two counts of felonious assault and one count each of kidnapping and attempted felonious assault. He entered prison in November 2004 and

has been an inmate at the Richland Correctional Institution, according to the Ohio Department of Rehabilitation and Correction website.

Flannagan did not have specific information on what might require a correction in Henley's sentence.

However, Henley had argued to the 2nd District Court of Appeals that there was a "plain error" in his sentencing. He argued that the trial court erred by considering the alleged rape of three local prostitutes when it imposed its sentence, though he never faced any charges stemming from those allegations.

In addition to his sentence, Henley also was designated a sexual predator, which means he must register with his county sheriff's office every 90 days for life, once he is released from prison.