

**IN THE COURT OF APPEALS OF IOWA**

No. 19-1639  
Filed August 18, 2021

**STATE OF IOWA,**  
Plaintiff-Appellee,

**vs.**

**SEAN FARMER,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Scott County, Mark D. Cleve, Judge.

Sean Farmer appeals from his conviction for robbery in the first degree.

**AFFIRMED.**

Martha J. Lucey, State Appellate Defender, and Maria Ruhtenberg,  
Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, and Katie Krickbaum (until withdrawal)  
and Kevin Cmelik, Assistant Attorneys General, for appellee.

Considered by Bower, C.J., and Vaitheswaran and Schumacher, JJ.

**BOWER, Chief Judge.**

Sean Farmer appeals his conviction for first-degree robbery. Farmer asserts his trial counsel was ineffective in failing to file a motion to suppress an allegedly overly suggestive identification. This court does not address ineffectiveness claims on direct appeal. See Iowa Code § 814.7 (2019 Supp.) (“[T]he claim shall not be decided on direct appeal from the criminal proceedings.”); *State v. Treptow*, 960 N.W.2d 98, 107–08 (Iowa 2021) (holding the statutory provision does not violate due process or deprive a defendant of his right to effective assistance of counsel); *State v. Tucker*, 959 N.W.2d 140, 151 (Iowa 2021) (holding the provision does not violate separation-of-powers doctrine). In the alternative, Farmer asks that the court adopt plain error. “We have repeatedly rejected plain error review and will not adopt it now.” *Treptow*, 960 N.W.2d at 109. Therefore we affirm.

**AFFIRMED.**