

**IN THE COURT OF APPEALS OF IOWA**

No. 17-1065  
Filed June 6, 2018

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

**vs.**

**THOMAS E. REUTHER,**  
Defendant-Appellant.

---

Appeal from the Iowa District Court for Scott County, Joel W. Barrows,  
Judge.

The defendant challenges his conviction for escape from custody in  
violation of Iowa Code section 719.4(1) (2016). **AFFIRMED.**

Stuart G. Hoover of Blair & Fitzsimmons, P.C., Dubuque, for appellant.

Thomas J. Miller, Attorney General, and Genevieve Reinkoester, Assistant  
Attorney General, for appellee.

Considered by Danilson, C.J., and Mullins and McDonald, JJ.

**MCDONALD, Judge.**

Thomas Reuther pleaded guilty to escape from custody, in violation of Iowa Code section 719.4(1) (2016), after he, in his own words, “ran” away from the residential correctional facility to which he had been paroled. On appeal, Reuther contends his plea counsel provided constitutionally deficient representation in failing to file a motion in arrest of judgment because there was no factual basis in support of the guilty plea. On de novo review, we conclude the claim is without merit; the record as a whole supports a factual basis for each element of the offense. See *State v. Miller*, 841 N.W.2d 583, 591 (Iowa 2014) (discussing historical development of escape statute and elements of the offense); *State v. Ortiz*, 789 N.W.2d 761, 764 (Iowa 2010) (stating standard of review is de novo for claims of ineffective assistance of counsel in allowing the defendant to plead guilty in the absence of a factual basis and setting forth the elements of the claim). We affirm the defendant’s conviction without further opinion. See Iowa Ct. R. 21.26(1)(a) and (e).

**AFFIRMED.**