

IN THE COURT OF APPEALS OF IOWA

No. 1-272 / 10-1410
Filed May 25, 2011

STATE OF IOWA,
Plaintiff-Appellee,

vs.

GEORGE THERION RIDLESPRINGER,
Defendant-Appellant.

Appeal from the Iowa District Court for Woodbury County, John D. Ackerman, Judge.

A defendant appeals from his convictions of three counts of forgery.

AFFIRMED.

Mark C. Smith, State Appellate Defender, and Robert P. Ranschau, Assistant Appellate Defender, for appellant.

George Riddlespringer, Fort Dodge, appellant pro se.

Thomas J. Miller, Attorney General, Benjamin M. Parrott, Assistant Attorney General, Patrick Jennings, County Attorney, and James D. Loomis, Assistant County Attorney, for appellee.

Considered by Vogel, P.J., Vaitheswaran, J., and Mahan, S.J.* Tabor, J., takes no part.

*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2011).

VOGEL, P.J.

Following a jury trial, George Riddlespringer was convicted of three counts of forgery as an habitual offender in violation of Iowa Code sections 715A.2(2)(a)(3) and 902.8 (2009). Riddlespringer appeals and asserts the district court should have granted his motion for a new trial.¹ We review a district court's ruling on a motion for a new trial for an abuse of discretion. *State v. Reeves*, 670 N.W.2d 199, 202 (Iowa 2003).

Riddlespringer argues that the verdict was against the weight of the evidence because there was insufficient evidence to corroborate the accomplice testimony. See Iowa R. Crim. P. 2.21(3) (requiring the testimony of an accomplice to be corroborated by other evidence that tends to connect the defendant with the commission of the offense). The evidence at trial demonstrated that Tyrone Halliburton, Holly Harlan, and Riddlespringer used a stolen credit card to purchase gift cards and merchandise from a Target store in Sioux City. Halliburton and Riddlespringer then went to a Target store in Omaha where they used the gift cards to purchase merchandise.

In addition to the accomplice testimony, other evidence was introduced to connect Riddlespringer with the commission of the offenses. Surveillance video from the parking lot of the Target store in Sioux City showed Harlan being dropped off and picked up by someone driving Halliburton's vehicle. Pictures from the Target store in Omaha showed two men using the gift cards purchased

¹ Riddlespringer filed a pro se brief that does not comply with the rules of appellate procedure in a number of ways, including not addressing error preservation and standard of review, and a six-sentence "discussion" section that does not cite any authority. See Iowa R. App. P. 6.903(2)(g)(3) ("Failure to cite authority in support of an issue may be deemed waiver of that issue."). We find his arguments waived.

with the stolen credit card. One of the men in those photos was wearing a black vest. When police stopped a vehicle that Halliburton was driving and in which Riddlespringer was a front-seat passenger, Riddlespringer was wearing a vest that matched the one in the surveillance photo from the Target store in Omaha. Additionally, “Vanilla credit cards” purchased with the stolen credit card were in the cup holder and merchandise purchased with the Target gift cards in Omaha was in the vehicle. *State v. Barnes*, 791 N.W.2d 817, 824 (Iowa 2010) (“Corroborative evidence need not be strong as long as it can fairly be said that it tends to connect the accused with the commission of the crime and supports the credibility of the accomplice.”). In denying Riddlespringer’s motion for a new trial, the district court carefully reviewed the evidence and discussed the witnesses’ credibility, and applied the correct legal standard. See *Reeves*, 670 N.W.2d at 202 (“On a motion for new trial, however, the power of the court is much broader. It may weigh the evidence and consider the credibility of witnesses. If the court reaches the conclusion that the verdict is contrary to the weight of the evidence and that a miscarriage of justice may have resulted, the verdict may be set aside and a new trial granted.”). We find no abuse of discretion and affirm pursuant to Iowa Court Rule 21.29(1)(c), (d), (e).

AFFIRMED.