

IN THE COURT OF APPEALS OF IOWA

No. 13-1825
Filed October 1, 2014

STATE OF IOWA,
Plaintiff-Appellee,

vs.

LUEKINNA MITCHELL,
Defendant-Appellant.

Appeal from the Iowa District Court for Scott County, Douglas C. McDonald, Judge.

A defendant appeals her conviction and sentence for operating while intoxicated, first offense. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Patricia Reynolds, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Aaron Rogers, Assistant Attorney General, Michael J. Walton, County Attorney, and Joseph Grubisich, Assistant County Attorney, for appellee.

Considered by Vaitheswaran, P.J., and Doyle and McDonald, JJ.

VAITHESWARAN, P.J.

The district court found Luekinna Mitchell guilty of operating a motor vehicle while intoxicated, first offense. On appeal, Mitchell contends her trial attorney was ineffective in failing to (1) seek video documentation of her vehicle stop and jailhouse conversation before the recordings were destroyed pursuant to standard retention policies and (2) object to the State's insinuations that she was a liar and requests to comment on the credibility of other witnesses. We preserve these claims for postconviction relief proceedings to allow development of the record and an opportunity for Mitchell's attorney to respond. See *State v. DeCamp*, 622 N.W.2d 290, 296 (Iowa 2001) (preserving ineffective-assistance-of-counsel claims based on erasure of videotape). See also *State v. Graves*, 668 N.W.2d 860, 869 (Iowa 2003) ("Generally, ineffective-assistance claims are preserved for postconviction relief proceedings to afford the defendant an evidentiary hearing and thereby permit the development of a more complete record.") (citation omitted).

AFFIRMED.