

IN THE COURT OF APPEALS OF IOWA

No. 14-0484
Filed January 28, 2015

MICHAEL BLACKWELL,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Polk County, Carla T. Schemmel,
Judge.

Applicant appeals the grant of summary judgment in favor of the State in
his fourth petition for postconviction relief. **AFFIRMED.**

Susan R. Stockdale, Windsor Heights, for appellant.

Thomas J. Miller, Attorney General, Sharon K. Hall, Assistant Attorney
General, John P. Sarcone, County Attorney, and Celene Gogerty, Assistant
County Attorney, for appellee.

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

MCDONALD, J.

Michael Blackwell was convicted in August 1991 of two counts of murder in the first degree and one count of burglary in the first degree. In this case, the district court dismissed Blackwell's fourth application for postconviction relief, noting that the application was barred by the statute of limitations and finding that the claim was previously adjudicated and thus barred res judicata. We agree with the district court's rationale that Blackwell's claims are both untimely and barred res judicata. See Iowa Code § 822.3 (2013); *Cornell v. State*, 529 N.W.2d 606, 610-11 (Iowa Ct. App. 1994). We affirm without further opinion. See Iowa Ct. R. 21.26(1)(a) and (e).

AFFIRMED.