

**IN THE COURT OF APPEALS OF IOWA**

No. 14-0519  
Filed December 24, 2014

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

**vs.**

**ERIC WEBSTER FINDLEY,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Clinton County, Mark R. Lawson (guilty plea) and Nancy S. Tabor (sentencing), Judges.

Eric Findley appeals following his guilty plea to two counts of failure to comply with the sex offender registry. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Stephan J. Japuntich, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Heather Ann Mapes, Assistant Attorney General, Mike Wolf, County Attorney, and Ross Barlow, Assistant County Attorney, for appellee.

Considered by Mullins, P.J., and Bower and McDonald, JJ. Tabor, J., takes no part.

**MULLINS, P.J.**

Eric Findley appeals following his guilty plea to two counts of failure to comply with the sex offender registry. He claims his attorney was ineffective in permitting him to plead guilty to the charges when there was not a factual basis to support the element that he is a Tier III offender. We review the entire record to determine if there is a factual basis to support the plea. See *State v. Finney*, 834 N.W.2d 46, 62 (Iowa 2013). Our review of the record indicates Findley admitted to being a Tier III offender during the plea colloquy and the minutes of testimony specify Findley was a Tier III offender. Because a factual basis supports his guilty plea, Findley's attorney was not ineffective in failing to file a motion in arrest of judgment. We therefore affirm Findley's conviction and sentence pursuant to Iowa Court Rule 21.26(1)(a), (c), and (e).

**AFFIRMED.**