

IN THE COURT OF APPEALS OF IOWA

No. 16-0186
Filed January 11, 2017

STATE OF IOWA,
Plaintiff-Appellee,

vs.

FRANCISCO M. VILLA,
Defendant-Appellant.

Appeal from the Iowa District Court for Marshall County, John J. Haney,
Judge.

Defendant appeals district court's denial of his motion to correct illegal
sentence. **AFFIRMED.**

Chad R. Frese and C. Aron Vaughn of Kaplan & Frese, LLP,
Marshalltown, for appellant.

Thomas J. Miller, Attorney General, and Thomas J. Ogden, Assistant
Attorney General, for appellee.

Considered by Tabor, P.J., Bower, J., and Scott, S.J.*

*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2017).

SCOTT, Senior Judge.

In 1999, Francisco Villa, then a minor, was charged with second-degree sexual abuse, in violation of Iowa Code sections 709.1 and 709.3 (1999). Villa pled guilty. His sentence included an obligation to register as a sex offender pursuant to section 692A.103. In 2015, Villa challenged that requirement by filing a motion to correct an illegal sentence. The district court denied the motion. Villa now appeals.

Villa claims the registration requirement imposed upon him as a juvenile sex offender constitutes cruel and unusual punishment in violation of the Eighth Amendment to the United States Constitution and article I, section 17 of the Iowa Constitution. See U.S. Const. amend. VIII; Iowa Const. art. I, § 17. Our review is de novo. See *State v. Ragland*, 836 N.W.2d 107, 113 (Iowa 2013).

We were presented with an identical challenge in *State v. Graham*, No. 15-1464, 2016 WL 3556539, at *6–7 (Iowa Ct. App. June 29, 2016). There we held mandatory lifetime sex offender registration is not cruel and unusual punishment. See *Graham*, 2016 WL 3556539, at *6–7. For the reasons set forth in *Graham*, and because we approve of the reasons and conclusions in the district court's order and a full opinion would not augment or clarify existing case law, we affirm without further opinion. See Iowa Ct. R. 21.26(1)(d), (e).

AFFIRMED.