

IN THE COURT OF APPEALS OF IOWA

No. 1-851 / 10-1935
Filed January 19, 2012

STATE OF IOWA,
Plaintiff-Appellee,

vs.

DURIUS ANTWAN DAVIS,
Defendant-Appellant.

Appeal from the Iowa District Court for Black Hawk County, Todd A. Geer,
Judge.

A defendant appeals his judgment and sentence for willful injury causing
serious injury while being armed with a dangerous weapon, contending his trial
attorney was ineffective in various regards. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Theresa R. Wilson,
Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Elisabeth S. Reynoldson, Assistant
Attorney General, Thomas J. Ferguson, County Attorney, and Joel Dalrymple,
Assistant County Attorney, for appellee.

Heard by Vaitheswaran, P.J., and Potterfield and Doyle, JJ.

VAITHESWARAN, P.J.

Durius Davis appeals his judgment and sentence for willful injury causing serious injury while being armed with a dangerous weapon. He contends his trial attorney was ineffective in (1) failing to seek suppression of his statements to police on the ground that they were involuntary, (2) failing to seek suppression of his statements to police on the ground that his right to contact a family member under Iowa Code section 804.20 (2009) was violated, (3) failing to object to hearsay statements in the videotaped police interview played for the jury at trial or request a limiting instruction on the purpose of the video, and (4) failing to object to personal opinion statements made by the interrogating officer in the videotaped police interview. “Ordinarily, ineffective assistance of counsel claims are best resolved by postconviction proceedings to enable a complete record to be developed and afford trial counsel an opportunity to respond to the claim.” *State v. Truesdell*, 679 N.W.2d 611, 616 (Iowa 2004). We conclude all four ineffective-assistance-of-counsel claims must be preserved for possible postconviction relief proceedings.

AFFIRMED.