

IN THE COURT OF APPEALS OF IOWA

No. 2-358 / 10-1308
Filed May 23, 2012

ROMEO CASINO HARDIN,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Scott County, J. Hobart Darbyshire,
Judge.

Romeo Casino Hardin appeals the district court's dismissal of his third
application for postconviction relief. **AFFIRMED.**

Lori Kieffer-Garrison, Rock Island, Illinois, for appellant.

Thomas J. Miller, Attorney General, Thomas Andrews, Assistant Attorney
General, and Michael J. Walton, County Attorney.

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

DANILSON, J.

Romeo Casino Hardin appeals the district court's dismissal of his third application for postconviction relief. We have carefully reviewed the record, the briefs of the parties, and the district court's ruling. Under our de novo review, we find the postconviction court properly dismissed the claims alleged in the application as untimely filed. The application did not assert any claim relating to Hardin's previous postconviction relief proceedings, a claim of illegal sentence, or any other ground of fact or law that could not have been raised within the limitations of the statute. Moreover, even if the application had been filed within the period allowed under Iowa Code section 822.3 (2009), none of the claims in Hardin's pro se application are appropriate for review under Iowa Code chapter 822. We agree with the court's findings, and any further discussion of these issues by our court would add little to, and not change, the disposition of this case.¹ Accordingly, the postconviction court's ruling dismissing Hardin's application is affirmed without opinion. See Iowa R. App. P. 6.1203(a), (d).

AFFIRMED.

¹ We reach this decision after a careful review of our supreme court's holdings in *State v. Ragland*, __N.W.2d__, 2012 WL 1058266 (Iowa Mar. 30, 2012). We conclude even a liberal reading of Hardin's application does not give rise to a claim that his sentence is cruel and unusual punishment under the United States and Iowa Constitutions. We agree with the district court's summation of the claims:

In fact, all of the grounds on which [Hardin] bases the application have nothing to do with his conviction and sentence, and are largely a collection of fictitious grounds, stated in a confusing and unintelligible fashion, and citing legal authority having absolutely nothing to do with his conviction, including such claims as the 13th Amendment to the United States Constitution abolishing slavery and involuntary servitude, claims that resonate out of the sovereign citizen's movement, such as his claim that the rendering of judgment against him is illegal because he is a living person, not a corporate person, and claims that the Uniform Commercial Code apply to his conviction.