

IN THE COURT OF APPEALS OF IOWA

No. 2-732 / 10-1127
Filed September 19, 2012

GENTRIC HICKS,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Henry County, Cynthia H. Danielson, Judge.

Gentric Hicks appeals from the denial of his application for postconviction relief. **AFFIRMED.**

Curtis Dial of Law Office of Curtis Dial, Keokuk, for appellant.

Thomas J. Miller, Attorney General, Thomas W. Andrews, until withdrawal, and Kevin Cmelik, Assistant Attorney General, Michael Short, County Attorney, and Bruce C. McDonald, Assistant County Attorney, for appellee.

Considered by Vaitheswaran, P.J., and Potterfield and Bower, JJ. Tabor, J. takes no part.

POTTERFIELD, J.

Gentric Hicks appeals from the denial of his application for postconviction relief claiming the trial information filed against him was defective. The trial information at issue initiated the 1976 proceeding resulting in his conviction for first-degree murder and sentence of life imprisonment. He claims the district court erred in four ways: in finding the claimed defect did not implicate subject-matter jurisdiction, finding the statute of limitations barred his claim, finding his failure to raise the issue in a prior proceeding barred his claim now, and by finding the trial information was not defective. Hicks's pro se brief echoes these arguments and further raises the claims that the court erred in finding the indictment rules also covered the filing of trial information, and that the court's failure to rule on three other grounds raised—that of actual innocence, cruel and unusual punishment, and the Thirteenth Amendment—constituted error.

We agree with the district court's well-reasoned opinion which determined these claims to be without merit. Hicks' claims of innocence, cruel and unusual punishment and involuntary servitude in violation of the Thirteenth Amendment were considered and found to be without merit in the court's ruling that the trial information was not defective. We agree and therefore affirm without opinion. See Iowa R. App. P. 6.1203(a), (d).

AFFIRMED.