

**IN THE COURT OF APPEALS OF IOWA**

No. 3-205 / 12-0363  
Filed April 24, 2013

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

**vs.**

**ROLAND RAY FULTON,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Buchanan County, Bradley J. Harris, Judge.

Roland Fulton appeals from two second-degree sexual abuse convictions.

**AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Martha J. Lucey, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Sheryl A. Soich, Assistant Attorney General, Shawn M. Harden, County Attorney, and Susan Krisko, Assistant County Attorney, for appellee.

Considered by Vogel, P.J., and Potterfield and Doyle, JJ.

**POTTERFIELD, J.**

Roland Fulton appeals from two second-degree sexual abuse convictions, contending there is insufficient evidence to sustain the convictions, the convictions are against the weight of the evidence, and trial counsel was ineffective in failing to object to expert witness testimony regarding child abuse dynamics.

At a trial to the court, A.R. and B.R. testified that when they were under the age of twelve, over a several year period, the grandfather of their friend, Roland Fulton, placed his hand underneath their clothing and touched their vaginas while they sat on his lap to play computer games. The trial court found the witnesses to be credible, their accounts consistent, and some of the details of each complaining witness's testimony were corroborated by other witnesses' testimony as well. Giving weight to the fact-finder's credibility determination and viewing the evidence in the light most favorable to sustaining the verdicts, we find substantial evidence supports the convictions. *See State v. Neitzel*, 801 N.W.2d 612, 614 (Iowa Ct. App. 2011). This is not a case in which in the complaining witnesses' testimony is absurd, impossible, or self-contradictory such that we will overturn the credibility finding of the trial court. *Cf. State v. Smith*, 508 N.W.2d 101, 103-05 (Iowa Ct. App. 1993).

Nor is this an extraordinary case where the verdicts are contrary to the weight of the evidence. *See State v. Shanahan*, 712 N.W.2d 121, 136 (Iowa 2006).

We do not believe the record is sufficient to address the defendant's claims of ineffective assistance of counsel. *See State v. Fountain*, 786 N.W.2d

260, 266-67 (Iowa 2010). We thus preserve the ineffectiveness claims for possible postconviction relief proceedings.

We affirm without further opinion. See Iowa Ct. R. 21.29(1)(b), (d), (e).

**AFFIRMED.**