

IN THE COURT OF APPEALS OF IOWA

No. 3-759 / 12-2110
Filed August 21, 2013

STATE OF IOWA,
Plaintiff-Appellee,

vs.

ROBERT LEE MILLSAP,
Defendant-Appellant.

Appeal from the Iowa District Court for Polk County, Artis Reis, Judge.

A defendant appeals the district court's denial of his motion for substitute counsel. **AFFIRMED.**

Andrea M. Flanagan of Sporer & Flanagan, P.L.L.C., Des Moines, for appellant.

Thomas J. Miller, Attorney General, Bridget Chambers, Assistant Attorney General, John Sarcone, County Attorney, and Mark Taylor, Assistant County Attorney, for appellee.

Considered by Potterfield, P.J., and Mullins and Bower, JJ.

MULLINS, J.

Robert L. Millsap appeals his conviction after a guilty plea for possession of a controlled substance with intent to deliver as a second or subsequent offender, in violation of Iowa Code sections 124.401(1)(c)(2)(b), 124.401(1)(c)(2)(d), and 124.411 (2011). Even though the district court allowed Millsap to make the record he wanted during a reported hearing on his request to have substitute counsel appointed, he contends that the district court erred in failing to adequately inquire sua sponte once he alleged a breakdown in the attorney-client relationship. After a de novo review of the record and pursuant to Iowa Rule of Appellate Procedure 6.1203(a) and (d), we affirm without opinion the district court's denial of Millsap's request to have substitute counsel appointed to represent him.

AFFIRMED.