

**IN THE COURT OF APPEALS OF IOWA**

No. 6-192 / 05-1188  
Filed April 26, 2006

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

**vs.**

**PRUDENCE ELAINE LATTMANN,**  
**a/k/a PRUDENCE ELAINE WARD,**  
Defendant-Appellant.

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

The defendant appeals from the judgment and sentence. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Shellie L. Knipfer,  
Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Karen Doland, Assistant Attorney  
General, John P. Sarcone, County Attorney, and Ralph Marasco, Assistant  
County Attorney, for appellee-State.

Considered by Sackett, C.J., and Vogel and Mahan, JJ.

**VOGEL, J.**

Prudence Lattmann appeals from her guilty plea, judgment and sentence for theft in the first degree, a class C felony in violation of Iowa Code sections 714.1(1) and 714.2(1) (2003). Lattmann's sole issue on appeal is whether the district court imposed an illegal sentence, a challenge which may be raised at any time under Iowa Rule of Criminal Procedure 2.24(5)(a). However, Lattman's argument simply asserts that her guilty plea to first-degree theft lacked a factual basis, and therefore her sentence was illegal. Lattmann did not file a motion in arrest of judgment to challenge her plea, preventing her from directly appealing her plea and conviction, nor does she allege ineffective assistance of counsel on appeal. See *State v. Allen*, 708 N.W.2d 361, 364-365 (Iowa 2006); Iowa R. Crim. P. 2.24(3)(a). Therefore, as error was not preserved, we affirm her conviction for first-degree theft.

**AFFIRMED.**