

IN THE COURT OF APPEALS OF IOWA

No. 6-454 / 05-1335
Filed July 12, 2006

JOHN P. RAINES,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Sioux County, Michael Walsh,
Judge.

John Raines appeals from the district court's grant of summary judgment
in favor of the State on his application for postconviction relief. **AFFIRMED.**

Stephanie Forker Parry of Forker & Parry, Sioux City, for appellant.

Thomas J. Miller, Attorney General, Thomas S. Tauber, Assistant Attorney
General, Melissa O'Rourke, County Attorney, and Coleman McAllister, Assistant
County Attorney, for appellee State.

Considered by Vogel, P.J., and Zimmer and Vaitheswaran, JJ.

ZIMMER, J.

In 2003, Raines appeared in court and pled guilty to two counts of third-degree sexual abuse. Pursuant to the terms of a plea agreement, the district court sentenced Raines to two terms of imprisonment not to exceed ten years, to be served consecutively. Raines filed a direct appeal, which our supreme court dismissed as frivolous. Later, Raines filed an application for postconviction relief. The postconviction court granted the State's motion for summary disposition and dismissed Raines's application. Raines then filed this appeal. After careful review of the record, we conclude the district court's decision should be affirmed without opinion pursuant to Iowa Rule of Appellate Procedure 6.24(1) and (4).

AFFIRMED.