

IN THE COURT OF APPEALS OF IOWA

No. 6-736 / 05-1652
Filed October 11, 2006

STATE OF IOWA,
Plaintiff-Appellee,

vs.

DALE ERNEST WHITE,
Plaintiff-Appellant.

Appeal from the Iowa District Court for Lee (South) County, John G. Linn and William L. Dowell, Judges.

The defendant appeals from his judgment and sentence following his convictions of assault with intent to commit sexual abuse causing bodily harm, willful injury, and child endangerment. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Robert P. Ranschau, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Thomas Tauber, Assistant Attorney General, Michael P. Short, County Attorney, and Bruce McDonald, Assistant County Attorney, for appellee.

Considered by Vogel, P.J., and Miller and Eisenhauer, JJ.

EISENHAUER, J.

Dale Ernest White appeals from his judgment and sentence following his convictions of assault with intent to commit sexual abuse causing bodily harm, willful injury, and child endangerment. He contends his trial counsel rendered ineffective assistance in failing to object to an alleged violation of *State v. Graves*, 668 N.W.2d 860, 872 (Iowa 2003), in failing to object to irrelevant and prejudicial testimony, and in his cross-examination of the victim during a second trial. We review his claims de novo. *State v. McBride*, 625 N.W.2d 372, 373 (Iowa Ct. App. 2001).

Ordinarily, we preserve ineffectiveness claims raised on direct appeal for postconviction relief to allow full development of the facts surrounding counsel's conduct. *Berryhill v. State*, 603 N.W.2d 243, 245 (Iowa 1999). "Even a lawyer is entitled to his day in court, especially when his professional reputation is impugned." *State v. Kirchner*, 600 N.W.2d 330, 335 (Iowa Ct. App. 1999) (citing *State v. Coil*, 264 N.W.2d 293, 296 (Iowa 1978)). Because the record is not fully developed as to these issues, we preserve them for postconviction relief.

AFFIRMED.