

IN THE COURT OF APPEALS OF IOWA

No. 6-781 / 05-2078
Filed November 16, 2006

STATE OF IOWA,
Plaintiff-Appellee,

vs.

MICHAEL (NMN) KELLY,
Defendant-Appellant.

Appeal from the Iowa District Court for Black Hawk County, Thomas N. Bower, Judge.

Defendant appeals his conviction for sexual abuse in the third degree.

AFFIRMED.

Linda Del Gallo, State Appellate Defender, and James G. Tomka, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Jean C. Pettinger, Assistant Attorney General, Thomas J. Ferguson, County Attorney, and James J. Katcher, Assistant County Attorney, for appellee.

Considered by Huitink, P.J., and Mahan and Zimmer, JJ.

MAHAN, J.

Michael Kelly appeals from his conviction, following a jury trial, for sexual abuse in the third degree, in violation of Iowa Code section 709.4 (2003). Kelly argues on appeal that there was insufficient evidence to support the conviction.

We have carefully reviewed the record in this case and conclude the evidence in support of the jury verdict is sufficient. The district court did not err in overruling the defendant's motion for judgment of acquittal. We therefore affirm without opinion pursuant to Iowa Rule of Appellate Procedure 6.24(2).

AFFIRMED.