

**IN THE COURT OF APPEALS OF IOWA**

No. 7-711 / 07-0317  
Filed November 15, 2007

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

**vs.**

**DOUGLAS WAYNE NOBLE,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Henry County, Cynthia H. Danielson, Judge.

Defendant appeals his sentence after he pled guilty to manufacture of methamphetamine. **SENTENCE VACATED; REMANDED FOR RESENTENCING.**

Mark C. Smith, State Appellate Defender, and James G. Tomka, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Jean Pettinger, Assistant Attorney General, and Darin Stater, County Attorney.

Considered by Huitink, P.J., and Vogel and Baker, JJ.

**VOGEL, J.**

Douglas Noble appeals his sentence imposed for manufacture of methamphetamine. Noble asserts an ineffective-assistance-of-counsel claim, alleging that the State failed to follow the plea agreement and his counsel failed to object. In accord with *State v. Cooper*, \_\_\_N.W.2d \_\_\_ (Iowa 2007), we find counsel was ineffective in failing to object when it appeared the State did not follow the plea agreement at the sentencing hearing. We therefore vacate the sentence, and remand for resentencing.

**SENTENCE VACATED; REMANDED FOR RESENTENCING.**