

**IN THE COURT OF APPEALS OF IOWA**

No. 7-834 / 06-1715  
Filed November 29, 2007

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

**vs.**

**CALVIN FLOYD ARMSTRONG, SR.,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Kossuth County, Joseph J. Straub,  
Judge.

Calvin Armstrong Sr. appeals his conviction, judgment, and sentence for  
sexual abuse in the third degree. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Theresa R. Wilson,  
Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Mary E. Tabor, Assistant Attorney  
General, and Todd Holmes, County Attorney, for appellee.

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

**HUITINK, P.J.**

Calvin Armstrong Sr. appeals his conviction, judgment, and sentence for sexual abuse in the third degree in violation of Iowa Code section 709.4(2)(b) (2005). Armstrong contends he is entitled to a new trial because he was denied effective assistance of trial counsel.

**I. Standard of Review**

We review ineffective assistance of counsel claims de novo. *State v. Bergmann*, 600 N.W.2d 311, 313 (Iowa 1999).

**II. Ineffective Assistance of Trial Counsel**

Armstrong argues he has been denied effective assistance of trial counsel because counsel (1) mishandled an Iowa Department of Human Services report and failed to object to its admission, (2) failed to object to expert testimony commenting on the credibility of the complaining witness, and (3) failed to object to bad acts evidence. Ordinarily, we preserve ineffective assistance of counsel claims for postconviction proceedings to enable full development of the record and to afford trial counsel an opportunity to respond. *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. Coil*, 264 N.W.2d 293, 296 (Iowa 1978). Because we find the record is insufficient to address Armstrong’s ineffective assistance of counsel claims on direct appeal, we preserve his claims for possible postconviction relief proceedings.

Because Armstrong raises no other issues necessitating reversal of his conviction and sentence, we affirm the judgment of the district court.

**AFFIRMED.**