IN THE COURT OF APPEALS OF IOWA

No. 8-265 / 06-1583
Filed May 29, 2008

CHRIS M. SCHOOLEY,
   Plaintiff-Appellant,

vs.

**PRAIRIE MEADOWS RACETRACK
AND CASINO, INC., d/b/a PRAIRIE MEADOWS,**
   Defendant-Appellee.
_____

   Appeal from the Iowa District Court for Polk County, Arthur E. Gamble,

Judge.

   Plaintiff appeals from the district court's grant of summary judgment to the

defendant. **AFFIRMED.**

   Kenneth J. Weiland of Andrew & Weiland, P.C., Knoxville, for appellant.

   Dennis Ogden of Belin Lamson McCormick Zumbach Flynn, P.C., Des

Moines, for appellee.

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

VAITHESWARAN, J.

Jockey Chris Schooley sued Prairie Meadows Racetrack and Casino. She alleged she was riding a horse near the barns when a gust of wind blew a wheeled dumpster towards her, startling the horse and causing the animal to flip backward onto her. She further alleged Prairie Meadows "had a duty to exercise reasonable care in ensuring a reasonably safe premises for the jockeys" and it breached this duty, entitling her to money damages.

Prairie Meadows moved for summary judgment, maintaining it was immune from liability under Iowa Code section 673.2 (2005). Schooley responded that her claim fell within an exception under section 673.2(4). The district court granted the motion.

On appeal, Schooley does not take issue with the district court's ruling. Her sole argument is as follows:

> [T]here is another exception that was not considered by the Court and even though not specifically raised by the Plaintiff/Appellant during the hearing on the motion for summary judgment or in the resistance to the same the Court still had a duty to consider all issues in making a ruling on a motion for summary judgment.

It is axiomatic that issues not raised and decided by the district court are not preserved for review. *Bill Grunder's Sons Const., Inc. v. Ganzer*, 686 N.W.2d 193, 197 (Iowa 2004). As Schooley concedes that the exception she now raises was not raised in the district court, we have nothing to review.

AFFIRMED.