

**IN THE COURT OF APPEALS OF IOWA**

No. 8-313 / 07-0768  
Filed July 16, 2008

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

**vs.**

**DALE LAVERNE VAN HEIDEN,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Fayette County, George L. Stigler (motion to suppress) and John Bauercamper (trial), Judges.

Dale Van Heiden appeals from his conviction for possession of a controlled substance, third offense. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and Jason B. Shaw, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Richard J. Bennett, Assistant Attorney General, and W. Wayne Saur, County Attorney, for appellee.

Considered by Sackett, C.J., and Huitink and Mahan, JJ.

**PER CURIAM**

Dale Van Heiden appeals from his conviction for possession of a controlled substance, third offense, in violation of Iowa Code section 124.401(5) (2005). After a careful review of the record, we affirm without opinion pursuant to Iowa Rule of Appellate Procedure 6.24(1) and (4).

**AFFIRMED.**