

IN THE COURT OF APPEALS OF IOWA

No. 8-413 / 07-0830
Filed July 16, 2008

STATE OF IOWA,
Plaintiff-Appellee,

vs.

LUCIO TRINIDAD ACEVES-HERNANDEZ,
Defendant-Appellant.

Appeal from the Iowa District Court for Woodbury County, Michael S. Walsh, Judge.

Lucio Trinidad Aceves-Hernandez appeals his sentence following his written guilty plea for identity theft. **AFFIRMED.**

Robert Green, Sioux City, for appellant.

Thomas J. Miller, Attorney General, Bruce Kempkes, Assistant Attorney General, Patrick Jennings, County Attorney, and Mark A. Campbell, Assistant County Attorney, for appellee.

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

ZIMMER, J.

Aceves-Hernandez appeals his sentence following his written guilty plea for identity theft in violation of Iowa Code section 715A.8(2) (2005). Aceves-Hernandez contends that his written guilty plea was not voluntary and should be withdrawn because the district court failed to advise him of the immigration consequences of his guilty plea. Specifically, Aceves-Hernandez asserts that the language contained within the written plea of guilty and waiver of rights was inadequate because it only advised that he “may” be deported, and the district court should have advised that he would be deported. We review for corrections of errors at law. Iowa R. App. P. 6.4.

Aceves-Hernandez did not file a motion in arrest of judgment pursuant to Iowa Rule of Criminal Procedure 2.24(3)(a), and specifically waived in his written plea his right to challenge his guilty plea. Additionally, Aceves-Hernandez has not asserted any ineffective assistance of counsel claims. As such, his claim has not been preserved for appellate review. See *State v. Barnes*, 652 N.W.2d 466, 468 (Iowa 2002).

AFFIRMED.