

IN THE COURT OF APPEALS OF IOWA

No. 8-781 / 08-0173
Filed October 15, 2008

SHAWN CURTIS GOODWIN,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Pottawattamie County, Timothy O'Grady, Judge.

Shawn Goodwin appeals from the trial court's ruling dismissing his application for postconviction relief. **AFFIRMED.**

Marti Nerenstone, Council Bluffs, for appellant.

Thomas J. Miller, Attorney General, Sharon Hall, Assistant Attorney General, Matthew Wilber, County Attorney, and Margaret Popp Reyes, Assistant County Attorney, for appellee State.

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

PER CURIAM

Shawn Goodwin appeals from the trial court's ruling dismissing his application for postconviction relief challenging the revocation of his probation and resulting incarceration. Goodwin contends the sentencing judge abused his discretion by imposing a special condition of probation requiring Goodwin to participate in a sexual offender treatment program (SOTP) and subsequently abused his discretion by revoking Goodwin's probation for failure to successfully complete SOTP. Goodwin additionally claims he was denied effective assistance of counsel, citing counsel's failure to object to the challenged condition of his probation.

Our review of the record indicates Goodwin agreed to SOTP as a special condition of probation as part of an earlier agreement with the State to continue rather than revoke his probation. The record also indicates Goodwin subsequently expressly requested revocation of his probation to obtain sex offender treatment while incarcerated. The State correctly argues that Goodwin may not allege error on an issue to which he acquiesced or invited. See *State v. Sage*, 162 N.W.2d 502, 504 (Iowa 1968). The record also indicates Goodwin's ineffective assistance of counsel claims were not resolved or otherwise addressed by the postconviction trial court. Goodwin has also failed to preserve this issue for our review because he did not file the requisite posttrial motion requesting the postconviction trial court to address this issue. See *Meier v. Sennecout*, 641 N.W.2d 532, 539 (Iowa 2002).

The order of the postconviction trial court revoking Goodwin's probation and imposing the sentence of incarceration originally ordered in this case is affirmed.

AFFIRMED.