FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

316

STATE OF IOWA,)

Plaintiff-Appellee,) Filed April 11, 1984

vs.)

PETER AGUILERA, JR.,) 4-99
83-760

Defendant-Appellant.)

Appeal from the Iowa District Court for Scott County - Margaret S. Briles, Judge.

Defendant appeals from the sentence imposed on his guilty plea conviction for carrying a dangerous weapon in violation of Iowa Code section 724.4. AFFIRMED.

Patrick J. Kelly, Davenport, Iowa, for defendant-appellant.

Thomas J. Miller, Attorney General, and Sherie Barnett, Assistant Attorney General, for the plaintiff-appellee.

Considered by Oxberger, C.J., and Schlegel and Hayden, JJ.

Defendant appeals from the sentence imposed on his guilty plea conviction for carrying a dangerous weapon in violation of Iowa Code section 724.4. He claims that the trial court abused its discretion in sentencing him to a two-year prison term rather than probation. We affirm.

Our review of this criminal case is on assigned error. State v. Cullison, 227 N.W.2d 121, 126-27 (Iowa 1975). Sentencing is within the discretion of the trial court and should be disturbed on appeal only if the sentence imposed constitutes an abuse of discretion. State v. Morrison, 323 N.W.2d 254, 256 (Iowa 1982). An abuse of discretion occurs where the court's discretion is exercised on grounds or for reasons clearly untenable or to an extent clearly unreasonable. Id. We find no such abuse of discretion in this case. Defendant admitted to pointing a shotgun at two persons in a public place and discharging two rounds of ammunition. The intended victims escaped injury, but two bystanders were wounded by buckshot. There was also some property damage. The record shows that this offense occurred while defendant was on probation for a prior conviction of carrying a dangerous weapon.

The trial court did not abuse its discretion; we affirm the sentence imposed.

AFFIRMED.