FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,)

Plaintiff-Appellee,)

vs.)

FORREST CLYDE BOXWELL,)

Defendant-Appellant.)

Filed
April 30, 1985

5-138
84-812

Appeal from the Iowa District Court for Linn County - Robert F. Sosalla, Judge.

Defendant appeals from the portion of his sentence revoking his driver's license for a period of six years pursuant to Iowa Code section 321.281(9)(a), following his conviction on two counts of OWI, first offense, in violation of Iowa Code section 321.281 (1983). AFFIRMED.

Charles Harrington, Appellate Defender, and Raymond E. Rogers, Assistant Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General, and Pamela S. Greenman, Assistant Attorney General, for plaintiff-appellee.

Heard by Oxberger, C.J., Donielson, and Hayden, JJ.

On January 24, 1984, the defendant pleaded guilty to two charges of OWI, first offense. The charges arose out of two separate incidents.

Subsequently, the defendant was sentenced and his license was revoked for six years. In addition to the present convictions, the defendant received a deferred judgment for OWI in 1980. The trial court stated on the record that it was required by law to revoke the defendant's license for six years. Defense counsel objected and asked the court to reconsider the revocation on the grounds now raised on appeal. The motion was denied.

This appeal is governed by the Iowa Supreme Court's recent holdings in State v. Pettit, 360 N.W.2d 833 (Iowa 1985), and State v. Blood, 360 N.W.2d 820 (Iowa 1985). The six-year revocation pursuant to section 321.281(9)(a) is not linked with a conviction for a third offense. Blood, 360 N.W.2d at 822. A conviction for first offense and proof of two prior convictions requires the trial court to act. Pettit, 360 N.W.2 at 836. The trial court correctly followed the statutory requirements by ordering defendant's license to be revoked for six years.

AFFIRMED.