FILED
JAN 28 1987
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,	)	
Plaintiff-Appellee,	)	Filed January 28, 1987
vs.	)	
DALE DONALD TOEBE,	)	6-366 85-1537
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Cerro Gordo County (No. 16491) - L. L. Boomhower, Judge.

The defendant appeals after a jury trial of a judgment finding him guilty of tampering with a witness in violation of Iowa Code section 720.4. **AFFIRMED.**

Roger L. Sutton of Sutton Law Firm, Charles City, for defendant-appellant.

Thomas J. Miller, Attorney General; Ann DiDonato, Assistant Attorney General; and Susan S. Currie, Assistant Cerro Gordo County Attorney, for plaintiff-appellee.

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

DONIELSON, J. 240

The defendant, Dale Donald Toebe, appeals after a jury trial of a judgment finding him guilty of tampering with a witness in violation of Iowa Code section 720.4 (1985). Toebe asserts that there was insufficient evidence to establish proper venue and the requisite intent to commit the crime. We affirm.

Toebe raises three issues on appeal: (1) whether there was sufficient evidence to establish that the alleged crime occurred in Cerro Gordo County; (2) whether there was sufficient evidence to prove beyond a reasonable doubt that Toebe had the requisite intent to prevent the witness from testifying; and (3) whether Toebe's voluntary intoxication prevented him from forming specific intent. We do not reach the merits of these contentions because Toebe raised these issues for the first time on appeal. No motion was made at the close of the State's evidence or at the close of all the evidence. Toebe further failed to raise these issues in any post-trial proceedings. "A party cannot effectively challenge the sufficiency of the evidence for the first time on appeal." State v. Dickerson, 313 N.W.2d 526, 529 (Iowa 1981); State v. Leonard, 243 N.W.2d 887, 893 (Iowa 1976). We therefore do not intimate what our view on the merits would be if Toebe had preserved error.

AFFIRMED.