

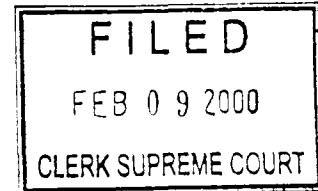
IN THE COURT OF APPEALS OF IOWA

No. 9-574 / 98-1227
Filed February 9, 2000

STATE OF IOWA,
Appellee,

vs.

CLIFFORD SMALL,
Appellant.



Appeal from the Iowa District Court for Scott County, Charles H. Pelton,
Judge.

Clifford Small appeals his convictions on three counts of second-degree
burglary, claiming he was denied effective assistance of counsel. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Robert P. Ranschau,
Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Martha E. Boesen, Assistant Attorney
General, and William E. Davis, County Attorney, for appellee.

Considered by Streit, P.J., and Vogel and Vaitheswaran, JJ.

VOGEL, J.

Clifford Small appeals his convictions on three counts of second-degree burglary, claiming he was denied effective assistance of counsel.

Small was a deputy sheriff with the Scott County Sheriff's Department when he became a suspect in a rash of burglaries which occurred while he was on duty.

In May of 1998, Small was convicted following a jury trial on three of five counts of second-degree burglary. On appeal he claims his defense counsel was ineffective in failing to object to certain witness testimony which was outside the scope of the minutes of testimony.

After reviewing the record, we find that it is insufficient to allow us to address his claim of ineffective assistance on direct appeal. We therefore affirm his convictions, but preserve his claim of ineffective assistance for postconviction relief. *See State v. Pearson*, 547 N.W.2d 236, 241 (Iowa App. 1996).

AFFIRMED.