FILED
FEB 22 1979
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,)
Appellee,) February 22, 1979
v.)
RICHARD MORALES,) 17/61809
Appellant.)

Appeal from Cerro Gordo District Court - John F. Stone, Judge.

Defendant appeals conviction of assault with intent to inflict great bodily injury alleging ineffective assistance of counsel. - Affirmed.

Thomas E. McCurnin & Robert A. Wright, Des Moines, for Appellant.

Thomas J. Miller, Attorney General of Iowa, and Ann Fitzgibbons, Assistant Attorney General, for Appellee.

Heard by Oxberger, C. J., and Donielson, Snell, Carter and Johnson, JJ.

PER CURIAM

Defendant Richard Morales appeals conviction of assault with intent to inflict great bodily injury in violation of § 694.6, The Code. His sole contention on appeal is denial of the effective assistance of counsel. We affirm.

Defendant charges that his trial attorney neglected to make proper objections or to conduct effective cross-examination, failed to make an opening statement, pretrial and post-trial motions, and conducted no investigation of the case. We find the following paragraph from State v. Coil, 264 N.W.2d 293, 296 (Iowa 1978), applicable here:

> There are cases when incompetency is so glaring that we are justified in saying so upon an examination of the record. Ordinarily, however we should be slow to do so on what amounts to an ex parte hearing. Counsel may, indeed, have had good reason for each step he took or failed to take. There is nothing in counsel's conduct so obviously wrong that it defies explanation or excuse.

We find no basis, in the present state of the record, on which to hold defendant was denied effective counsel and affirm his conviction.

AFFIRMED.