FILED
OCT 25 1983
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,)

Plaintiff-Appellee,) Filed October 25, 1983

vs.)

ARNE BUNKOFSKE,) 3-307
83-0100

Defendant-Appellant.)

Appeal from Dubuque District Court, T. H. Nelson, Judge.

Defendant appeals from the sentence imposed on his guilty plea conviction of conspiracy to deliver a controlled substance in violation of Iowa Code section 204.401(1)(b). AFFIRMED.

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

Thomas J. Miller, Attorney General, and John Messina, Assistant Attorney General, for plaintiff-appellee.

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

PER CURIAM

Defendant appeals from the sentence imposed on his guilty plea conviction of conspiracy to deliver a controlled substance in violation of Iowa Code section 204.401(1)(b). We affirm.

He asserts on appeal that the district court failed to state on the record all of its reasons for selecting a sentence of incarceration. The trial judge said: "...the court has decided to confine the defendant, in part, because..." We agree with the appellee's statement: "The statement reflects only the poor use of a modifier, not the concealment of other reasons for incarcerating the defendant.

Defendant also asserts the district court improperly relied on averments in the minutes of testimony which indicated defendant was a substantial drug dealer. During the guilty plea colloquy defendant admitted to the statements made by witnesses in the minutes. We find no error on this issue. Defendant also asserts that the district court denied him due process when it refused to hold a hearing on his motion for reconsideration of sentence so that he could present evidence refuting the statements in the minutes.

Defendant had a hearing at the time of sentencing. This was his due process guarantee of an opportunity to make a record or plead his case in hopes of influencing his sentence. Due process does not require a second hearing to correct any misimpressions he may claim he left at the first hearing.

AFFIRMED.