IN THE COURT OF APPEALS OF IOWA

No. 0-339 / 99-1332
Filed June 28, 2000

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CLERK SUPREME COURT

STATE OF IOWA,
Plaintiff-Appellee,

vs.

LARRY M. PERRY,
Defendant-Appellant.

Appeal from the Iowa District Court for Polk County, Robert J. Blink, Judge.

Larry Perry appeals from his sentences upon his guilty plea to the charges of felon in possession of a firearm and unauthorized possession of an offensive weapon. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and Patricia Reynolds, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Karen B. Doland, Assistant Attorney General, John P. Sarcone, County Attorney, and Teresa Vens, Assistant County Attorney, for appellee.

Considered by Streit, P.J., and Zimmer and Hecht, JJ.

STREIT, P.J.

Larry Perry appeals the trial court's imposition of consecutive sentences on his convictions for felon in possession of a firearm and unauthorized possession of a weapon. He claims the court failed to articulate the reason for running the sentences consecutive to one another. As the court cited the serious nature of the crimes as well as Perry's prior criminal history in pronouncing sentence, we affirm.

I. Background Facts & Proceedings.

The State charged the defendant, Larry Perry, with robbery in the first degree, going armed with intent, felon in possession of a firearm, and unauthorized possession of an offensive weapon. Pursuant to a plea agreement, he pled guilty to the charges of felon in possession of a firearm and unauthorized possession of an offensive weapon. The court sentenced Perry to a term of five years on each count and ran the sentences consecutively.

Perry appeals, claiming the court failed to give adequate reasoning for its imposition of consecutive sentences.

II. Standard of Review.

The imposition of a criminal sentence is reviewed for an abuse of discretion. *State v. Phillips*, 561 N.W.2d 355, 357 (Iowa 1997).

III. The Merits.

A trial court must state on the record its rationale in imposing a particular sentence, including why multiple sentences are to run consecutively rather than

concurrently. *State v. Delaney*, 526 N.W.2d 170, 178 (Iowa App. 1994). In imposing the consecutive sentences the court stated:

> This morning I imposed sentence on Mr. Perry's codefendant, and she was charged with three crimes, all Class D felonies, two of which were identical to those that Mr. Perry was convicted of. I sentenced her to five years on each and I ran the two weapons charges consecutive to each other . . . and I shared with her, as I'll share with you now, I believe that the dangerous use of weapons is serious, inappropriate, and particularly so with people who have felony records.

Although the court did not specifically link by way of sentence structure the imposition of the consecutive sentences with the above-stated rationale, it is clear the court ordered the sentences to run consecutively due to the serious nature of the crimes, the presence of firearms, and Perry's criminal record. *But see State v. Jacobs*, ___ N.W.2d ___ (Iowa 2000) (ruling the trial court gave sufficient reason for electing incarceration versus a suspended sentence, but failed to state its rationale in imposing concurrent sentences). Thus, we cannot find the trial court failed to adequately state its reasons for imposing consecutive sentences. The sentences are affirmed.

AFFIRMED.