

IN THE COURT OF APPEALS OF IOWA

FILED

SEP 25 1986

CLERK SUPREME COURT

STATE OF IOWA,

)

Plaintiff-Appellee,

)

vs.

)

Filed September 25, 1986

JEFFREY LEE FRAZER,

)

$\frac{6-272}{85-1874}$

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Defendant-Appellant.

)

Appeal from the Iowa District Court for Buchanan County (No. 2295)

- Frank D. Gilloon, Jr., District Associate Judge.

Defendant appeals from his conviction for operating a motor vehicle while under the influence, second offense, in violation of Iowa Code § 321.281 (1985).

AFFIRMED.

Robert J. Hearity of Hearity Law Firm, Oelwein, for defendant-appellant.

Thomas J. Miller, Attorney General; Lona Hansen, Assistant Attorney General; and Allan W. Vander Hart, County Attorney, for plaintiff-appellee.

Considered by Oxberger, C.J., and Snell and Sackett, JJ.

SACKETT, J.

Defendant Jeffrey Frazer appeals from his conviction for operating a motor vehicle while under the influence, second offense, in violation of Iowa Code § 321.281 (1985). He asserts (1) the city police officer who arrested him outside of his jurisdiction lacked authority to do so as either an official or a citizen and therefore that inculpatory evidence subsequently obtained should have been suppressed; and (2) statutory foundational requirements for administration of a preliminary breath test were not met when the arresting officer was acting outside his jurisdiction or as a citizen. We affirm.

Defendant pled guilty to the charge and was asked the following by the district court:

THE COURT: And you understand that by entering a plea of guilty you're waiving any defense that you might have to this charge and there will not be a trial?

MR. FRAZER: Yes, sir.

Defendant does not contend the guilty plea is invalid. The State contends by pleading guilty defendant waived all defenses and all rights to contest adverse pretrial rulings which do not relate to the validity of the plea itself. We agree.

A guilty plea waives all defenses or objections which are not intrinsic to the plea itself. State v. Morehouse, 316 N.W.2d 884, 885 (Iowa 1982); State v. Boge, 252 N.W.2d 411, 413 (Iowa 1977). A guilty plea voluntarily and intelligently made by a defendant constitutes an admission of guilt, and when accepted by the court, constitutes a conviction of the highest order. Such a plea waives all defenses and irregularities except that the information or indictment charges no offense and the right to challenge the plea itself. State v. McGee, 211 N.W.2d 267, 268 (Iowa 1973).

We determine defendant waived his challenges to the arrest and blood test by pleading guilty. See McGee, 211 N.W.2d at 268.

AFFIRMED.