FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

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STATE OF IOWA,	)	
Plaintiff-Appellee,	)	Filed March 20, 1984
vs.	)	
STEVEN P. MERKSICK,	)	4-41 / 83-187
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Pottawattamie County - Leo Connolly, Judge.

Defendant appeals his conviction for operating a motor vehicle while intoxicated in violation of Iowa Code section 321.281. AFFIRMED.

LuAnn White, Assistant Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General, and Marcia Mason, Assistant Attorney General, for plaintiff-appellee.

Considered by Donielson, P.J., and Snell and Schlegel, JJ.

Defendant appeals his conviction for operating a motor vehicle while intoxicated in violation of Iowa Code section 321.281. He claims there was insufficient evidence to support the jury's guilty verdict. In reviewing such claims, we look at all of the evidence in the light most favorable to the State. State v. Robinson, 288 N.W.2d 337, 340 (Iowa 1980). We find sufficient evidence to support the conviction. There is no question defendant was intoxicated when he and his companion were found in a car that had gone off the road into a ditch. Two deputy sheriffs came on the scene and saw defendant behind the wheel; one of them testified the motor was running and the car was being rocked back and forth in an attempt to get out of the ditch. In defendant's presence, his companion told the officers that she was driving but later said that defendant was the driver. Two policemen who later arrived on the scene testified that defendant told them he was the driver. There is sufficient evidence to support the jury's decision. Defendant's conviction is affirmed.

AFFIRMED.