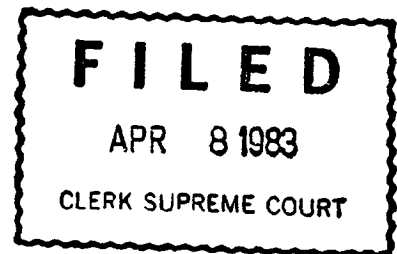


IN THE COURT OF APPEALS OF IOWA



STATE OF IOWA,	)	
Appellee,	)	Filed April 8, 1983
vs.	)	
MARK WAYNE McCONNELEE,	)	<u>2-477</u>
Appellant.	)	67981

Appeal from Madison District Court - M. J. V. Hayden,
Judge.

Defendant appeals his conviction of eluding or attempting
to elude pursuing law enforcement officers in violation of
Iowa Code section 321.279 (1981). AFFIRMED.

Thomas J. Reilly of Thomas J. Reilly Law Firm, Des Moines,
for appellant.

Thomas J. Miller, Attorney General, Richard L. Cleland,
Assistant Attorney General, and John E. Casper, County Attorney,
for appellee.

Considered by Donielson, Acting C.J., and Johnson, and
Schlegel, JJ.

PER CURIAM

Defendant appeals from his conviction of eluding or attempting to elude pursuing law enforcement officers in violation of Iowa Code section 321.279 (1981). The defendant claims that his trial and conviction on the charge violated his constitutional right against double jeopardy where the defendant had been previously convicted and punished for the lesser included offense of speeding, and that the trial and conviction on the eluding charge after a conviction of speeding was precluded on collateral estoppel grounds.

This case involves primarily a claim of double jeopardy. We find no merit in the defendant's assertions. See State v. Birkestrand, 239 N.W.2d 353, 362-64 (Iowa 1976). The judgment is therefore affirmed.

AFFIRMED.