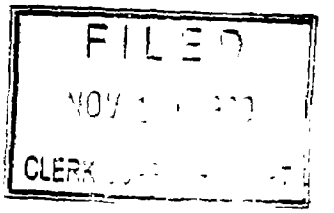
IN THE COURT OF APPEALS OF IOWA

No. 1999-252 (9-482) / 98-1265
Filed November 10, 1999



STATE OF IOWA,

Appellee,

vs.

RICHARD SCHRIER,

Appellant.

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

Richard Schrier appeals from his convictions of second-degree murder and second-degree sexual abuse. **AFFIRMED.**

James A. Benzoni of the Benzoni Law Office, P.L.C., Des Moines, for appellant.

Thomas J. Miller, Attorney General, **Mary Tabor, Assistant** Attorney General, John **Sarcone, County** Attorney, and Joseph P. **Weeg, Assistant County** Attorney, for appellee.

Heard by Streit, P.J., and Vogel, and **Vaitheswaran, JJ., decided by** Streit, P.J., and Mahan, and Vaitheswaran, JJ.

VAITHESWARAN, J.

Richard Schrier appeals an order requiring him to register as a sex offender. He contends Iowa Code Chapter 692A, known as the Iowa Sex Offender Registry Act, is unconstitutionally vague as applied to him or, alternately, the district court erred in failing to allow him to register retroactively to 1990. We affirm.

I. Background Facts and Proceedings

Schrier was convicted in 1979 of first degree murder and first degree sexual abuse. Following numerous proceedings not directly germane to this appeal, Schrier was granted a new trial. The State filed amended charges of second degree murder and second degree sexual abuse under the 1977 Iowa Code. Schrier plead guilty to these amended charges and was sentenced to twenty-five year terms for each of the two counts, to be served concurrently.

II. Error Preservation

Schrier claims his actual discharge date would have been in 1990, rather than on June 3, 1998, if his sentence had been reduced by all the good conduct time allowable under Iowa Code section 903A.2 (1997). On the basis of this factual assumption, Schrier next contends Iowa Code section 692A.2(1) is unconstitutionally vague as applied to him because the provision does not specify whether "release" means the discharge date or the actual release date. Schrier alternately claims the district court should have allowed him to register as a sex offender retroactively to his assumed discharge date of 1990. We do not consider these issues because Schrier's

failure to raise the contentions before the district court bars appellate review. *See State v. Wages*, 483 N.W.2d 325, 326 (Iowa 1992). Schrier's plea agreement recited that defendant would be required to register with the Sex Abuse Registry. Additionally, the district court accepted the plea only after ensuring it was voluntary and supported by a factual basis and Schrier understood the charges, its penal consequences and the constitutional rights being waived. Guilty pleas waive all irregularities except a challenge to the plea itself and claims that the information and indictment charge no offense. *See State v. Freilinger*, 557 N.W.2d 92, 93 (Iowa 1996). At the sentencing hearing, the district court notified Schrier of his obligation to register with the Sex Offender Registry and confirmed that Schrier had received and signed a copy of the notice. Because Schrier did not raise before the district court any of the contentions he now raises, we have nothing to review. The district court's sentencing order is affirmed.

AFFIRMED.