



IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,	)	201
Plaintiff-Appellee,	)	Filed January 27, 1988
vs.	)	
VICTOR ABBOTT,	)	<u>7-535</u>
Defendant-Appellant.	)	86-1838

Appeal from the Iowa District Court for Woodbury County (260635-A),
William E. Adams, Associate Judge.

Defendant appeals his conviction of assault causing bodily injury in violation
of Iowa Code sections 708.1 and 708.2(2). **AFFIRMED.**

Charles Harrington, Chief Appellate Defender, and James F. Whalen,
Assistant Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General of Iowa, and David L. Dorff, Assistant
Attorney General, for plaintiff-appellee.

Heard by Donielson, P.J., and Hayden and Sackett, JJ. Schlegel, J., takes
no part.

PER CURIAM

Defendant, Victor Abbott, appeals his conviction of assault causing bodily injury, in violation of Iowa Code sections 708.1 and 708.2(2). He asserts his trial counsel was ineffective in the following respects: 1) by failing to object to evidence Abbott exercised his right to remain silent; 2) by failing to object to evidence Abbott exercised his right to counsel before he was arrested and had received Miranda warnings; and 3) by failing to object to evidence Abbott had committed prior crimes against the victim.

Generally, we do not adjudicate ineffective assistance of counsel claims on direct appeal since the allegedly ineffective attorney has not been able to explain his conduct. State v. Coil, 264 N.W.2d 293, 296 (Iowa 1978). In such cases, where the record on direct appeal is not adequate to permit us to resolve the issue, we reserve defendant's claim for a postconviction proceeding so the facts, including an explanation of trial counsel's actions or omissions, may be fully developed. State v. Koenighain, 356 N.W.2d 237, 238 (Iowa App. 1984).

Abbott's complaints against his trial counsel deal primarily with matters of trial strategy and professional judgment. Trial counsel has not had the opportunity to explain the judgment and strategy behind his decision not to object to the evidence challenged here. We conclude there is an inadequate record for us to adjudicate Abbott's claims without trial counsel's explanation for his conduct. We therefore affirm Abbott's conviction, but preserve his right to raise these ineffectiveness claims in a postconviction proceeding.

AFFIRMED.