

FILED
JAN 31 1978
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,	)	Filed January 31, 1978
Appellee,	)	
v.	)	
GEORGE H. MEYERS,	)	388
Appellant.	)	60738
		60739

Appeal from Polk District Court - Richard A. Strickler, Judge.

Defendant appeals sentences imposed upon convictions after pleas of guilty.

Affirmed.

Robert L. Oeth, of Des Moines, for appellant.

Richard C. Turner, Attorney General, and Dan L. Johnston, Polk County Attorney,
for appellee.

Submitted to Allbee, C.J., and Donielson, Snell, Oxberger and Carter, JJ.

PER CURIAM

Defendant, George H. Meyers, stands convicted of violations of § 502.28, The Code, 1975, based upon his pleas of guilty. He now appeals concurrent sentences of five years imprisonment imposed by trial court, contending his record demonstrates he was entitled to deferred sentences or probation.

The sentences were within the statutory maximum. We cannot reverse absent a showing of abuse of discretion. *State v. Grgurich*, 253 N.W.2d 605 (Iowa 1977). No such abuse is shown on the record before us.

Defendant urges adoption of ABA Standards Relating to Probation, and Appellate Review of Sentences. The supreme court has declined to adopt the sentencing standards on numerous occasions. See, e.g., *State v. Smith*, 244 N.W.2d 325, 326 (Iowa 1976). The probation standards were the subject of comment in *State v. Moreland*, 252 N.W.2d 465, 466 (Iowa 1977) (Rawlings, J., concurring specially) and *State v. Rogers*, 251 N.W.2d 239, 242 (Iowa 1977). It would be beyond the function of this court to adopt such standards.

AFFIRMED.