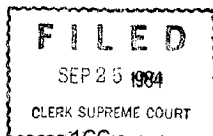


IN THE COURT OF APPEALS OF IOWA



STATE OF IOWA,)

Plaintiff-Appellee,)

vs.)

MICHAEL DENNIS HAMILTON,)

Defendant-Appellant.)

Filed September 25, 1984

4-315
83-897

Appeal from the Iowa District Court for Polk County - Louis A. Lavorato,
Judge.

Defendant appeals from his conviction for assault with intent to inflict
serious injury in violation of Iowa Code sections 708.1 and 708.2(1). AFFIRMED.

Charles L. Harrington, Chief 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 Schlegel and Sackett, JJ.

Defendant appeals from his conviction for assault with intent to inflict serious injury in violation of Iowa Code sections 708.1 and 708.2(1). He asserts that the trial court should have permitted cross-examination of an eyewitness concerning the possibility that she had received notice of contract forfeiture in a transaction with the defendant's mother. The State asserts inter alia that error was not preserved since no offer of proof was made. We affirm.

Michael Dennis Hamilton was convicted for assaulting Elmer "Bruno" Norris in the parking lot of a lounge formerly owned by defendant's mother. One eyewitness to the occurrence was the current owner of the lounge, Debra Flook. On cross-examination of Mrs. Flook by the defendant, the following exchange took place:

Q. You are purchasing that business [from Phyllis Hamilton] on a contract, isn't this correct? A. Correct.

Q. And at the present time you and your husband have received a notice of forfeiture, isn't that right? A. No, sir.

MRS. THUNE: Objection, Your Honor, irrelevant.

THE COURT: Sustained.

Q. And also you received a notice of forfeiture in the past, haven't you —

MRS. THUNE: Objection, Your Honor, irrelevant.

Q. — from Phyllis Hamilton?

THE COURT: Sustained.

MRS. THUNE: And ask that the jury be admonished to disregard any such line of questioning.

THE COURT: The jury is admonished to disregard the questions.

The defendant argues that the trial court abused its discretion in refusing to allow the defendant to cross-examine the witness regarding the notice of contract forfeiture. He contends that the line of questioning was relevant to show bias, ill will, or hostility against the defendant.

After reviewing the record, we conclude that defendant's claim is without merit since the alleged error has not been preserved. Specifically, there was no offer of proof or explanation given to the trial court by the defense concerning

the relevancy of the questioning. The entire purpose of an offer of proof is "to give the trial court a more adequate basis for its ruling and to make a more meaningful record for appellate review." State v. Ritchison, 223 N.W.2d 207, 212-13 (Iowa 1974). In the present case, we have no basis upon which to evaluate defendant's claim. As a reviewing court, we cannot predicate error upon speculation as to answers that would have been elicited had the objections been overruled. Id.; see also State v. Menke, 227 N.W.2d 184, 191 (Iowa 1975).

Finding no reversible error, we affirm the conviction below.

AFFIRMED.