IN THE COURT OF APPEALS OF IOWA

No. 1-809 / 01-0340
Filed December 12, 2001

FILED
DEC 12 2001
CLERK SUPREME COURT

JONATHAN BREWER, JR.,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Polk County, D.J. Stovall, Judge.

Jonathan Brewer, Jr. appeals from the district court ruling denying his application for postconviction relief. **AFFIRMED.**

Linda Del Gallo, State Appellate Defender, and David Arthur Adams, Assistant State Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Darrel L. Mullins, Assistant Attorney General, John P. Sarcone, County Attorney, and Michael Hunter, Assistant County Attorney, for appellee.

Considered by Huitink, P.J., and Zimmer and Vaitheswaran, JJ.

HUITINK, P.J.

Jonathan Brewer appeals the denial of his postconviction relief application. He argues the district court abused its discretion in revoking his probation based on several "minor violations" of his probation agreement and in failing to give adequate reasons for ordering incarceration instead of other alternatives.

Postconviction proceedings are reviewed for errors at law. *Carter v. State*, 537 N.W.2d 715, 716 (Iowa 1995). It is undisputed that Brewer violated his probation agreement by testing positive for drugs and failing to stay in contact with his probation officer. The district court found the import of these violations was compounded by their temporal proximity to the order granting probation, Brewer's extensive criminal history, and his probation officer's recommendation that probation be revoked. We conclude these findings are sufficient to show the factual basis for the revocation. *See State v. Kirby*, 622 N.W.2d 506, 509-11 (Iowa 2001) (revocation hearing not governed by rules of criminal procedure; district court need only make findings within the record showing a factual basis for revocation). We also find it was well within the discretion of the district court to conclude that the circumstances cited outweighed the value of Brewer's maintained employment, completion of the halfway house program, family support, and candor as to his violations. We accordingly find there was a substantial basis for the court's decision and no abuse of discretion. *See State v. Darrin*, 325 N.W.2d 110, 112 (Iowa 1982) (probation revocation not to be overturned unless clear abuse of discretion).

The district court's decision is affirmed in entirety.

AFFIRMED.

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