FILED
JUN 24 1987
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

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STATE OF IOWA,	)	
Plaintiff-Appellee,	)	Filed June 24, 1987
vs.	)	
TIMOTHY JACK SMITH,	)	7-170 86-1178
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Scott County (123500-01), James E. Kelley, Judge.

Defendant appeals his conviction, following a jury trial, of sexual abuse in the second degree. **AFFIRMED.**

Charles Harrington, Chief Appellate Defender, and John P. Messina, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General of Iowa, and Lona Hansen, Assistant Attorney General, for appellee.

Considered by Oxberger, C.J., Donielson, and Schlegel, JJ.

PER CURIAM

On March 3, 1986, the defendant, Timothy Jack Smith, was charged by trial information with second degree sexual abuse in violation of Iowa Code sections 709.1 and 709.3(2). Trial commenced on June 2, 1986, and on the following day a verdict of guilty as charged was returned. On July 10, 1986, Smith was sentenced to a mandatory, indeterminate twenty-five year term of incarceration. This appeal followed.

Smith's sole claim on this appeal is that he was denied effective assistance of counsel by trial counsel's failure to object to inadmissible hearsay evidence that corroborated the alleged victim's claim of sexual abuse.

Our appellate courts have stated a preference for deferring consideration of ineffective counsel claims until the postconviction relief stage. State v. Taylor, 310 N.W.2d 174, 179 (Iowa 1981). In this way, the record can be developed so that a defendant's claim can be thoroughly evaluated. Id. Although our courts depart from this preference when the record has been adequately developed through posttrial motions, State v. Poyner, 306 N.W.2d 716, 719-20 (Iowa 1981), or when the defendant's claims can be disposed of as a matter of law, State v. Ogilvie, 310 N.W.2d 192, 195 (Iowa 1981), the present case presents us with neither situation. Accordingly, we decline to address the merits of Smith's appeal.

AFFIRMED.