

IN THE COURT OF APPEALS OF IOWA

**FILED**

JUN 25 1985

CLERK SUPREME COURT

STATE OF IOWA, )

Plaintiff-Appellee, )

Filed June 25, 1985

452

vs. )

GEORGE HADFIELD, )

5-239  
84-1497

Defendant-Appellant. )

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Appeal from the Iowa District Court for Shelby County - E. F. Hanson,  
Judge.

Defendant appeals from the sentence imposed on his guilty plea conviction  
of second-degree criminal mischief in violation of Iowa Code sections 716.1 and  
716.4. AFFIRMED.

Thomas J. Anderson of McMartin & Anderson, Harlan, Iowa, for defendant-  
appellant.

Thomas J. Miller, Attorney General of Iowa, and Valencia Voyd McCown,  
Assistant Attorney General, for plaintiff-appellee.

Considered by Donielson, P.J., Snell, and Hayden, JJ.

**HAYDEN, J.**

Defendant appeals from the sentence imposed on his guilty plea conviction of second-degree criminal mischief in violation of Iowa Code sections 716.1 and 716.4. The charge arose from an incident of vandalism at a city dog pound. He contends the trial court abused its discretion in sentencing him to a term not to exceed five years. A sentence imposed within statutory limits, as was done here, will be set aside only upon showing of an abuse of discretion. State v. Gibb, 303 N.W.2d 673, 687 (Iowa 1981). We find no such showing here. The court was made aware of defendant's problems with substance abuse and his desires to make restitution and maintain his newly-found employment, but chose to impose incarceration due to defendant's extensive record involving dishonesty and offenses against property. The court also noted that a previous confinement at Eldora apparently made little impression on defendant and that imprisonment was therefore necessary to impress upon defendant the seriousness of his unlawful conduct. We cannot say the court abused its discretion in so concluding. Defendant's sentence is affirmed.

**AFFIRMED.**