

IN THE COURT OF APPEALS OF IOWA

No. 16-1659
Filed February 7, 2018

STEWARD O. NEWMAN,
Applicant-Appellant,

vs.

STATE OF IOWA,
Respondent-Appellee.

Appeal from the Iowa District Court for Pottawattamie County, James M. Richardson, Judge.

Steward Newman appeals from the denial of his application for postconviction relief. **AFFIRMED.**

Drew H. Kouris, Council Bluffs, for appellant.

Thomas J. Miller, Attorney General, and Louis S. Sloven, Assistant Attorney General, for appellee.

Considered by Danilson, C.J., and Doyle and Mullins, JJ.

DANILSON, Chief Judge.

Following a bench trial, Steward Newman was convicted of three counts of sexual abuse in the second degree, three counts of incest, three counts of lascivious acts with a child, and three counts of indecent contact with a child. His convictions were affirmed on appeal. See *State v. Newman*, No. 12-2222, 2014 WL 2600301, at *3 (Iowa Ct. App. June 11, 2014).

Newman then filed an application for postconviction relief (PCR), contending his trial counsel was ineffective in a number of respects, including not adequately advising Newman concerning the waiver of his right to a jury trial, allowing him to conditionally waive his right to a speedy trial, failing to seek dismissal of the case on speedy-trial grounds, not calling certain witnesses, and failing to suppress Newman's statement. After a trial, the district court addressed each of Newman's claims and rejected them, concluding he had failed to establish counsel failed in an essential duty from which prejudice resulted. See *Lamasters v. State*, 821 N.W.2d 856, 866 (Iowa 2012) ("[A]ll postconviction relief applicants must establish counsel breached a duty and prejudice resulted." (alteration in original) (citation omitted)). Newman appeals.

Some of Newman's claims are inconsistent with the record, others are contrary to trial court strategy or are premised upon speculation. None of his claims identify any prejudice supporting his ineffective-assistance claim. On our de novo review, see *id.* at 862, we find the district court addressed all the issues, properly applied the law, and we adopt its findings and reasons as our own. See Iowa Ct. R. 21.26(1)(a), (c), (d), (e). We therefore affirm.

AFFIRMED.