

**IN THE COURT OF APPEALS OF IOWA**

No. 7-377 / 06-1912  
Filed June 13, 2007

**STATE OF IOWA,**  
Plaintiff-Appellee,

**vs.**

**JEFFREY LYNN VOSLER,**  
Defendant-Appellant.

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

Jeffrey Vosler appeals from his sentence following his plea of guilty to felony possession of a firearm. **REVERSED AND REMANDED.**

Mark C. Smith, State Appellate Defender, Stephan J. Japuntich, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Darrel Mullins, Assistant Attorney General, Matthew D. Wilber, County Attorney, and Christina Schockey, Assistant County Attorney, for appellee.

Considered by Mahan, P.J., and Eisenhauer and Baker, JJ.

**EISENHAUER, J.**

Jeffrey Vosler pled guilty to felony possession of a firearm pursuant to Iowa Code sections 724.25(1) and 724.26 (2005) and was sentenced to five years imprisonment. The five-year term was ordered to run consecutively to an unrelated ten-year sentence. He contends the trial court erred in failing to state on the record its reasons for selecting a consecutive sentence as required by Iowa Rule of Criminal Procedure 2.23(3)(d). Because the trial court gave no reasons for imposing consecutive sentences, we reverse and remand for resentencing.

Vosler also contends his trial counsel was ineffective in failing to seek recusal of the sentencing judge. In issues of recusal, the test is whether a reasonable person would question the judge's impartiality. *State v. Sinclair*, 582 N.W.2d 762, 766 (Iowa 1998). We conclude Vosler has not shown that a reasonable person would question the trial judge's impartiality and has not met his burden of proving that grounds for recusal existed. Accordingly, Vosler cannot show counsel failed to perform an essential duty or that prejudice resulted therefrom. See *Wemark v. State*, 602 N.W.2d 810, 814 (Iowa 1999).

**REVERSED AND REMANDED.**