

**IN THE COURT OF APPEALS OF IOWA**

No. 7-781 / 07-0195  
Filed November 15, 2007

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

**vs.**

**KENNETH LAMAR HOLMES,**  
Defendant-Appellant.

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Appeal from the Iowa District Court for Polk County, Karen A. Romano (guilty plea) and Donna L. Paulson (sentencing), Judges.

Defendant appeals his sentence after he pled guilty to two counts of possession of a controlled substance with intent to deliver. **AFFIRMED.**

Christopher Kragnes of Kragnes, Tingle & Koenig, P.L.C., Des Moines, for appellant.

Thomas J. Miller, Attorney General, Darrel Mullins, Assistant Attorney General, John P. Sarcone, County Attorney, and Robert DiBlasi and Stephan Bayens, Assistant County Attorneys, for appellee.

Considered by Vogel, P.J., and Mahan and Zimmer, JJ.

**VOGEL, J.**

Kenneth Holmes pled guilty to two counts of possession of a controlled substance with intent to deliver in violation of Iowa Code section 124.401(1)(c)(3) (2005) and was sentenced to two consecutive ten-year prison terms. Holmes appeals from his sentence and asserts that the district court erred in sentencing him because the court focused on his lengthy criminal history. In our abuse of discretion review, we find the court considered all the relevant sentencing factors, including the information contained in the presentence investigation report, and the arguments of counsel, and was well within its discretion. See *State v. August*, 589 N.W.2d 740, 744 (Iowa 1999) (“In applying discretion, the court should weigh and consider all pertinent matters in determining proper sentence, including the nature of the offense, the attending circumstances, defendant’s age, character and propensities and chances of his reform.”). We affirm pursuant to Iowa Ct. R. 21.29(1)(a) and (e).

**AFFIRMED.**