

IN THE COURT OF APPEALS OF IOWA

No. 9-758 / 09-0217
Filed October 21, 2009

STATE OF IOWA,
Plaintiff-Appellee,

vs.

CHEYENNE SLY ROUSE,
Defendant-Appellant.

Appeal from the Iowa District Court for Polk County, Robert J. Blink,
Judge.

Cheyenne Rouse appeals the imposition of consecutive sentences upon
his guilty pleas to possession of a controlled substance (cocaine) with intent to
deliver and failure to affix a drug tax stamp. **AFFIRMED.**

Mark C. Smith, State Appellate Defender, and David Arthur Adams,
Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General, Kyle Hanson, Assistant Attorney
General, John Sarcone, County Attorney, and Joseph Crisp, Assistant County
Attorney, for appellee.

Considered by Vogel, P.J., and Potterfield, J., and Huitink, S.J.*

*Senior judge assigned by order pursuant to Iowa Code section 602.9206 (2009).

POTTERFIELD, J.

Cheyenne Rouse pleaded guilty to (1) possession of a controlled substance (cocaine) with intent to deliver and (2) failure to affix a drug tax stamp. The district court imposed consecutive sentences and Rouse appealed. The supreme court summarily reversed and remanded for resentencing.

At resentencing, on January 16, 2009, the district court heard the arguments of counsel and the defendant's personal statement. The court stated it had "carefully been through this presentence investigation report." The court noted the presentence investigator's recommendation of imprisonment, "the seriousness of the charges," and the defendant's "extended criminal record" in three different states. The court noted the nature of the offenses and concluded that consecutive sentences were appropriate. The court also found that probation would not be appropriate for those same reasons. The court then entered judgment, imposing consecutive sentences.

Rouse again appeals the imposition of consecutive sentences, contending the district court failed to exercise its discretion upon resentencing. The record does not support the contention. We affirm. See Iowa R. App. P. 21.29(1)(d),(e).

AFFIRMED.