

COURT OF APPEALS OF IOWA

State of Iowa v. Christopher Lee Modlin

No. 25-0714 (Iowa Ct. App. Apr. 1, 2026) · No. No. 25-0714 · Decided April 1, 2026

SUMMARY

The Iowa Court of Appeals affirmed Christopher Lee Modlin’s conviction for third-degree sexual abuse. The court held that substantial evidence supported the district court’s finding that the offense occurred while the victim was no older than thirteen, and deferred to the district court’s credibility determinations resolving conflicting testimony about the timing.

CASE DETAILS

COURT	Court of Appeals of Iowa
WRITING FOR THE COURT	Buller, J.; Ahlers, P.J.; Sandy, J.
JURISDICTION	Iowa Court of Appeals
DECIDED	April 1, 2026
DOCKET	No. 25-0714
DISPOSITION	affirmed
PROCEDURAL POSTURE	Modlin appealed his bench-trial conviction for third-degree sexual abuse, challenging the sufficiency of the evidence concerning the victim's age during the offense date range.
STANDARD OF REVIEW	Sufficiency-of-the-evidence challenges are reviewed for correction of errors at law. The district court's factual findings are treated as a special verdict and are binding if supported by substantial evidence. The evidence is viewed in the light most favorable to the verdict, including all reasonable inferences fairly drawn from it.
PRECEDENTIAL VALUE	Published Iowa Court of Appeals opinion
PARTIES	Christopher Lee Modlin v. State of Iowa

TOPICS

- standard of review
- evidence
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal appellate practice
- evidence

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Modlin's conviction for third-degree sexual abuse when witness testimony about the timing of the offense and the victim's age was inconsistent.
2. Whether the appellate court was required to defer to the district court's credibility determinations and factual reconciliation of the conflicting testimony.

HOLDINGS

1. The evidence was sufficient to support Modlin's conviction because the district court reasonably reconciled the conflicting testimony and found, based on substantial evidence, that the sexual abuse occurred while L.W. was no older than thirteen.

KEY QUOTATIONS

“In short, it is a factfinder’s job at trial to sort out conflicts in witness testimony, not our court’s role when reviewing a cold record.” (at 3)

FACTUAL BACKGROUND

The victim, L.W., turned thirteen in December 2015 and frequently stayed overnight with her grandmother and Modlin during the 2015–2016 school year. L.W. testified that Modlin sexually abused her on two occasions and threatened to hurt her mother if she disclosed the abuse. At trial, the grandmother initially gave an inconsistent separation date but later testified that she and Modlin separated in late 2016; the district court credited the corrected testimony and found the offense occurred between August 2015 and March 2016, and in any event before December 2016, when L.W. would have turned fourteen.

PROCEDURAL HISTORY

The State charged Modlin by trial information with third-degree sexual abuse, a class C felony under Iowa Code section 709.4 (2015). After a bench trial, the Iowa District Court for Black Hawk County found him guilty, crediting the victim's grandmother's corrected testimony concerning the timing of her separation from Modlin and concluding the offense occurred while the victim was no older than thirteen. The Iowa Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Jones, 967 N.W.2d 336, 339 (Iowa 2021)
- State v. Hawkins, 27 N.W.3d 562, 568 (Iowa 2025)
- State v. Lopez, 633 N.W.2d 774, 786 (Iowa 2001)
- State v. Lang, 30 N.W.3d 757, 764 (Iowa Ct. App. 2025) (en banc)

OPINION

PER CURIAM.

IN THE COURT OF APPEALS OF IOWA _____ No. 25-0714 Filed April 1, 2026
_____ State of Iowa, Plaintiff–Appellee, v. Christopher Lee Modlin, Defendant–
Appellant. _____ Appeal from the Iowa District Court for Black Hawk County, The
Honorable Kellyann M. Lekar, Judge. _____ AFFIRMED _____ Des C.
Leehey of Cameron Leehey Law Firm, PLLC, Cedar Rapids, attorney for appellant.

Brenna Bird, Attorney General, and Zachary Miller, Assistant Attorney General, attorneys for
appellee. _____ Considered without oral argument by Ahlers, P.J., and Buller and
Sandy, JJ. Opinion by Buller, J. 1 BULLER, Judge. Christopher Modlin appeals his conviction for
sexual abuse in the third degree. He challenges the sufficiency of the evidence based on alleged
ambiguities regarding the victim’s age.

Deferring to the district court’s reconciliation of the evidence and credibility findings, we affirm.
L.W. turned thirteen in December 2015. During the 2015–2016 school year, she would often stay
overnight with her grandmother and Modlin, who was then her grandmother’s paramour. One
night, while L.W.’s grandmother was asleep, Modlin put his finger in L.W.’s vagina; according to
L.W., he “start[ed] playing around” and she told him “no.” On a separate occasion, Modlin
forcibly penetrated L.W.’s vagina with his penis.

Modlin told her he would hurt her mother if she told anyone what he did. In 2018, L.W. disclosed
the abuse to her mother. They immediately went to the police, who questioned Modlin. Modlin
told an officer he did not have any inappropriate contact with L.W. and said he and the
grandmother had broken up in November of 2016.

The county attorney charged Modlin by trial information with sexual abuse in the third degree, a
class “C” felony in violation of Iowa Code section 709.4 (2015). And Modlin elected a bench trial.
L.W.’s grandmother testified that she and Modlin lived at their Waterloo rental for a year between
March 2015 and 2016. She initially testified that she broke up with Modlin in 2017, but she later
corrected herself and said they separated in late 2016.

When Modlin testified, he again denied sexually abusing L.W. but provided a different timeline
than what he told police, claiming he “kn[e]w for a fact” the breakup was in 2015. On cross- 2
examination, the prosecutor questioned whether Modlin changed his story about the timeline to
avoid the date range in the trial information.

The district court credited the grandmother’s later testimony as giving “the most specific testimony
concerning the residenc[e]... and the timing of their subsequent break up in late 2016.” The court
specifically found the sex act “most likely occurred between August 2015... and March 2016...

and, in no event, after November, 2016”; and the court observed L.W. was “no older than thirteen during th[is] period of time.” The court found Modlin guilty as charged, and he appeals.

STANDARD OF REVIEW We review challenges to the sufficiency of the evidence for correction of errors at law. See *State v. Jones*, 967 N.W.2d 336, 339 (Iowa 2021). The district court’s findings of fact are treated as a special verdict, and we are bound by those findings if supported by substantial evidence. Iowa R. App. P. 6.907. “[W]e view the evidence in the light most favorable to the verdict,” including all reasonable inferences fairly drawn from the evidence.

State v. Hawkins, 27 N.W.3d 562, 568 (Iowa 2025). **DISCUSSION** Modlin argues he was entitled to acquittal because of inconsistent testimony regarding L.W.’s age during the offense date-range. He asserts the inconsistent testimony demonstrates the sex act could have taken place after L.W. turned fourteen in December 2016, which would make her too old for the evidence to support conviction under the age-based alternative codified at section 709.4(1)(b)(2).

While Modlin seizes on the grandmother’s initial testimony that the breakup happened in 2017, the district court credited the grandmother’s later testimony that the couple separated in 2016—and 3 deciding what evidence to believe was the district court’s prerogative as factfinder. See *State v. Lopez*, 633 N.W.2d 774, 786 (Iowa 2001) (“The court as fact finder could believe some of the testimony, all of the testimony, or none of it.”).

And even if we did not give deference to this credibility-based determination, we would come to the same conclusion given the standard of review and additional corroborating evidence like Modlin’s statements to police and L.W.’s mother’s testimony.

In short, it is a factfinder’s job at trial to sort out conflicts in witness testimony, not our court’s role when reviewing a cold record. *State v. Lang*, 30 N.W.3d 757, 764 (Iowa Ct. App. 2025) (en banc). Here, the district court was able to reconcile the conflicting testimony and did so based on credibility findings.

We discern no legal error. **AFFIRMED.** 4