

SUPREME COURT OF IOWA

State of Iowa v. Nathan John Carroll

No. 06–1812 · No. No. 06–1812 · Decided June 26, 2009

SUMMARY

The Iowa Supreme Court affirmed Nathan Carroll’s conviction and sentence for possession with intent to deliver marijuana following his guilty plea. The court held that claims alleging ineffective assistance of counsel before a guilty plea may survive the plea when they challenge whether the plea was knowing and voluntary, including claims involving failure to file a meritorious suppression motion. Because the record was insufficient to determine whether Carroll had a reasonable expectation of privacy in the searched barn or whether counsel was ineffective, the court preserved the claim for possible postconviction proceedings.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Hecht, Justice; All justices except Baker, J.
JURISDICTION	Iowa
DECIDED	June 26, 2009
DOCKET	No. 06–1812
DISPOSITION	affirmed
PROCEDURAL POSTURE	Further review of a Iowa Court of Appeals decision affirming Carroll's conviction and sentence following his guilty plea to possession of marijuana with intent to deliver.
STANDARD OF REVIEW	Ineffective-assistance claims are addressed on direct appeal only when development of an additional factual record would not be helpful and the elements can be decided as a matter of law. The court reviewed the legal question concerning whether the claim could survive a guilty plea and declined to decide the merits because the record was inadequate.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Nathan John Carroll v. State of Iowa

TOPICS

ineffective assistance

plea bargaining

suppression of evidence

fourth amendment

post-conviction relief

PRACTICE AREAS

criminal procedure

constitutional law

post-conviction relief

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether ineffective assistance of counsel in failing to investigate or file a potentially meritorious motion to suppress evidence obtained during a warrantless search can render a guilty plea unintelligent or involuntary and survive the entry of the plea.
2. Whether Carroll properly raised on direct appeal his claim that ineffective assistance rendered his guilty plea unknowing and involuntary.
3. Whether the record was sufficient on direct appeal to determine whether counsel breached a duty and whether the alleged breach prejudiced Carroll.
4. Whether the district court abused its discretion in sentencing Carroll based on his continued marijuana use.

HOLDINGS

1. There are no categories of ineffective-assistance claims that are barred as a matter of law merely because they arise from counsel's failure to investigate or file a motion to suppress before a guilty plea. Such claims must be evaluated case by case to determine whether counsel breached a duty and whether the breach rendered the plea unintelligent or involuntary.
2. Carroll properly raised the claim that ineffective assistance rendered his guilty plea unknowing and involuntary, even though he expressly articulated that theory for the first time in his reply brief, because the State raised the waiver issue in its initial brief.
3. The record was inadequate to determine whether Carroll had a reasonable expectation of privacy in the Wulf barn, whether the search violated his Fourth Amendment rights, whether counsel breached a duty, or whether Carroll was prejudiced. The ineffective-assistance claim was therefore preserved for possible postconviction relief proceedings.

KEY QUOTATIONS

"We conclude there are no such categories of breach of duty resulting in prejudice that cannot, as a matter of law, survive a guilty plea. Only through a case-by-case analysis will a court be able to determine whether counsel in a particular case breached a duty in advance of a guilty plea, and whether any such breach rendered the defendant's plea unintelligent or involuntary." (9–10)

"Because the record is inadequate to decide the claim of ineffective assistance of counsel, we preserve it for possible postconviction proceedings." (14)

FACTUAL BACKGROUND

Police responding to a report of underage alcohol consumption entered a barn on the Wulf property without a search warrant after following an unidentified male and female through a door. Officers observed juveniles drinking and found marijuana during a search of the barn. The next morning Carroll told police he owned the drugs. He later pleaded guilty to possession of marijuana with intent to deliver after the State agreed to dismiss a drug tax stamp charge.

PROCEDURAL HISTORY

Carroll pleaded guilty to possession of marijuana with intent to deliver pursuant to an agreement under which the State dismissed a drug tax stamp charge and recommended against incarceration. The district court rejected a deferred judgment, imposed a suspended five-year sentence, and ordered two years of probation. The Iowa Court of Appeals affirmed, and the Supreme Court of Iowa granted further review. The supreme court affirmed the district court judgment, vacated the court of appeals decision, and preserved Carroll's ineffective-assistance claim for possible postconviction proceedings because the direct-appeal record was inadequate.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

No remand was ordered. The ineffective-assistance claim was preserved for possible postconviction relief proceedings.

CASES CITED

- State v. Risdal, 404 N.W.2d 130, 131–32 (Iowa 1987)
- State v. Reynolds, 746 N.W.2d 837, 845 (Iowa 2008)
- State v. Shanahan, 712 N.W.2d 121, 136 (Iowa 2006)
- Strickland v. Washington, 466 U.S. 688, 694 (1984)
- State v. Straw, 709 N.W.2d 128, 136 (Iowa 2006)
- Hill v. Lockhart, 474 U.S. 52, 59 (1985)
- Anfinson v. State, 758 N.W.2d 496, 499 (Iowa 2008)
- State v. Tesch, 704 N.W.2d 440, 450 (Iowa 2005)
- State v. Antenucci, 608 N.W.2d 19, 19 (Iowa 2000)
- Parker v. North Carolina, 397 U.S. 790, 796–97 (1970)
- McMann v. Richardson, 397 U.S. 759, 769–70 (1970)
- Brady v. United States, 397 U.S. 742, 756–57 (1970)
- State v. Freilinger, 557 N.W.2d 92, 93 (Iowa 1996)
- State v. Door, 184 N.W.2d 673, 674 (Iowa 1971)
- State v. Culbert, 188 N.W.2d 325, 326 (Iowa 1971)
- Tollett v. Henderson, 411 U.S. 258, 265–67 (1973)

- Zacek v. Brewer, 241 N.W.2d 41, 48–49 (Iowa 1976)
- State v. Speed, 616 N.W.2d 158, 159 (Iowa 2000)
- State v. Sharp, 572 N.W.2d 917, 918–19 (Iowa 1997)
- Wyciskalla v. Iowa District Court, 588 N.W.2d 403, 406–07 (Iowa 1998)
- Minnesota v. Carter, 525 U.S. 83, 88–91 (1998)
- Rakas v. Illinois, 439 U.S. 128, 143–44 (1978)
- State v. Ortiz, 618 N.W.2d 556, 561 (Iowa 2000)
- State v. Breuer, 577 N.W.2d 41, 46 (Iowa 1998)
- Goodenow v. City Council, 574 N.W.2d 18, 27 (Iowa 1998)
- Mueller v. St. Ansgar State Bank, 465 N.W.2d 659, 660 (Iowa 1991)
- State v. Willet, 305 N.W.2d 454, 458 (Iowa 1981)
- State v. Hoskins, 586 N.W.2d 707, 709 (Iowa 1998)