

IOWA COURT OF APPEALS

Guy Dell Sudduth v. State of Iowa

No. 24-1429 · No. No. 24-1429 · Decided May 13, 2026

SUMMARY

The Iowa Court of Appeals affirmed the summary disposition of Guy Dell Sudduth’s application for postconviction relief from 2005 convictions for criminal transmission of HIV. The court held that Rhoades v. State does not apply retroactively and that Sudduth’s actual-innocence claim, raised for the first time on appeal, was not preserved and was otherwise barred by the postconviction statute of limitations.

CASE DETAILS

COURT	Iowa Court of Appeals
WRITING FOR THE COURT	Chicchelly, J.; Greer, P.J.; Schumacher, J.
JURISDICTION	Iowa Court of Appeals
DECIDED	May 13, 2026
DOCKET	No. 24-1429
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Iowa District Court for Black Hawk County's summary disposition with prejudice of Sudduth's application for postconviction relief.
STANDARD OF REVIEW	PCR applications are reviewed for errors at law, but constitutional claims are reviewed de novo. Summary disposition of a PCR action is reviewed under the standards applicable to summary judgment: disposition is proper when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. The evidence is viewed in the light most favorable to the PCR applicant, with legitimate inferences drawn in the applicant's favor.
PRECEDENTIAL VALUE	Published and precedential Iowa Court of Appeals opinion
PARTIES	Guy Dell Sudduth v. State of Iowa

TOPICS

state post-conviction relief

post-conviction relief

actual innocence

preservation of error

appellate procedure

PRACTICE AREAS

state post-conviction relief

criminal procedure

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constitutional law

QUESTIONS PRESENTED

1. Whether *Rhoades v. State*, 848 N.W.2d 22 (Iowa 2014), applies retroactively to invalidate the factual basis for Sudduth's 2005 Alford pleas.
2. Whether Sudduth's actual-innocence claim, characterized as a challenge to an illegal sentence, was preserved for appellate review.
3. Whether a free-standing actual-innocence claim is subject to Iowa Code section 822.3's three-year PCR limitation period.

HOLDINGS

1. *Rhoades* does not apply retroactively to individuals whose direct appeals were final before *Rhoades* was decided; therefore, *Rhoades* did not invalidate the factual basis for Sudduth's Alford pleas.
2. Sudduth's claim that his sentence was illegal because he was factually innocent was not preserved because it challenged the underlying conviction and was raised for the first time on appeal.
3. A free-standing actual-innocence claim is subject to the requirements of Iowa Code section 822.3, including its three-year limitation period.

KEY QUOTATIONS

"We therefore hold the due process clause of the Iowa Constitution does not require the retroactive application of Rhoades to individuals whose direct appeals were final prior to the decision." (at 7)

"In other words, the holding in Rhoades is a change in process, not a clarification of the law." (at 8)

FACTUAL BACKGROUND

In 2005, Sudduth was charged with two counts of criminal transmission of HIV involving separate victims and seven counts of third-degree sexual abuse. The alleged HIV-transmission conduct included anal sex and oral sex, and the victims' memories were incomplete because they had been incapacitated by drugs or alcohol. Sudduth entered Alford pleas to the two HIV-transmission counts and three sexual-abuse counts; the court found a factual basis based on the minutes of testimony, Sudduth's statements, and then-existing law permitting judicial notice regarding HIV transmission. After *Rhoades* changed the law concerning judicial notice and the proof required for HIV transmission, Sudduth sought PCR.

PROCEDURAL HISTORY

Sudduth pleaded guilty under Alford to two counts of criminal transmission of HIV and three counts of third-degree sexual abuse in 2005; the remaining charges were dismissed, and he received consecutive sentences

totaling eighty years. He filed a PCR application in 2014 challenging the factual basis for his HIV-transmission pleas after *Rhoades v. State*. The Iowa Court of Appeals previously held that the application fell within the ground-of-law exception to the PCR limitation period and remanded for a hearing. After remand, Sudduth added an actual-innocence claim, and the district court later granted the State's motion for summary disposition. The Iowa Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- *Rhoades v. State*, 848 N.W.2d 22 (Iowa 2014)
- *State v. Keene*, 629 N.W.2d 360, 365-66 (Iowa 2001)
- *North Carolina v. Alford*, 400 U.S. 25, 37 (1970)
- *Sudduth v. State*, No. 15-1816, 2017 WL 1278239, at *1-*2 (Iowa Ct. App. Apr. 5, 2017)
- *Goosman v. State*, 764 N.W.2d 539, 542 (Iowa 2009)
- *Stevens v. State*, No. 15-1033, 2016 WL 1696909, at *3 (Iowa Ct. App. Apr. 27, 2016)
- *State v. Stevens*, 719 N.W.2d 547, 548-52 (Iowa 2006)
- *Stevens v. State*, No. 16-2112, 2018 WL 5843527, at *1-*6 (Iowa Ct. App. Nov. 7, 2018)
- *Nguyen v. State*, 828 N.W.2d 744, 756 (Iowa 2016)
- *Moon v. State*, 911 N.W.2d 137, 142-43 (Iowa 2018)
- *Lamasters v. State*, 821 N.W.2d 856, 862 (Iowa 2012)
- *State v. Bruegger*, 773 N.W.2d 862, 871-72 (Iowa 2009)
- *Schmidt v. State*, 909 N.W.2d 778, 798-99 (Iowa 2018)
- *Bomgaars v. State*, 967 N.W.2d 41, 48 n.4 (Iowa 2021)

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