

IOWA COURT OF APPEALS

State of Iowa v. Daniel Frederick King II

No. 25-0158 (Iowa Ct. App. Apr. 15, 2026) · No. No. 25-0158 · Decided April 15, 2026

SUMMARY

The Iowa Court of Appeals affirmed the limited resentencing of Daniel Frederick King II. The court held that his renewed challenge to the constitutionality of his sentence was barred by res judicata because the same claim had been finally adjudicated in earlier proceedings.

CASE DETAILS

COURT	Iowa Court of Appeals
WRITING FOR THE COURT	Buller, J.; Ahlers, P.J.; Bower, S.J.
JURISDICTION	Iowa Court of Appeals
DECIDED	April 15, 2026
DOCKET	No. 25-0158
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a limited resentencing order addressing a nunc pro tunc order and correction of a statutory code citation in a twenty-year-old criminal judgment. The defendant attempted to relitigate a constitutional challenge to his sentence.
PRECEDENTIAL VALUE	published
PARTIES	Daniel Frederick King II v. State of Iowa

TOPICS

criminal procedure sentencing state post-conviction relief appellate procedure
cruel and unusual punishment

PRACTICE AREAS

criminal procedure appellate procedure sentencing post-conviction relief

QUESTIONS PRESENTED

- Whether res judicata barred King's renewed claim that his sentence constituted cruel and unusual punishment under the Eighth Amendment to the United States Constitution and article I, section 17 of

the Iowa Constitution.

2. Whether limited resentencing to address a nunc pro tunc order and an incorrect code citation permitted King to relitigate a sentence challenge that had already been finally adjudicated.

HOLDINGS

1. Res judicata barred review because King’s identical challenge to the constitutionality of his sentence had been finally adjudicated in the earlier district-court and appellate proceedings.
2. Limited resentencing addressing a nunc pro tunc order and a statutory code citation did not reopen the previously adjudicated constitutional challenge to the sentence.

KEY QUOTATIONS

“Because res judicata bars review, we affirm.” (1)

“This is textbook res judicata.” (3)

FACTUAL BACKGROUND

In 2004, when he was eighteen, Daniel King violently raped and sodomized a fifteen-year-old girl after a house party. A jury convicted him of third-degree sexual abuse, enhanced by a prior sexually predatory offense, and the district court imposed a twenty-five-year sentence with an eighty-five percent mandatory minimum. The later appeal arose from limited resentencing addressing a nunc pro tunc order and a corrected code citation, although King attempted to use the appeal to renew his constitutional challenge to the mandatory minimum.

PROCEDURAL HISTORY

King was convicted by a jury in 2004 and sentenced to twenty-five years in prison with an eighty-five percent mandatory minimum. After a 2014 nunc pro tunc order, he moved in 2020 to correct an allegedly illegal sentence, arguing that the mandatory minimum constituted cruel and unusual punishment; the district court denied relief after applying the gross-disproportionality analysis, and the Iowa Supreme Court denied certiorari, with procedendo issuing in December 2021. In 2023, King filed another motion that resulted in limited resentencing concerning only the nunc pro tunc order and an incorrect code citation, but his appeal challenged the previously adjudicated sentence issue. The Iowa Court of Appeals held that res judicata barred the challenge and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Bruegger, 773 N.W.2d 862, 873 (Iowa 2009)
- Braunschweig v. Fahrenkrog, 773 N.W.2d 888, 893 (Iowa 2009)
- Dorsey v. State, 975 N.W.2d 356, 361 (Iowa 2022)

OPINION

PER CURIAM.

IN THE COURT OF APPEALS OF IOWA _____ No. 25-0158 Filed April 15, 2026
_____ State of Iowa, Plaintiff–Appellee, v. Daniel Frederick King II, Defendant–
Appellant. _____ Appeal from the Iowa District Court for Linn County, The
Honorable Elizabeth Dupuich, Judge. _____ AFFIRMED _____ Jacob
Heard of Iowa Defenders, PLLC, Clive, attorney for appellant.

Brenna Bird, Attorney General, and Joseph D. Ferrentino, Assistant Attorney General, attorneys
for appellee. _____ Considered without oral argument by Ahlers, P.J., Buller, J., and
Bower, S.J. Opinion by Buller, J. 1 BULLER, Judge. Daniel King appeals from a limited
resentencing that addressed a nunc pro tunc order and corrected a code citation in his twenty-year-
old judgment of sentence.

His appellate brief presses an entirely different issue, seeking to revisit a claim that was finally
adjudicated adversely to him years ago. Because res judicata bars review, we affirm.
BACKGROUND FACTS AND PROCEEDINGS 1 Given our resolution of the issue on appeal,
we do not dwell on the facts. Suffice to say, in 2004 eighteen-year-old King violently raped and
sodomized a fifteen-year-old girl in his car after a house party.

The county attorney charged King with sexual abuse in the third degree, a class “C” felony in
violation of Iowa Code section 709.4(2)(c)(4) (2004), enhanced due to his prior conviction for a
sexually predatory offense (assault with intent to commit sex abuse) in violation of section
901A.2(3).

The jury found King guilty as charged, and the district court sentenced him to twenty- five years in
prison with an 85% mandatory minimum. King directly appealed his conviction, and the supreme
court dismissed the appeal as “frivolous.” In 2014, the district court entered a nunc pro tunc order
adding a two-year work-release requirement to King’s sentence pursuant to section 901A.2(8).

The record does not offer any explanation for what prompted the order. In 2020, King moved pro
se for “correction of an illegal sentence” in the district court, challenging the mandatory-minimum
portion of his 1 The State’s brief cites the minutes of testimony to establish the facts of the
offense. But the record makes clear King did not plead guilty; he was convicted following trial by
jury.

We disregard the State’s assertions based on the minutes. 2 sentence. After a series of continuances
and the appointment of counsel, King specifically argued his sentence was “cruel and unusual
punishment in violation of the Eighth Amendment of the United States Constitution and Article I,
§ 17, of the Iowa Constitution.” Relying on State v. Bruegger, his argument walked through the
three-step gross-disproportionality analysis.

See 773 N.W.2d 862, 873 (Iowa 2009). He also argued constitutional-juvenile- sentencing considerations should apply even though he was an adult when convicted. Following a reported hearing, the district court conducted a gross- disproportionality analysis and denied the motion by written ruling. King attempted to appeal that ruling, but the supreme court ordered the parties to file jurisdictional statements, determined the proper method of review was by petition for writ of certiorari, treated King’s papers as a petition, and denied it.

Procedendo issued in December 2021. Two years later, King filed a new pro se “motion for correction of an illegal sentence.” Again counsel was appointed and, after a series of continuances, King’s argument shifted into a challenge asserting the 2014 nunc pro tunc order should have been addressed through resentencing and that the original judgment included an incorrect code section.

The county attorney agreed with counsel’s argument, and the district court ordered resentencing to address the nunc pro tunc order and the code citation. At resentencing, the court found “[t]he parties agreed that the limited issues before the court” were the nunc pro tunc order and code citation.

The court resented King as requested, and King filed a pro se notice of appeal. 3 DISCUSSION On appeal, King raises only one challenge: He argues his sentence was cruel and unusual punishment, relying on Bruegger and related gross- disproportionality cases.

As the State points out in its brief, this is the same challenge that was finally adjudicated in the 2020–2021 district and appellate court proceedings we have recited above, and those proceedings were rendered final when procedendo issued after the supreme court denied certiorari review. This is textbook res judicata. E.g., Braunschweig v. Fahrenkrog, 773 N.W.2d 888, 893 (Iowa 2009).

King did not file a reply brief challenging the State’s contention res judicata bars review, and we are not aware of any authority that would allow his claim to go forward after being finally adjudicated on identical arguments. Cf. Dorsey v. State, 975 N.W.2d 356, 361 (Iowa 2022) (allowing a juvenile- sentencing claim to proceed where the allegedly res judicata ruling pre-dated a significant change in state constitutional law).

Because King raises no other argument on appeal, this ends the analysis. AFFIRMED. 4