

822.2 Situations where law applicable.

1. Any person who has been convicted of, or sentenced for, a public offense and who claims any of the following may institute, without paying a filing fee, a proceeding under [this chapter](#) to secure relief:

a. The conviction or sentence was in violation of the Constitution of the United States or the Constitution or laws of this state.

b. The court was without jurisdiction to impose sentence.

c. The sentence exceeds the maximum authorized by law.

d. There exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice.

e. The person's sentence has expired, or probation, parole, or conditional release has been unlawfully revoked, or the person is otherwise unlawfully held in custody or other restraint.

f. The person's reduction of sentence pursuant to [sections 903A.1 through 903A.7](#) has been unlawfully forfeited and the person has exhausted the appeal procedure of [section 903A.3, subsection 2](#).

g. The conviction or sentence is otherwise subject to collateral attack upon any ground of alleged error formerly available under any common law, statutory or other writ, motion, petition, proceeding, or remedy, except alleged error relating to restitution, court costs, or fees under [section 904.702](#) or [chapter 815](#) or [910](#).

h. The results of DNA profiling ordered pursuant to an application filed under [section 81.10](#) would have changed the outcome of the trial or voided the factual basis of a guilty plea had the profiling been conducted prior to the conviction.

2. This remedy is not a substitute for nor does it affect any remedy, incident to the proceedings in the trial court, or of direct review of the sentence or conviction. Except as otherwise provided in [this chapter](#), it comprehends and takes the place of all other common law, statutory, or other remedies formerly available for challenging the validity of the conviction or sentence. It shall be used exclusively in place of them.

[C71, 73, 75, 77, 79, 81, §663A.2; [81 Acts, ch 198, §1, 2](#)]

[83 Acts, ch 147, §10, 14](#); [86 Acts, ch 1075, §3](#)

C93, §822.2

[2006 Acts, ch 1010, §162](#); [2019 Acts, ch 149, §7](#)

Referred to in [§822.3](#), [822.3A](#), [822.5](#), [822.7](#), [822.9](#)

Subsection 1, NEW paragraph h