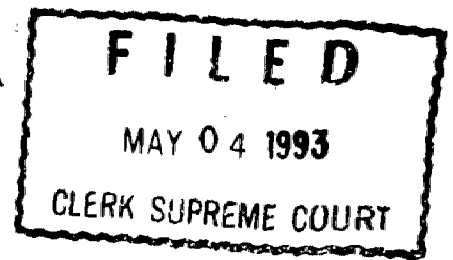


IN THE COURT OF APPEALS OF IOWA

No. 3-071 / 92-526



STATE OF IOWA,

Plaintiff-Appellee,

vs.

LEONARD EUGENE POHREN,

Defendant-Appellant.

000821

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Appeal from the Iowa District Court for Washington County, Michael R. Stewart, District Associate Judge.

Pohren appeals from his convictions following a jury trial for operating while intoxicated and driving while under a license revocation. **AFFIRMED BY OPERATION OF LAW.**

Linda Del Gallo, State Appellate Defender, and Kevin Cmelik, Assistant State Appellate Defender, for appellant.

Bonnie J. Campbell, Attorney General, James Christenson, Assistant Attorney General, Gerald Partridge, County Attorney, and Barbara A. Edmonson, Assistant County Attorney, for appellee.

Heard by Schlegel, P.J., and Sackett and Habhab, JJ.,  
but decided en banc.

**000828****PER CURIAM**

The court being equally divided, the judgment is affirmed by operation of law. Iowa Code § 602.5106(1) (1991).

**AFFIRMED.**

For affirmance: Oxberger, C.J., and Donielson and Habhab, JJ.

For reversal: Schlegel, and Hayden, and Sackett, JJ.