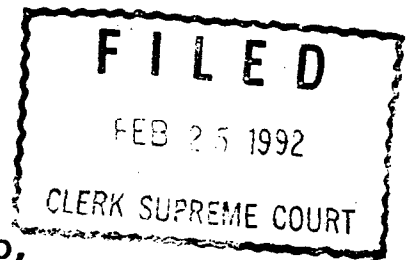


IN THE COURT OF APPEALS OF IOWA

No. 1-303 / 90-1491



MARK K. PARKER, CHRISTINA PARKER, SARAH McDONALD,  
ERIC McDONALD and JESSE PARKER,

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Appellants,

vs.

DEAN THUENTE, RONALD WIEBKE, RONALD WIEBKE d/b/a WIEBKE  
CONTRACTING, INC., and WIEBKE CONTRACTING, INC.,

Appellees.

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Appeal from the Iowa District Court for Fayette County,  
L. John Degnan, Judge.

Plaintiffs appeal a judgment for defendants in this  
tort suit arising from a collision between a bicycle and a  
pickup truck. **AFFIRMED BY OPERATION OF LAW.**

Michael M. Sellers of Dreher, Wilson, Simpson, Jensen,  
Sellers, Harvey, Butters, Adams and Kaiser, P.C.,  
Des Moines, for appellants.

Steven J. Pace and Diane Kutzko of Shuttleworth &  
Ingersoll, P.C., Cedar Rapids, for appellees.

Considered en banc.

**PER CURIAM**

The court being equally divided, the judgment is affirmed by operation of law. Iowa Code § 602.5106(1) (1989).

**AFFIRMED.**

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

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