

IN THE COURT OF APPEALS OF IOWA

FILED

MAR 16 1989

CLERK SUPREME COURT

ROLAND D. JONES and)
LAVONNE JONES,)
)
Plaintiffs-Appellees,)
)
vs.)
)
ARMOUR FOOD COMPANY,)
Defendant-Appellant.)

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ARMOUR FOOD COMPANY,)
)
Cross-Petitioner,)
)
vs.)
)
LEWIS SYSTEM OF IOWA, INC.,)
)
Defendant to Cross-)
Petition.)

8-563
88-113

Appeal from the Iowa District Court for Cerro Gordo
County (No. 48795), Paul W. Riffel, Judge.

Defendant appeals an adverse verdict in a slip and fall
case. **AFFIRMED BY OPERATION OF LAW.**

James L. Kramer and Thomas J. Bice, of Johnson, Erb,
Latham, Gibb & Carlson, Fort Dodge, for the
defendant-appellant.

H. P. Folkers and Charles H. Levad, Mason City, for the
plaintiffs-appellees.

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

PER CURIAM.

The court being equally divided, the judgment is affirmed by operation of law. Iowa Code § 602.5106(1) (1987).

AFFIRMED.

For affirmance: Oxberger, C.J., and Schlegel and Hayden, JJ.

For reversal: Donielson, Sackett and Habhab, JJ.