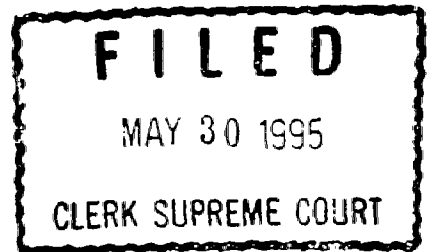


IN THE COURT OF APPEALS OF IOWA

No. 5-171 / 94-1048



RENE GARCIA,

Appellee,

vs.

FABRICATED PRODUCTS, INC.,

Appellant.

Appeal from the Iowa District Court for Bremer County, Paul W. Riffel, Judge.

Fabricated Products appeals a district court order denying its motion to vacate a default judgment. **AFFIRMED BY OPERATION OF LAW.**

Steven M. Egli of Hagemann, Goeke & Egli, Waverly, for appellant.

David M. Engelbrecht, Ackerman & Hassman, Waverly, for appellee.

Heard by Habhab, P.J., and Cady and Huitink, 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) (1995).

AFFIRMED.

For affirmance: Hayden, Sackett and Habhab, JJ.

For reversal: Donielson, C.J., and Cady and Huitink, JJ.