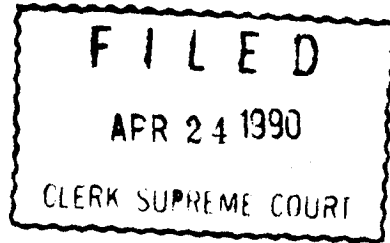


IN THE COURT OF APPEALS OF IOWA

No. 9-652 / 89-159



STATE OF IOWA,

Appellee,

vs.

LEONARD CARROLL REED,

Appellant.

291

Appeal from the Iowa District Court for Scott County,
James R. Havercamp, Judge.

Defendant appeals his conviction, following a jury trial, for sexual abuse in the second degree and child endangerment. **AFFIRMED BY OPERATION OF LAW.**

Gary D. McKenrick of Gomez, May, McKenrick & Kelly,
Davenport, for appellant.

Thomas J. Miller, Attorney General, Sheryl A. Soich,
Assistant Attorney General, William Davis, County Attorney,
and James L. Ottesen, Assistant County Attorney, for
appellee.

Heard by Oxberger, C.J., and Donielson and Habhab, JJ.,
but considered 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: Donielson, Hayden, and Habhab, JJ.

For reversal: Oxberger, C.J., and Schlegel and Sackett, JJ.