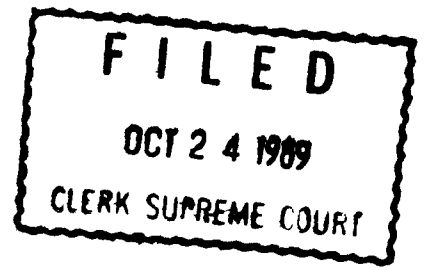


IN THE COURT OF APPEALS OF IOWA

No. 9-386 / 88-1105



STATE OF IOWA,

Appellee,

649

vs.

DANIEL P. HOLLAND,

Appellant.

Appeal from the Iowa District Court for Muscatine County, James A. Weaver, Judge.

Appellant appeals from his conviction, following a jury trial, of operating while under the influence and driving while suspended. **AFFIRMED BY OPERATION OF LAW.**

Raymond E. Rogers, State Appellate Defender, and Barbara M. Anderson, Assistant State Appellate Defender, for defendant-appellant.

Thomas J. Miller, Attorney General; Amy M. Anderson, Assistant Attorney General; and Stephen J. Petersen, County Attorney, for plaintiff-appellee.

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.