

IN THE COURT OF APPEALS OF IOWA

No. 9-318 / 88-955

FILED

OCT 05 1989

CLERK SUPREME COURT

STATE OF IOWA,

Appellee,
vs.

LARRY ELDEN EDMAN,

Appellant.

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Appeal from the Iowa District Court for Iowa County,
Larry J. Conmey and Kristin L. Hibbs, Judges.

The defendant appeals from his conviction of
third-offense OWI and driving while barred. **JUDGMENT OF
DISTRICT COURT AFFIRMED BY OPERATION OF LAW.**

Raymond E. Rogers, State Appellate Defender, and James
F. Whalen, Assistant Appellate Defender, for appellant.

Thomas J. Miller, Attorney General; Mark Hunacek,
Assistant Attorney General; and Fred Stiefel, Assistant
County Attorney, for appellee.

Considered en banc.

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PER CURIAM.

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

AFFIRMED.