FILED
MAY 29 1991
CLERK SUPREME COURT

134

IN THE COURT OF APPEALS OF IOWA

No. 1-07 / 90-106

LOREN WILLIAM JASPER,

Applicant-Appellant,

vs.

STATE OF IOWA,

Respondent-Appellee.

Appeal from the Iowa District Court for Scott County, Margaret S. Briles, Judge.

Jasper appeals the district court denial of postconviction relief. **AFFIRMED BY OPERATION OF LAW.**

Kent A. Simmons, Davenport, for appellant.

Bonnie J. Campbell, Attorney General, Thomas S. Tauber, Assistant Attorney General, William E. Davis, County Attorney, and James Ottesen, Assistant County Attorney, for appellee.

Considered en banc.

PER CURIAM

The court being equally divided, the judgment is affirmed by operation of law Iowa Code § 602.5106(1) (1989).

AFFIRMED.

For affirmance Oxberger, C.J., Donielson and Habhab, JJ

For reversal Schlegel, Hayden and Sackett, JJ.