FILED
MAY 28 1992
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

No. 2-194 / 91-1515

IN THE INTEREST OF J.W.B., A Child,

J.W.B., A Child,

Appellant.

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Appeal from the Iowa District Court for Scott County, John G. Mullen, District Associate Judge, and Michael A. Woods, Juvenile Court Referee.

J.W.B. appeals from an adjudicatory hearing and dispositional order finding the child to be delinquent based on the juvenile court's decision finding him guilty of assault resulting in injury. **AFFIRMED BY OPERATION OF LAW.**

Stephen P. Wing of Dwyer, Wing, Zamora, Taylor & Walters, Davenport, for appellant.

Bonnie J. Campbell, Attorney General, John M. Parmeter, Special Assistant Attorney General, and Kathrine S. Miller-Todd, Assistant Attorney General, for appellee State.

Considered en banc.

PER CURIAM

The court being equally divided, the judgment is affirmed by operation of law. Iowa Code § 602.5106(1) (1991).

AFFIRMED.

For affirmance: Donielson, Hayden and Habhab JJ.

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