

IN THE COURT OF APPEALS OF IOWA

No. 2-301 / 91-1538

FILED

SEP 29 1992

CLERK SUPREME COURT

IN THE INTEREST OF M.N., C.J.N., AND B.D.N., Minor Children,
R.C., JR.,

331

Appellant.

Appeal from the Iowa District Court for Polk County,
Larry J. Eisenhower, Juvenile Court Referee.

R.C. appeals an adjudicatory order and subsequent
dispositional order finding the children to be children in
need of assistance and placing the children with their
maternal aunt. **AFFIRMED BY OPERATION OF LAW.**

Frank Steinbach II of Cook, Gotsdiner, McEnroe &
McCarthy, Des Moines, 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.

Susan Conn, Youth Law Center, Des Moines, guardian ad
litem for the children.

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.