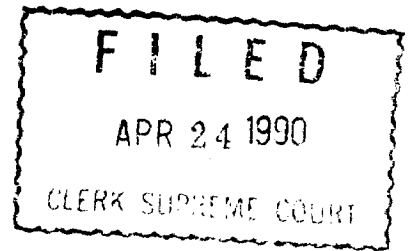


IN THE COURT OF APPEALS OF IOWA

No. 0-89 / 89-660



**ANN JACKSON,**

Appellant,

152

vs.

**MASSEY-FERGUSON, INC.,**

Appellee.

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Appeal from the Iowa District Court for Polk County,  
Gene Needles, Judge.

Plaintiff Ann Jackson filed this suit alleging race discrimination in employment. A jury returned a verdict in favor of Massey-Ferguson. Appellant appeals. **AFFIRMED BY OPERATION OF LAW.**

Thomas Mann, Jr. of Mann & Mann, Des Moines, for plaintiff-appellant.

Patricia A. Shoff and Edwin N. McIntosh of Davis, Hockenberg, Wine, Brown, Koehn & Shors, Des Moines, for defendant-appellee.

Heard by Donielson, P.J., and Hayden and Habhab, JJ.;  
but 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.**

For affirmance: Donielson, Sackett, and Habhab, JJ.

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