FILED
JUN 28 1983
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

STATE OF IOWA,

Plaintiff-Appellee,

vs.

RONALD EUGENE COOLEY,

Defendant-Appellant.

Filed June 28, 1983

RONALD EUGENE COOLEY,

Petitioner-Appellant,

vs.

STATE OF IOWA,

Respondent-Appellee.

2-514
2-66616

Appeal from Polk District Court - Maynard Hayden, Judge.

Defendant appeals from the denial of his petition for postconviction relief following his conviction of robbery in the first degree. AFFIRMED BY OPERATION OF LAW.

Kermit Dunahoo of Kermit Dunahoo Law Office, Des Moines, for petitioner-appellant.

Thomas J. Miller, Attorney General, and Shirley Ann Steffe, Assistant Attorney General, for respondent-appellee.

Heard by Oxberger, C.J., and Donielson, Snell, and Schlegel, JJ. Hayden, J., takes no part.

PER CURIAM

This appeal has been considered by four judges of this court. The judges of the court being equally divided, the trial court's decree is affirmed by operation of law pursuant to Iowa Code § 684.36 (1).

AFFIRMED BY OPERATION OF LAW.