FILED
MAR 16 1989
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

245

STATE OF IOWA,	)	
Plaintiff-Appellee,	)	
vs.	)	
STEVEN THOMAS BAKER,	)	8-551 87-1734
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Fayette County (41381), John Bauercamper, Judge.

Defendant appeals his conviction, following a bench trial, for violating Iowa Code section 204.402(1)(e), which makes it a crime to maintain premises where a controlled substance is used, kept, or sold. **REVERSED.**

William L. Wegman, State Public Defender, and B. John Burns, Assistant State Public Defender, for defendant-appellant.

Thomas J. Miller, Attorney General; Bruce Kempkes, Assistant Attorney General; and J. G. Johnson, Assistant County Attorney, for plaintiff-appellee.

Heard by Schlegel, P.J., and Sackett and Habhab, JJ.

PER CURIAM

The case at bar and the case of State v. William Baker (8-606) are criminal cases that arise from the same incident, involve the same underlying facts, and were consolidated for the purpose of trial. Insofar as our opinion in State v. William Baker (8-606), which was filed on this date, has application to the assigned errors in this case, we adopt by reference those parts and reverse.

REVERSED.