FILED
AUG 30 1983
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN THE MATTER OF THE ESTATE OF DORATHY A. FRANZKOWIAK, Deceased;	)	August 30, 1983
RUSSELL S. WUNSCHEL and WUNSCHEL LAW FIRM, P.C.,	)	3-117 / 2-69292
Appellant.	)	

Appeal from Sac District Court, Louis F. Beisser, Judge.

The executor of decedent's estate and the executor's attorneys appeal from the district court's order denying their application for extraordinary fees. AFFIRMED BY OPERATION OF LAW.

Gary L. McMinimee, Carroll, for appellants.

Lon R. Tullar, Sac City, until his withdrawal, and then Morris C. Hurd, Ida Grove, for appellees Henry Franzkowiak and Frank Franzkowiak.

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

OXBERGER, C.J.

The executor of decedent's estate and the executor's attorneys appeal from the district court's order denying their application for extraordinary fees. Two judges would affirm the order of the trial court and two would reverse. Pursuant to Iowa Code § 684.36(1), the order of the trial court is affirmed by operation of law.

AFFIRMED BY OPERATION OF LAW.