FILED
NOV 2 7 1989
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

No. 9-390 / 88-1324

IN RE THE MARRIAGE OF AMIEE LYNN RAUE and JACK LEE RAUE

Upon the Petition of

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AMIEE LYNN RAUE,

Appellant,

And Concerning

JACK LEE RAUE,

Appellee.

Appeal from the Iowa District Court for Buchanan County, Robert E. Mahan, Judge.

The wife appeals, and the husband cross-appeals, from an order vacating a dissolution decree in part and substituting certain modified paragraphs. **AFFIRMED BY OPERATION OF LAW.**

Richard D. Raymon, Cedar Rapids, for the petitioner-appellant/cross-appellee.

Linda H. Robbins and David G. Thinnes of Irvine & Robbins, Cedar Rapids, for the respondent-appellee/cross-appellant.

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.