IN THE COURT OF APPEALS OF IOWA

FILED
FEB 2 3 1989
CLERK SUPREME COURT

294

PAUL J. MOORE,	)	
Plaintiff-Appellant,	)	
vs.	)	
ROGER REINKING and **ARDITH REINKING,**	)	8-510 / 88-282
Defendants-Appellees.	)	

Appeal from the Iowa District Court for Grundy County (No. 55-237), R. J. Curnan, Judge.

Plaintiff landlord appeals a district court judgment dismissing his forcible entry and detainer petition based on a farm lease termination notice. **JUDGMENT OF DISTRICT COURT AFFIRMED BY OPERATION OF LAW.**

David J. Dutton of Mosier, Thomas, Beatty, Dutton, Braun & Staack, Waterloo, for plaintiff-appellant.

Ivan J. Ackerman of Engelbrecht, Ackerman & Hassman, Waverly, for defendants-appellees.

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: Schlegel, Hayden, and Sackett, JJ.

For reversal: Oxberger, C.J., and Donielson and Habhab, JJ.