IN THE COURT OF APPEALS OF IOWA

No. 7-586 / 96-1938

000509

FILED
JAN 28 1998
CLERK SUPREME COURT

STATE OF IOWA,

Plaintiff-Appellee,

vs.

TERRANCE D. WALKER,

Defendant-Appellant.

Appeal from the Iowa District Court for Story County, Thomas R. Hronek, District Associate Judge.

Terrance Walker appeals his conviction and sentence, following a jury trial, for interference with official acts in violation of Iowa Code section 719.1 (1995).

AFFIRMED BY OPERATION OF LAW.

Scott L. Hippen of Hippen Law Office, Ames, until withdrawal, then Terrance D. Walker, Ames, pro se, appellant.

Thomas J. Miller, Attorney General, Mary Tabor, Assistant Attorney General, Mary E. Richards, County Attorney, and Daniel J. Gonnerman, Assistant County Attorney, for appellant.

Heard by Cady, C.J., and Sackett and Huitink, JJ., but decided en banc.

PER CURIAM.

The court being equally divided, the conviction is affirmed by operation of law. Iowa Code § 602.5106(1) (1997).

AFFIRMED.

For affirmance: Cady, C.J., Streit and Vogel, JJ.

For reversal: Sackett, Huitink and Mahan, JJ.