IN THE COURT OF APPEALS OF IOWA

FILED
MAY 31 1988
CLERK SUPREME COURT

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JURINE MAURIE B. MOORE	)	
Petitioner-Appellant,	)	
vs.	)	
IOWA DEPARTMENT OF JOB SERVICE, n/k/a EMPLOYMENT APPEAL BOARD,	)	
Respondent-Appellee,	)	Filed May 31, 1988
and SPRINGVILLE COMMUNITY SCHOOL DISTRICT,	)	7-576 87-829
Intervenor-Appellee.	)	

Appeal from the Iowa District Court for Polk County (No. AA 4-1142) - Glenn E. Pille, Judge.

Petitioner appeals from the decision of the district court which affirmed the agency final action that denied her unemployment benefits. **JUDGMENT OF DISTRICT COURT AFFIRMED BY OPERATION OF LAW.**

Gerald L. Hammond of Sayre & Gribble, Des Moines, for petitioner-appellant.

Blair H. Dewey and William C. Whitten for respondent-appellee.

Brian L. Gruhn of Mollman, Gruhn & Wertz, Cedar Rapids, for intervenor-appellee.

Considered en banc.

PER CURIAM.

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The court being equally divided, the judgment is affirmed by operation of law. Iowa Code § 602.4107 (1987).

AFFIRMED.

For affirmance: Donielson, Hayden and Habhab, JJ.

For reversal: Oxberger, C.J., and Schlegel and Sackett, JJ.