



IN THE COURT OF APPEALS OF IOWA

WILLIE MAE POLLARD,

Appellant,

v.

MICHAEL LEO PETERSON,

Appellee.

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Filed October 7, 1977

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2-58855

Appeal from Scott District Court - L. D. Carstensen, Judge.

Plaintiff appeals from trial court's adverse judgment in a negligence action arising out of an automobile accident. Affirmed.

Bertram B. Metcalf, of Davenport, for appellant.

J. Hobart Darbyshire, of Carlin & Darbyshire, of Davenport, for appellee.

Submitted to Allbee, C.J., and Donielson, Snell, Oxberger and Carter, JJ.

PER CURIAM

Plaintiff, Willie Mae Pollard, appeals from trial court's judgment adverse to her claim for damages arising out of an automobile accident. Her sole substantive contention is that there is not sufficient evidence to sustain trial court's finding that she was contributorily negligent.

Trial court's findings of fact are the equivalent of a jury verdict. "If supported by substantial evidence and justified as a matter of law, they are binding on us and the judgment will not be disturbed on appeal." *Herman Ford-Mercury, Inc. v. Betts*, 251 N.W.2d 492, 493-94 (Iowa 1977). We may, however, inquire into the propriety of trial court's conclusions of law based upon those facts. *Herman Ford-Mercury, Inc. v. Betts*, *supra*.

The findings of trial court are supported by substantial evidence. Trial court could properly conclude that under the facts found, plaintiff's speed was unreasonably slow, and amounted to contributory negligence under section 321.285, The Code. *Jacobsen v. Hala*, 255 Iowa 918, 926-29, 125 N.W.2d 500, 505 (1963); 60A C.J.S. Motor Vehicles § 290(3) (1969), cited with approval in *Hackney v. Tower*, 260 Iowa 1101, 1106, 152 N.W.2d 257 (1967).

Affirmed.