

**IN THE SUPREME COURT OF IOWA**

No. 17–0794

Polk County No. CVCV053097

**ORDER**

**DIANNA HELMERS,**  
Plaintiff-Appellant,

vs.

**CITY OF DES MOINES, IOWA,**  
Defendant-Appellee.

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The court, being evenly divided, declares this case affirmed by operation of law.  
*See* Iowa Code § 602.4107 (2001).

Waterman, Mansfield, and Christensen, JJ., would affirm the judgment of the district court; Cady, C.J., and Wiggins and Appel, J., would reverse the judgment of the district court.

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