

**IN THE SUPREME COURT OF IOWA**

No. 17–1909

Monona County No. SRCR016184

**STATE OF IOWA,**

Appellee,

vs.

**LORI DEE MATHES,**

Appellant.

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The court, McDermott, J., taking no part, being evenly divided, declares this case affirmed by operation of law. *See* Iowa Code § 602.4107 (2020).

Christensen, C.J., and Waterman and Mansfield, JJ., would affirm the court of appeals decision dismissing the appeal from the district court order assessing court costs; Appel, McDonald, and Oxley, JJ., would vacate the court of appeals decision and vacate the district court’s cost award. “When the supreme court is equally divided on an issue . . . , the decision of the district court is affirmed by operation of law.” *State v. Effler*, 769 N.W.2d 880, 884 (Iowa 2009).

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IOWA APPELLATE COURTS

State of Iowa Courts

**Case Number**  
17-1909

**Case Title**  
State v. Mathes

So Ordered

A handwritten signature in black ink, appearing to be "SC", is written over a horizontal line.

Susan Christensen, Chief Justice

Electronically signed on 2020-05-08 07:57:44