

STATE OF MINNESOTA

IN SUPREME COURT

A10-1545

State of Minnesota,

Respondent,

vs.

Mitchell Ray Gerold,

Appellant.

ORDER

Based upon all the files, records and proceedings herein, and upon an evenly divided court,

IT IS HEREBY ORDERED that the decision of the court of appeals filed March 15, 2011, be, and the same is, affirmed without opinion.

Dated: June 6, 2012

BY THE COURT:

/s/

Lorie S. Gildea
Chief Justice

PAGE, J., took no part in the consideration or decision of this case.