

STATE OF MINNESOTA

IN SUPREME COURT

A10-2202

State of Minnesota,

Respondent,

vs.

Jerry Ben Retzlaff,

Appellant.

A M E N D E D O R D E R

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 November 21, 2011, be, and the same is, affirmed without opinion.

Dated: October 4, 2012

BY THE COURT:

/s/ _____

Lorie S. Gildea
Chief Justice

WRIGHT, J., not having been a member of this court at the time of submission, took no part in the consideration or decision of this case.