

IN THE SUPREME COURT OF IOWA

No. 19–1760

Polk County No. AGCR329495

ORDER

STATE OF IOWA,

Appellee,

vs.

PRINCE G. PAYE,

Appellant.

The court, May, J., taking no part, being evenly divided, declares this case affirmed by operation of law. *See* Iowa Code § 602.4107 (2022).

The district court’s denial of Paye’s motion to suppress stands. Waterman, Mansfield, and McDonald, JJ., would vacate the decision of the court of appeals and affirm the judgment of the district court on the suppression issue; Christensen, C.J., and Oxley and McDermott, JJ., would affirm the decision of the court of appeals and reverse the judgment of the district court on that issue. The decision of the court of appeals is vacated, and the judgment of the district court is affirmed. *See State v. Effler*, 769 N.W.2d 880, 884 (Iowa 2009) (“[W]hen the supreme court is equally divided . . . , the decision of the district court is affirmed by operation of law.”).

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IOWA APPELLATE COURTS

State of Iowa Courts

Case Number
19-1760

Case Title
State v. Paye

So Ordered

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

Susan Larson Christensen, Chief Justice

Electronically signed on 2022-11-10 08:07:26