

**IN THE SUPREME COURT OF IOWA**

No. 17–1650

Linn County No. CVCV085106

**ORDER**

**ROMOKE OLUTUNDE,**  
Plaintiff-Appellant,

**vs.**

**IOWA DEPARTMENT OF HUMAN SERVICES,**  
**and CHARLES M. PALMER, DIRECTOR,**  
Defendant-Appellee.

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The court, McDonald, J., taking no part, being evenly divided, declares this case affirmed by operation of law. *See* Iowa Code § 602.4107 (2019).

Christensen, C.J., and Appel and Oxley, JJ., would affirm the district court decision that upheld the agency determination that the appellant committed dependent adult abuse; Waterman, Mansfield, and McDermott, JJ., would reverse. *See State v. Effler*, 769 N.W.2d 880, 884 (Iowa 2009) (“[W]hen the supreme court is equally divided on an issue upon which the district court and court of appeals differ, 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**  
17-1650

**Case Title**  
Olutunde v. Iowa Dept. of Human Services

So Ordered

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

Susan Christensen, Chief Justice

Electronically signed on 2020-05-29 08:00:50