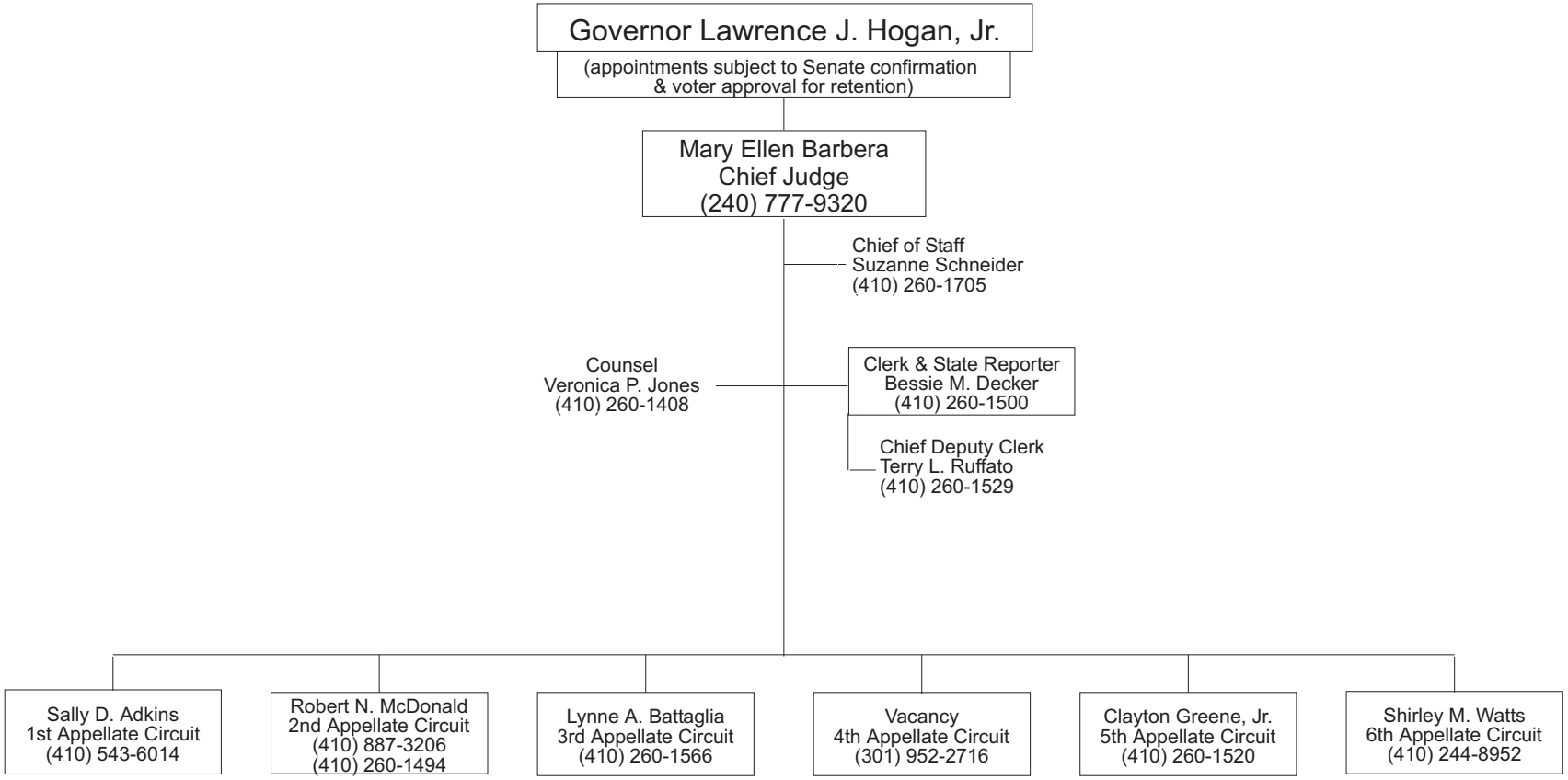COURT OF APPEALS