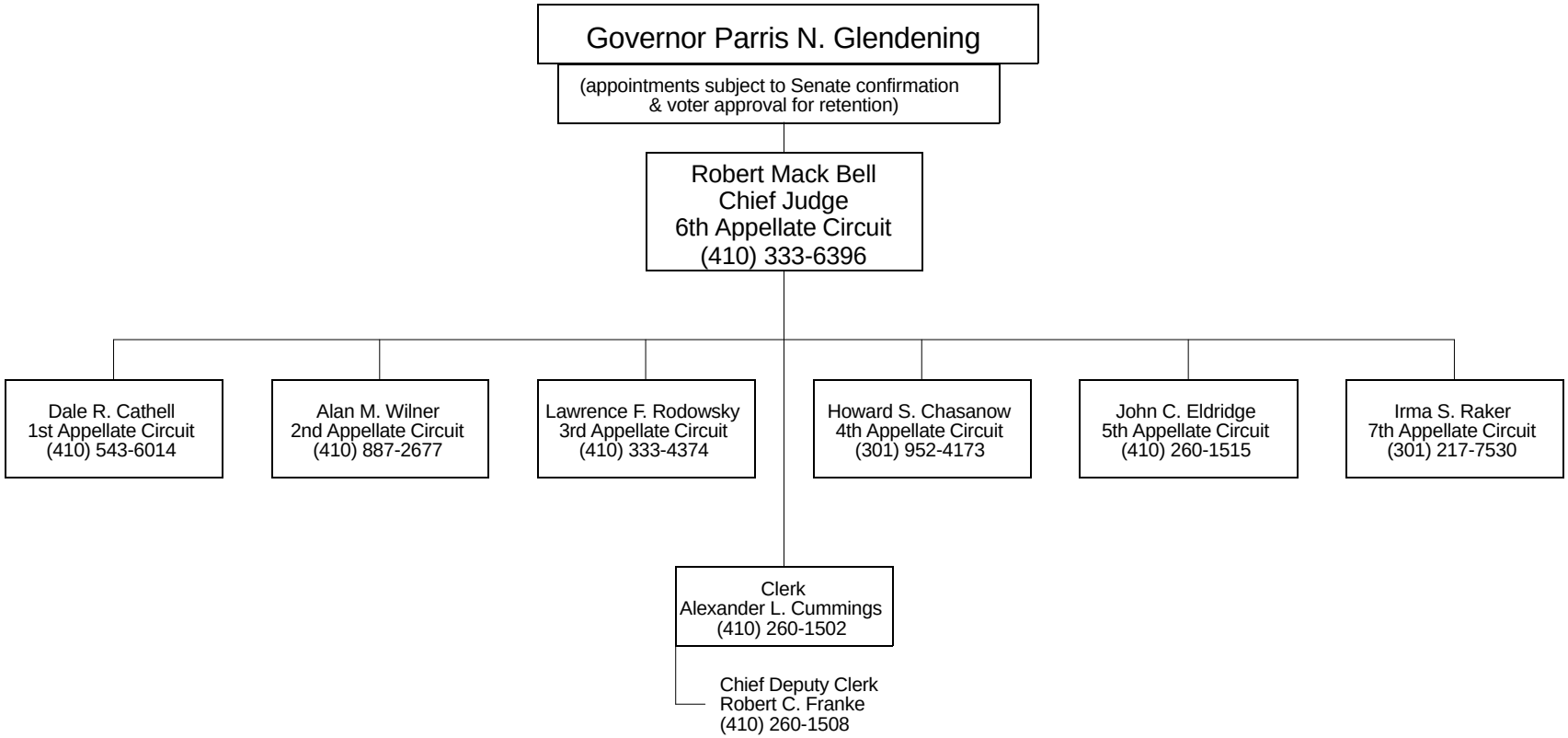# COURT OF APPEALS