No. 20-5379

IN THE SUPREME COURT OF THE UNITED STATES

KEITH ADAIR DAVIS,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE WASHINGTON SUPREME COURT

BRIEF IN OPPOSITION

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QUESTION PRESENTED

Whether the Washington Supreme Court properly held that the trial court was not required to appoint stand-by counsel for a pro se defendant, after the trial court found that the defendant voluntarily absented himself from less than an hour of his trial.

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INTRODUCTION

Davis's petition mischaracterizes the holding of the Washington Supreme Court to entice this Court into granting certiorari on an issue that was not actually decided by that court. The court below held that Davis voluntarily departed trial and that, therefore, a lawyer need not be appointed to defend in his absence. Davis argued, instead, that he had been *involuntarily* removed from court, and that it was improper to leave the defense table empty after his involuntary removal. But the Washington Supreme Court expressly rejected Davis's argument as a matter of fact. Moreover, Davis conceded in both the intermediate appellate court and in the Washington Supreme Court that voluntary departure from proceedings is allowed under *Faretta*, even if it leaves the defense table empty. Certiorari should not be granted simply to disagree with the lower court's factual determination, especially where the related legal determination was conceded and, thus, uncontested in the court below.

Moreover, there is no split of authority on the question whether a trial court must appoint counsel where a pro se defendant departs of his own volition. A single appellate court decision suggests in dicta that a lawyer must be appointed under such circumstances. Every other appellate court to consider the question holds otherwise. Davis cites conflict in the appellate courts over whether the defense table can remain empty when a court removes a pro se defendant against his will. However, the

Washington Supreme Court never reached this issue because it concluded Davis had voluntarily departed. There is no pressing need to decide an issue where there is no split of authority on that question.

Finally, to the extent that Davis now insists in his petition that the trial court had a duty to appoint stand-by counsel as protection in the event that he might become absent from trial, he abandoned that claim by failing to seek review of the issue. As a result, the Washington Supreme Court did not address the argument in its decision, so it should not be considered in his petition.

Certiorari to the Washington Supreme Court is not warranted.

STATEMENT OF THE CASE

I. DAVIS CHOSE TO REPRESENT HIMSELF PRO SE AT TRIAL.

In early 2014, Keith Adair Davis was arrested twice for possession of stolen vehicles. In the second arrest, officers found crack cocaine in Davis's shirt pocket. He was charged with two counts of possessing a stolen vehicle and a single count of possession of a controlled substance. Prior to trial, Davis waived his right to counsel and invoked his right to represent himself.[1] His request was granted. Davis litigated multiple pretrial motions regarding his pro se status, including requests for stand-by

[1] Davis had at least twice before represented himself against a felony charge in superior courts in Washington and, in one of those cases, he claimed on appeal that he should not have been allowed to go pro se. *State v. Davis*, No. 48183-9-II, 2016 WL 7217260 (Wash. Court of Appeals, Div. II, December 13, 2016).

counsel, but his requests were denied by several judges. *Washington v. Davis*, 461 P.3d 1204, 1206 (Wash. 2020).[2]

II. DAVIS VOLUNTARILY CHOSE TO LEAVE TRIAL FOR A SHORT PERIOD OF TIME.

On February 27, 2017, Davis's case was assigned for trial to the courtroom of the Honorable Lori K. Smith. Judge Smith agreed with Davis that he should be given a break each hour to use the bathroom and deal with medical issues. Davis agreed that this schedule would meet his needs. Later that day, Judge Smith denied Davis's motion to continue trial. Davis became frustrated and told the court that he would withdraw from the case and, "You'll go to trial without me." *Davis*, 461 P.3d 1204, 1206-07. When the court tried to proceed, Davis said again, "You just go to trial without me." He illustrated that he expected trial to continue without him and without representation, saying, "So, you guys can hold trial without me. Right? You do that? ... Because I'm not coming. ... It'll last for an hour and you guys can be done with it. And do what you do." *Davis*, 461 P.3d at 1207. Judge Smith recused herself at the end of the day after she discovered Davis was related to her friend. *Id.*

The case was re-assigned to the Honorable Julie Spector on February 28, 2017, and Judge Spector read Judge Smith's rulings from the previous day. Judge Spector

[2] Davis has attached the lower court decisions to his petition, but those attachments are not separately paginated. Respondent will refer to those decisions using the regional reporter citations.

had dealt with Davis earlier in the case and had ruled on pro se and discovery issues. Davis also peppered Judge Spector with acrimonious motions related to his pro se status and expressed frustration when he did not prevail. Pretrial motions were litigated on March 1 and 2. When the court told Davis on March 2, that jury selection would begin Monday morning at 9 a.m., Davis said, "With or without me...I'm not going to be here."

Opening statements were delivered on March 7, and three witnesses testified over the course of the day. The trial court noticed that day that Davis had dramatically and strategically increased his intake of water over the course of the day so as to force frequent bathroom breaks. When Davis returned from a break at 3:10 in the afternoon, with only 50 minutes of court time left in the day, he saw that the trial court had removed his water pitcher. He became irate, swore at the judge ("F**k you Spector"), pounded the table, and screamed so loudly that he disrupted proceedings in adjacent courts. *Davis*, 461 P.3d at 1207. Davis's outbursts continued with swearing and shouting "at the top of his lungs" so the judge excused the jury. Davis screamed at the judge to hold the trial without him, "just go ahead with your kangaroo court" because he was "done with it," and he moved to exit the courtroom. Davis was in custody during trial and was in a wheelchair so he could not depart without assistance and permission from the corrections officers. When the defendant said "we're all done" and tried to leave, the court directed corrections officers to keep

him there so that they could proceed with the witness. *Davis*, at 1207. Davis continued to misbehave so the court excused the jury again and Davis appeared again to try to leave. Finally, the trial court found, "I'm going to find that you are voluntarily absenting yourself." The court told the corrections officers not to take Davis from the court until it had made a record, but Davis retorted, "I don't care about your record." The court then stated, "I need to proceed with the trial, and I am finding that he is voluntarily absenting himself from the rest of these proceedings." The court's written findings show that the defendant voluntarily absented himself. Pet. App. C. Davis did not assign error on appeal to this finding of fact. The trial court also made alternative findings justifying removal of Davis against his will, specifically, that he had deliberately and dramatically increased his water consumption as an excuse to take frequent breaks and thereby disrupt the proceedings at strategic times. The court found that this was done intentionally and tactically by the defendant in order to delay the proceedings. Pet. App. C.

After Davis was removed the witness completed his testimony and then another witness testified. At the end of the day, the court told the corrections officer to bring Davis back to court at 8:30 the next morning to see whether he wished to

attend the rest of the trial. The court instructed the prosecutor to prepare findings on voluntary departure pursuant to "State v. Garza."[3]

Davis was brought to court the next day and the court gave him another chance to attend trial. RP (3/8/17) 241. He seemed somewhat less voluble and, although he continued to interrupt and to make rude, sarcastic and inappropriate comments during the trial and closing arguments, he did not demand to leave nor was he removed. He was ultimately convicted as charged and then appealed.

III. DECISIONS BY THE COURT OF APPEALS AND THE WASHINGTON SUPREME COURT.

The principal controversy on appeal centered on a factual determination—whether Davis voluntarily departed from court or whether he was removed against his will. Davis conceded in the intermediate appellate court that an empty defense table would have been permissible if he had voluntarily departed. Brief of Appellant at 29 n.18 ("[C]ase law suggests that if a pro se defendant absents himself from trial on his or her own volition for example to make a political protest defense, then the trial court is not required to appoint counsel because it is a tactical choice that comes with the freedom to direct one's own defense.").

[3] *State v. Garza*, 77 P.3d 347 (Wash. 2003) is a decision affirming a trial court's ruling to proceed with trial when a defendant was voluntarily absent.

The court of appeals applied a test for voluntary departure usually applied where an out-of-custody defendant leaves court one day and fails to return the next. The court held that Davis had not voluntarily departed. *State v. Davis*, 429 P.3d 534, 540-41 (Wash. COA 2018). However, the court of appeals agreed with Davis's concession that an empty defense table would be permissible if Davis had voluntarily departed. *Davis*, 429 P.3d at 543 n.6 ("We note that proceeding with trial in Davis's absence would not have been error if he had voluntarily absented himself."). The court of appeals ultimately concluded that Davis had been properly removed for misconduct, but it also held that the trial court should have considered alternatives that would have ameliorated the effect of his absence. *Davis*, 429 P.3d at 541-44.

The State petitioned the Washington Supreme Court for review as to the test for voluntariness and review was granted. In the Washington Supreme Court, the State argued that the court of appeals had applied the wrong standard to determine whether departure is voluntary and that the lower court had not considered the full record showing a voluntary departure. Davis conceded to the Washington Supreme Court, as he had in the court of appeals, that it would have been proper to proceed with an empty defense table if he had voluntarily absented himself.

> This is not to say a pro se defendant may not expressly waive his right to all representation or make a strategic choice to leave the defense table absent. In such cases, the adversarial process has not broken down because the empty defense table is actually the product of the defendant's self-representation. Thus, as unwise it may be to leave a

> defense table empty, the trial court must respect the pro se defendant's autonomous choices in how to present his defense. *Faretta v. California*, 422 U.S. 806, 834, 95 S. Ct. 2525, 2540, 45 L. Ed. 2d 562 (1975).

Supp. Brief of Respondent at 18 (citing *Clark v. Perez*, 510 F.3d 382 (2d Cir. 2008); *State v. Eddy*, 68 A.3d 1089 (R.I. 2013); *Thomas v. Carroll*, 581 F.3d 118, 124 n.3 (3d Cir. 2009)).

The Washington Supreme Court held that the court of appeals had applied the wrong test for voluntary departure. Using the proper test and considering the whole record, the Washington Supreme Court concluded that Davis had voluntarily departed trial and that, under such circumstances, the trial court did not have a duty to appoint counsel for Davis. *Davis*, 461 P.3d at 1211 ("The record shows that Davis wanted to leave the courtroom and the trial judge accommodated him."). The Washington Supreme Court did not, as Davis suggests, hold that a trial court may order a defendant removed based on *misconduct* and thereafter leave the defense table empty. Rather, the court expressly held that Davis chose to leave; he was not removed. *Id.* ("…what distinguishes Davis's case from other disruptive defendants is, as our standard of review indicates, voluntariness… [ ] the court need only answer one question: whether the defendant's absence is voluntary.").

That narrow scope of the Washington Supreme Court's decision is evident throughout. The Court repeatedly held that that the trial court did not err in finding

that "Davis waived his right to be present at trial by *voluntarily* absenting himself from trial." *Davis*, 461 P.3d at 1208 (emphasis added).

> In this case, Davis did not follow through on his threats to leave—until he did. He was aware of his right to be present; the trial court emphasized the importance of his presence, gave a warning that his conduct would result in a waiver, and invited the defendant to reassert his right to be present whenever he wished to do so. "A person in custody, as any person, can *voluntarily choose* to be absent." … *As Davis did here*.

Davis, 461 P.3d at 1209 n.3 (emphasis added, internal citation omitted).

> … Davis did not ask to stay—indeed, he asked repeatedly to leave the courtroom.

Davis, 461 P.3d at 1209 n.4.

> Far from expressing this desire only once in an angry tirade, Davis stated numerous times that he did not plan to be at court and that he wanted to leave.

Davis, 461 P.3d at 1210.

> Involuntary removal constitutes removal against one's will. But as the record indicates, *the defendant here was not removed involuntarily—his removal was purely voluntary*. Davis asked to leave the court, and the trial judge granted his request. Disorderly behavior and consistent requests to leave the courtroom demonstrate that Davis waived his right to be present. We note that while disruptive behavior alone may justify removal, here, Davis's insistence throughout trial that he did not wish to be there, wanted to leave, and indeed at one point physically moved to leave, as well as his disruptive behavior, demonstrates Davis *voluntarily and knowingly left the courtroom*, waiving his right to be present.

Davis, 461 P.3d at 1210 (emphasis added).

> But here, Davis expressed his desire to leave the proceedings himself, and the judge allowed him to do so. Thus, *what distinguishes Davis's case from other disruptive defendants is, as our standard of review indicates, voluntariness*.

Davis, 461 P.3d at 1211 (emphasis added).

> But as we have previously explained, *Davis was not removed; he left the courtroom voluntarily*. Similar to *DeWeese*, the trial judge here told Davis that he still had witnesses to cross-examine, yet Davis stated he wanted to leave the courtroom. As we stated in *DeWeese*, the right to waive counsel does not include a right to be immune from the consequences of self-representation. … Davis knew court would continue without him and nonetheless insisted on leaving.

Davis, 461 P.3d at 1211 n. 6 (emphasis added).

> Davis repeatedly stated that he did not want to be in court, that he was done, and that he wished to leave. Coupled with his disruptive outbursts that culminated in an abusive shouting match with the trial court, *Davis obtained what he consistently told the court he wanted: leaving the proceedings*. We hold that Davis waived his right to be present at trial.

Davis, at 1211-12 (emphasis added).

REASONS FOR DENYING PETITION

I. THIS CASE DOES NOT PRESENT THE QUESTION RAISED IN DAVIS'S PETITION.

Davis claims that this case presents an important federal question as to when a trial may proceed with an empty defense table after "a pro se defendant is either removed *or* absents himself from the courtroom." Pet. at 2 (emphasis added). He asserts that the answer to "this question" is unsettled and has resulted in divergent

and conflicting opinions from federal and state courts. *Id.* But "this question," as Davis calls it, is really two questions: 1) when can trial continue without counsel after the defendant has *chosen* to leave his own trial; and 2) when can trial continue without counsel after the defendant has been *involuntarily* ejected from trial? The Washington Supreme Court decided only the first question, not the second.

The Washington Supreme Court very clearly held that the trial court did not abuse its discretion in concluding that Davis had voluntarily chosen to leave his own trial. A trial court's decision that a defendant has voluntarily departed is subject to review only for an abuse of discretion. *State v. Garza*, 77 P.3d 347, 349-50 (Wash. 2003). There is no legal controversy over such a fact-bound decision. Nor was there any legal controversy before the court in this case as to whether appointment of counsel was constitutionally required, because Davis conceded on appeal that an empty table after a voluntary absence is a consequence of the defendant's autonomous decision to depart, a right protected by *Faretta*. *See* Brief of Appellant [Court of Appeals] at 29 n.18; Supp. Brief of Respondent [Supreme Court] at 18; and Pet. at 17 (acknowledging that a pro se litigant's decision to leave "is actually the product of the defendant's self-representation."). Because Davis never contested this issue below, the Washington Supreme Court never fully explored it. The court simply held that the trial court had not abused its discretion in concluding that Davis had voluntarily departed.

Moreover, the Washington Supreme Court never reached the second part of what Davis now frames as a single question – whether trial may proceed with an empty defense table after a defendant has been ejected. The Washington Supreme Court did not need to resolve that very different issue once it concluded that Davis had voluntarily departed.

Recognizing that the Washington Supreme Court's decision did not really conflate two independent factual predicates – voluntary departure versus involuntary removal – as Davis does in his petition, Davis shifts later in his petition to a deeper mischaracterization of the Washington Supreme Court's holding.

> In petitioner's case, the Washington Supreme Court has taken a new, and arguably more extreme, approach regarding when it is constitutionally acceptable to proceed with an empty defense table in a criminal proceeding. … Recasting Davis's involuntary removal as a "voluntary absence," the majority essentially hold that a pro se defendant may waive his right to representation and provoke an empty defense table when, in an irate outburst, he screams, "You can hold your trial without me."

Pet. at 20 (internal citations omitted). This assertion treats the lower court's holding as inferring a "voluntary" waiver from misconduct. This is an incorrect characterization of the decision below. The Washington Supreme Court did not "recast" an involuntary removal as a voluntary absence. Nor did the court "essentially hold" that departure can be shown based on a lone comment in a single outburst. Rather, the court carefully reviewed Davis's conduct and statements

towards two judges over at least four trial court days, and concluded that when Davis demanded to and physically tried to leave court, it was reasonable for the trial court judge to interpret his statements, in context of the whole trial, as a voluntary departure. *Davis*, 461 P.3d at 1210 ("Far from expressing this desire only once in an angry tirade, Davis stated numerous times that he did not plan to be at court and that he wanted to leave."); 1209 n.4 ("…Davis … asked repeatedly to leave the courtroom."); 1210 ("Davis voluntarily and knowingly left the courtroom, waiving his right to be present."). This is essentially a factual determination that the trial court was right when it concluded that Davis *wanted* to leave. It is not a conclusion that Davis can be *deemed* to have waived his right to presence by misconduct.

This Court should not grant certiorari simply to disagree with the Washington Supreme Court's affirmance of the trial court's factual determination that Davis voluntarily departed his own trial. Nor should this Court grant certiorari on the constitutionality of proceeding with an empty defense table after a defendant's voluntary departure, where the state court never fully explored that issue because Davis conceded it.

II. THERE IS NO SPLIT OF AUTHORITY ON THE QUESTION THE WASHINGTON SUPREME COURT ACTUALLY DECIDED – WHETHER VOLUNTARY DEPARTURE TRIGGERS A RIGHT TO COUNSEL.

There is no true split of authority in appellate courts over whether a defendant may exercise his *Faretta* rights by abandoning trial, even if that means trial will proceed with an empty defense table. Davis cites a small handful of cases where courts have held — like the Washington Supreme Court here — that a lawyer need not be appointed after a defendant voluntarily departs from his trial. Pet. at 17-19 (citing *Clark v. Perez*, 510 F.3d 382 (2d Cir. 2008), *cert. denied*, 555 U.S. 823 (2008); *Torres v. United States*, 140 F.3d 392, 402 (2d. Cir. 1998); *State v. Eddy*, 68 A.3d 1089, 1096-97 (R.I. 2013); *State v. DeWeese*, 816 P.2d 1 (Wash. 1991)). These cases hold that counsel need not be appointed once a pro se defendant has chosen to depart his own trial. The decisions uniformly reason that an autonomous pro se defendant can choose to defend however he wants, even if that means, effectively, presenting no defense. There is simply no meaningful conflict in the appellate courts on this point.

The lone divergent voice comes from *Thomas v. Carroll*, 581 F.3d 118, 126 (3d Cir. 2009). In that case, the Third Circuit rejected a habeas corpus petition claiming the trial court should have appointed counsel for pro se defendant who departed his trial. The court indicated in dicta that it might have decided the case differently on direct review. A few published decisions have in the past ten years cited *Thomas*, but

only to distinguish the case or to cite it for a different proposition. Not a single court has held that stand-by counsel must be appointed.

It is not surprising that there are few decisions and no direct conflict on this issue. The constitutional right to be present at trial may be waived, provided the waiver is voluntary and knowing. *Johnson v. Zerbst*, 304 U.S. 458, 464 (1938). A voluntary absence after trial has begun operates as a waiver of the right to be present. *Taylor v. United States*, 414 U.S. 17, 19-20 (1973) (per curiam). *Crosby v. United States*, 506 U.S. 255 (1993) (Federal Rule of Criminal Procedure 43 treats midtrial flight as a knowing and voluntary waiver of the right to be present); *Diaz v. United States,* 223 U.S. 442, 455 (1912); *State v. Rice*, 757 P.2d 889 (Wash. 1988), *cert. denied*, 491 U.S. 910 (1989); *People v. Espinoza*, 373 P.3d 456, 465 (Cal. Supreme Court 2016). If a waiver of presence may be inferred from flight, it can certainly be discerned from the defendant's live demands to depart, as occurred here, especially where such demands followed a pattern of similar assertions and where the record makes clear the defendant knew trial would continue in his absence.

There is no pressing need to grant certiorari on an issue that occurs so infrequently, upon which there is no true division of authority, and where the petitioner conceded in the court below that appointment of counsel was not legally compelled.

In an effort to show a "split" of authority, Davis relies on a string of cases where a pro se defendant was ejected from court against his will. *United States v. Ductan*, 800 F.3d 642, 654 (4th Cir. 2015); *United States v. Mack*, 362 F.3d 597, 601 (9th Cir. 2004); *Commonwealth v. Tejada*, 188 A.3d 1288, 1290-92 (Pa. Super. 2018); *People v. Ramos*, 210 Cal.Rptr.3d 242, 907 n.5 (2016); *State v. Menefee*, 341 P.3d 229, 244-47 (2014); *People v. Cohn*, 160 P.3d 336, 343 (Colo. App. 2007); *Saunders v. State*, 721 S.W.2d 359, 363 (Tex. Ct. App. 1986); *People v. Carroll*, 189 Cal.Rptr. 327 (1983).

This Court has authorized courts to remove contumacious and defiant defendants. *Illinois v. Allen*, 397 U.S. 337, 343 (1970). And, there does indeed arise a difficult question as to what should happen after a defendant is removed. But the court's removal of a pro se defendant for misconduct is fundamentally different from that defendant choosing to depart court of his own free will, whether for political reasons, strategic reasons, personal reasons, disdain, frustration, anger or apathy. Davis's argument obscures this critical factual and legal distinction between the cases he cites, and this one. Voluntary departure is an exercise of autonomy consistent with the autonomy protected in *Faretta*. But, of course, when a defendant is removed from court against his will, he is not exercising his will to leave—his will to remain is overborn. Proceeding with trial after *removal* is not so clearly authorized based on *Faretta*. The Washington Supreme Court was well-aware of this distinction. *Davis*, 461 P.3d at 1211 ("If the trial judge had made the decision to involuntarily remove

Davis based on his disruptive behavior, the right to be present requires the trial court to consider less restrictive alternatives … But here, Davis expressed his desire to leave the proceedings himself, and the judge allowed him to do so.").

Davis then compares the decision below to *State v. Lacey*, 431 P.3d 400 (Or. 2018). The comparison is inapt. First, the defendant in *Lacey* was removed against his will; he did not volunteer to leave. *Lacey,* 431 P.3d at 403. Second, the Oregon Supreme Court held that Lacey's deliberate provocations were *tantamount* to removing himself from court and showed "a knowing and voluntary choice to leave [the defense table] empty." *Id.* at 408-09. The Oregon court held that leaving the defense table empty was permissible because Lacey had been warned that trial could continue without him or a lawyer. But the court did not conclude, as the Washington Supreme Court concluded here, that Lacey *wanted* to leave. The Washington Supreme Court did not need to conclude that Davis's removal was *tantamount* to a waiver of rights, because Davis asked to leave, he physically tried to leave, and then the court allowed him to exit. *Davis*, 461 P.3d at 1211.

On the point raised in Davis's petition – whether a trial may continue with an empty defense table when a defendant is removed from court – appellate courts are, indeed, divided to some extent. But disagreement on this point puts in stark relief the *lack* of disagreement on the question actually presented in this case. There is simply no split of authority on the question presented. To squarely rule on that

question, this Court would have to reject the factual finding of voluntary absence by the Washington Supreme Court, and the express finding by trial court judge who witnessed firsthand the sequence of events.

III. DAVIS ABANDONED ANY CLAIM THAT STAND-BY COUNSEL WAS IMPROPERLY DENIED.

Davis attempts in his petition to revive an issue he abandoned below. He argues that the trial court should have authorized stand-by counsel who could have taken over if Davis was ejected. Pet. at 9-11. The state court of appeals rejected that argument and held that Davis's request for stand-by counsel had been properly considered and rejected. *Davis*, 429 P.3d at 539-40. Under the Washington rules of appellate procedure, the scope of review in the state supreme court is limited to the issues raised in the petition for review and the answer to the petition. Wash. Rule of App. Proc. 13.4(d); *State v. Cardenas*, 47 P.3d 127, 130 (Wash. 2002). Davis never cross-petitioned on this issue, so it was beyond the scope of review, and the Washington Supreme Court therefore never addressed it.

Moreover, Davis does not cite a single case that holds that a trial court must appoint stand-by counsel for a pro se defendant as a precaution against the defendant's voluntary departure. The cases he cites either recommend the practice or involve dicta in the context of a holding regarding contempt proceedings. *See United States v. Ductan*, 800 F.3d 642, 654 (4th Cir. 2015) (erroneous deprivation of

right to counsel); *United States v. Pina*, 844 F.2d 1, 15 (1st Cir. 1988) (whether the trial court should have presided over contempt proceedings). This is a thorny issue in its own right. *See* Anne Bowen Poulin, *Ethical Guidance for Stand-by Counsel in Criminal Cases: A Far Cry From Counsel?*, 50 Am. Crim. L. Rev. 211, 212 (2013). Given that the issue was beyond the scope of review below and was, therefore, not addressed by the Washington Supreme Court, it presents no additional reason to grant certiorari. Indeed, it is another reason this case is a poor vehicle to reach the claim raised in Davis's petition.

CONCLUSION

The petition for a writ of certiorari should be denied.

DATED this 22nd day of October, 2020.

Respectfully submitted,

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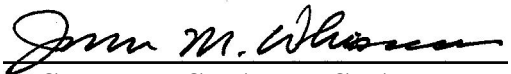
By: 
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