


STATE OF MISSOURI)
)ss
COUNTY OF CLAY)

AFFIDAVIT

COMES NOW, Robert G. Duncan, Attorney at Law and having been first duly sworn upon his oath, states as follows to who it may concern:

1. I, Robert G. Duncan, Attorney at Law, state that I was Kenneth G. Middleton's criminal defense attorney, on First Degree Murder and Armed Criminal Action, from his first Court appearance, during arraignment on March 29, 1990, through suppression hearing held on February 15, 1991, through trial that started on February 19, 1991, and sentencing on April 5, 1991. Dr. John Overman's testimony was taken in the form of a deposition and then that deposition was read during the trial. Other than that I took no statements and/or deposition of any witness or potential witness in this case prior to trial. I did not have any physical evidence in this case examined by a forensic expert other than to speak to a gun expert about the gun but did not have him examine the gun.


Robert G. Duncan #17044
2800 B Kendallwood Parkway
Kansas City, Missouri 64119
(816) 455-0555
Fax: (816) 455-1685

Subscribed and sworn to before me, the undersigned Notary Public in and for said County and State, this 11 day of January, 1995.


Notary Public

My Commission Expires:

AMY L LEETH
NOTARY PUBLIC STATE OF MISSOURI
CLAY COUNTY
MY COMMISSION EXPI. JAN. 23, 1998

Exhibit "9"