


STATE OF MISSOURI)
) ss.
COUNTY OF CLAY)

AFFIDAVIT

COMES NOW, Robert G. Duncan, Attorney at Law, and having been first duly sworn upon my oath, states:

I, Robert G. Duncan, Attorney at Law, state that I was Kenneth G. Middleton's defense attorney on charges of First Degree Murder and Armed Criminal Action, and at the following Court appearances, arraignment on March 29, 1990, suppression hearing on February 15, 1991, trial that started on February 19, 1991, and sentencing on April 5, 1991. Mr. Middleton requested that I depose the State's witnesses, including firemen, paramedics, police, Detective Dave Link, and Sgt. Jeff Rogers, that were at his house on February 12, 1990, and other possible witnesses including Michelle Brockman, and Kenneth E. Deatherage, the owner of Central Vacs Etc., located at 1212 N. Woods Chapel Road, Blue Springs, Missouri, that was allegedly the last person to have a conversation with the Defendant, before the tragedy happened. Additionally, Mr. Middleton requested I obtain copies of all records from each hospital that he was taken to on February 12, 1990.


Robert G. Duncan #17044
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Kansas City, Missouri 64119
(816) 455-0555
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Subscribed and sworn to before me, the undersigned Notary Public in and for said County and State, this 26th day of January, 1995.


Notary Public

AMYL LEETH
NOTARY PUBLIC STATE OF MISSOURI
CLAY COUNTY
MY COMMISSION EXP. JAN. 27, 1998

My Commission Expires:

Exhibit "10"