

INDEX

Certificate of Counsel1 to 9

Questions Presented2

Statement of the Case.....3 - 4

Arguments 5 - 8

1. THE COURT OF APPEALS SHOULD HAVE HELD THAT THIS ACTION IS
BARRED BY RES JUDICATA9

2. PETITIONER DID TIMELY OBJECT TO THE TRIAL JUDGE'S
ERRONEOUS CHARGE ON THE BURDEN OF PROOF9

Conclusion9