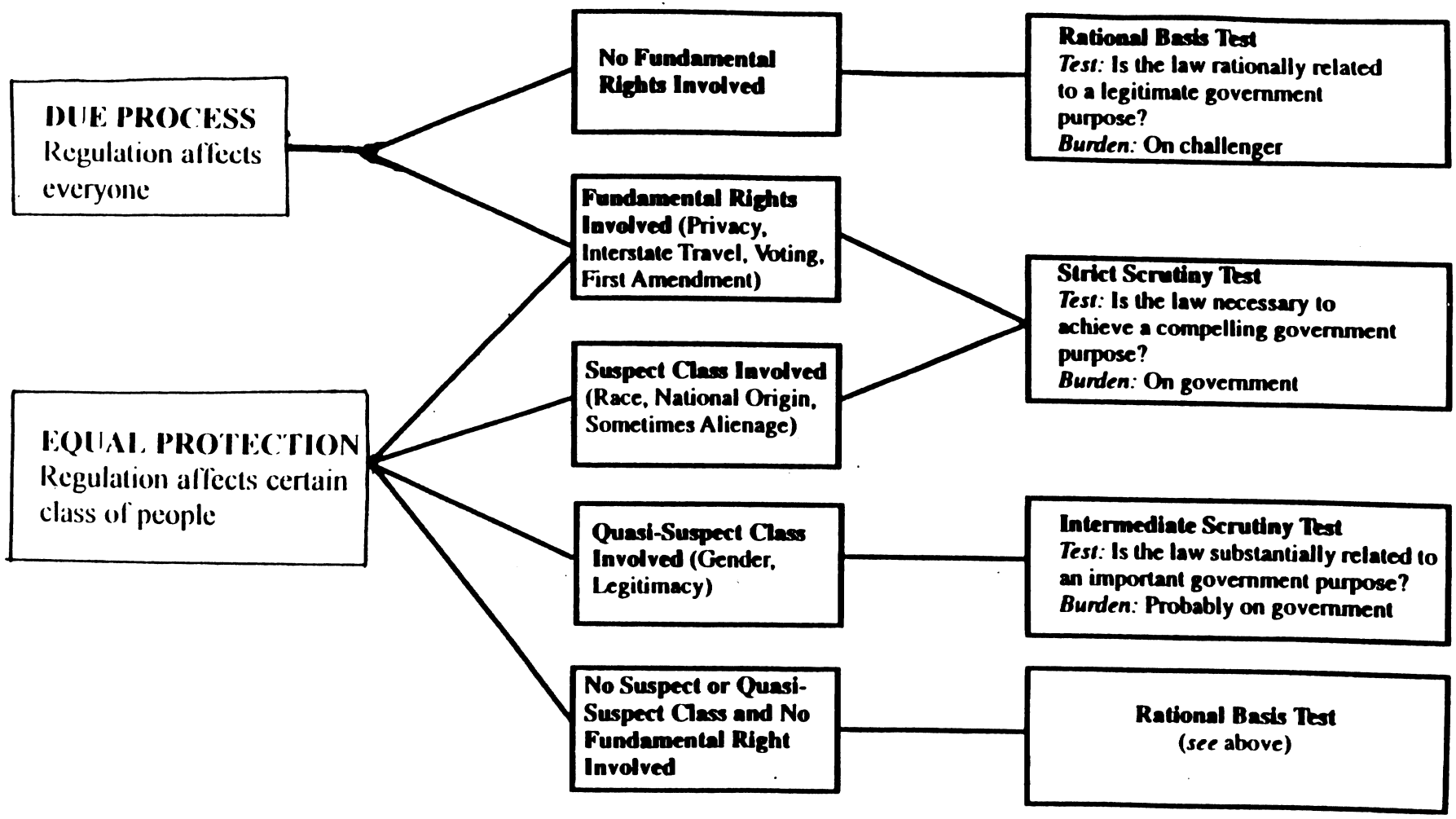SUBSTANTIVE DUE PROCESS OR EQUAL PROTECTION QUESTIONS