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WEDNESDAY

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Testimony begins in murder trial

By **STEVE REAGAN**
Staff Writer

Prosecutors spent most of the first day of Michael Harbert's murder trial painting a picture of events that led to the shooting death of former Big Spring High School track great Tory Mitchell.

The trial of Harbert, who stands accused of murdering

Mitchell during the early morning hours of Dec. 24, began Tuesday morning in 118th District Court in Big Spring.

Early testimony Tuesday dealt mostly with forensics, with the most dramatic evidence being presented by Lubbock pathologist Dr. Thomas Parson.

Dr. Parson, of Texas Tech University, testified that

Mitchell died from three .357-caliber gunshot wounds to the back, all of which were considered "contact wounds," meaning they were fired at extremely close range.

"On two of the wounds, the muzzle was pressed against (Mitchell's) back, and the other shot was fired from within an inch," said Hardy L. Wilkerson, 118th District Attorney.

The most compelling testimony, however, came during the afternoon session of the trial. At that time, witnesses described details leading up to the shooting.

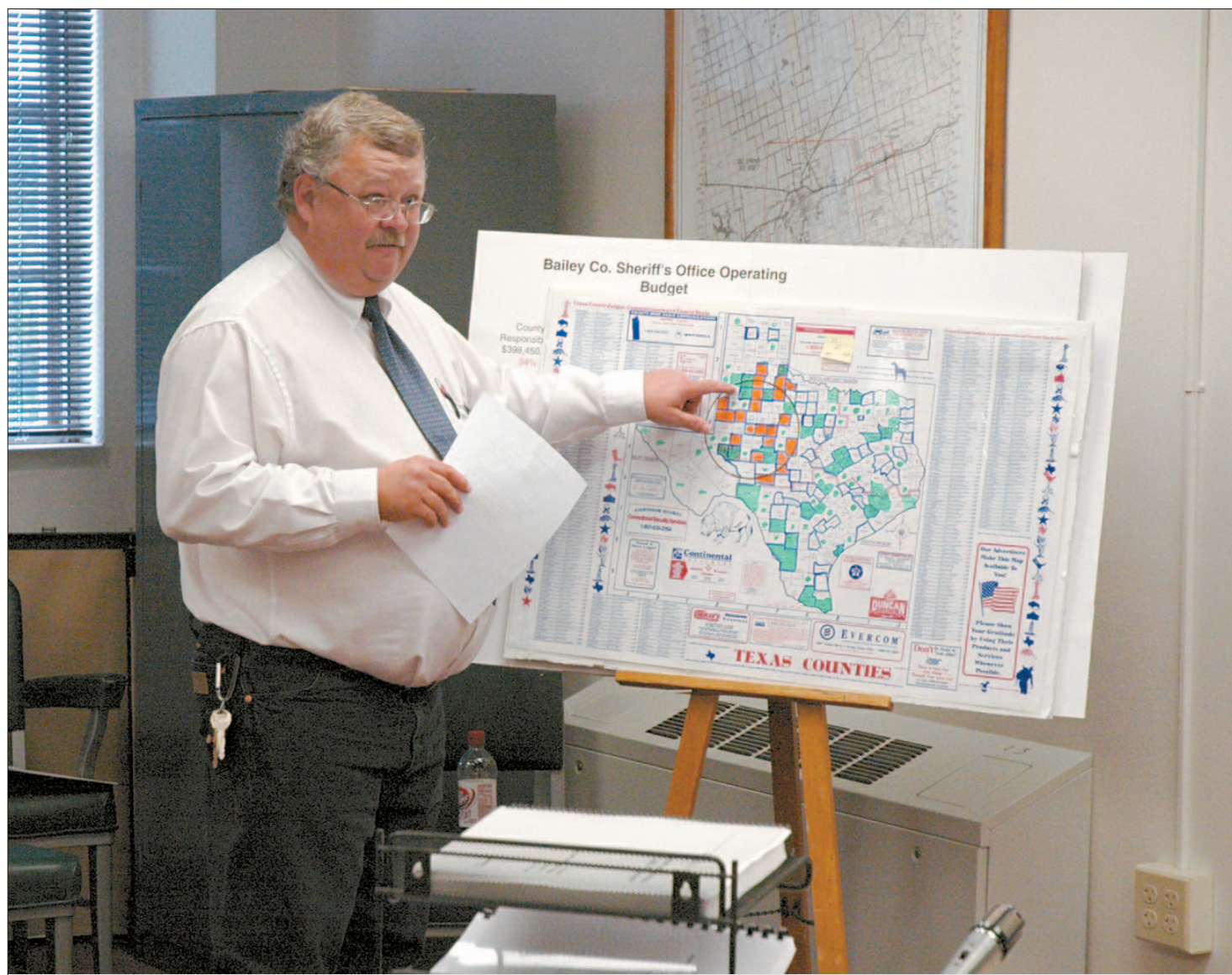
The prosecution formed the outlines of a motive toward the shooting when they presented two witnesses — Misty Clayton and Marcello Williams — who testified of an altercation

between Harbert and Mitchell the evening of Dec. 23.

Mitchell, Clayton and Williams traveled to Midland that day to do some Christmas shopping and, while inside a store at Midland Park Mall, Mitchell and Harbert exchanged heated words.

Williams said that during the

See **TRIAL**, Page 3A



Howard County Sheriff Dale Walker presents county commissioners with a map outlining the need — and supply — for contractual inmate housing among counties within a 200-mile radius of Big Spring.

Commissioners agree to tax rate above rollback

By **THOMAS JENKINS**
Staff Writer

Howard County taxpayers expecting a lower tax rate for 2007-2008 thanks to higher appraised values can think again, as commissioners agreed to move forward with a tax rate identical to last year.

Commissioners agreed to move forward with a proposed tax rate of 48.787 cents per \$100 valuation, a 6.38-cent increase over the proposed rollback rate of 42.3974 cents the court decided on last week.

The increase is expected to generate approximately \$700,000 in additional funding for the county over the rollback rate, which according to County Judge Mark Barr, will barely cover the recent shortfall caused by disputed tax appraisals from Alon USA, owner of the Big Spring Refinery.

"This will just cover that," said Barr. "This will give us \$1.2 million to operate on from October until the tax money begins coming in. It's not going to help with any of the other shortfalls we've had to look at during these budget sessions."

According to County Auditor Jackie Olson, public hearings on the tax rate will be slated for

Alon will sue over appraisal

By **THOMAS JENKINS**
Staff Writer

Already struggling with a budgetary shortfall expected to go into the millions over the next several years, Howard County commissioners will have to deal with less revenue than expected this fiscal year thanks to possible litigation with Alon USA, owner of the Big Spring Refinery.

The news was delivered to the court Tuesday morning by Brett McKibben, chief appraiser for the Howard County Appraisal District, who

Sept. 4 and Sept. 14, with final adoption of the rate expected Sept. 24.

Commissioners also decided to move forward with cutting a number of positions from the county roster during the meeting,

See **RATE**, Page 6A

Hays trial set to begin Thursday

By **THOMAS JENKINS**
Staff Writer

Testimony is expected to begin Thursday morning in the first-degree murder trial of a Big Spring man accused of killing a 20-year-old oil-field worker.

John Michael Hays, 50, of Big Spring was indicted

in April on a charge of first-degree murder for his role in the alleged murder of Roland David Dickinson, who's body was discovered in a ravine six miles north of Coahoma on Highway 820 in January.

Dickinson had lived in the Big Spring area for less than six months,

according to sheriff's reports, having moved to the area to work in the oilfield, where he was most recently employed by S&S Well Service.

Dickinson's body remained unidentified for more than a week before family members positively identified his remains. Howard County Sheriff

Dale Walker estimated the body had been at the location near Coahoma for three to four days before its discovery.

Preliminary autopsy results showed the cause of death to be blunt trauma to the head. The body, which was found clad

See **HAYS**, Page 8A

County hires consulting firm

By **THOMAS JENKINS**
Staff Writer

Howard County commissioners approved a \$160,000 contract with Port Arthur consulting firm Carl R. Griffith and Assoc. Tuesday afternoon in hopes of streamlining the design and operation of a new county jail facility.

The decision came a day after the firm, which the

county contracted with for a study to determine ways to speed up the criminal justice system for \$25,000, made it's final presentation to the court.

In addition to the criminal justice study, County Judge Mark Barr told commissioners in July the company was willing to act as a consultant on the design and construction of a new county jail at

the tune of 2 percent of the bond, which is expected to be put before voters in November.

Based on earlier construction estimates of just more than \$10 million for the proposed facility, Carl R. Griffith and Assoc. would have charged a fee of more than \$200,000.

"They have agreed to go with a flat rate," Barr told

commissioners. "If the bond doesn't pass, then they will just charge us for their time and travel expenses, letters, e-mails and such."

Barr said he's unsure how much "time and travel" could amount to if voters turn down the bond on election day.

"I wouldn't expect it to be more than \$10,000," said

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Sports

BIG SPRING HERALD

Do you have an interesting sports item or story idea? Call Jonathan Hull at 263-7331, Ext. 237. Email results to: sports@bigspringherald.com

Page 1B
Wednesday, August 22, 2007

IN BRIEF

Coahoma booster club meeting today

The Coahoma Athletic Booster Club will hold at meeting at 8:30 p.m. today in Coach Nichols' room at the high school.

They will be finalizing plans for the Meet the Bulldogs and homecoming.

All supporters of Coahoma athletics are encouraged to attend.

Contact Paula Buske at 816-4034 with any questions.

Big Spring Boxing Club seeking site

The Big Spring Boxing Club is seeking a building to be donated so that they can get started with their program.

Heavy bags, gloves, head gear and other equipment has already been donated, but the club needs a place to begin practices.

Any small facility will do for their start up.

Contact Willie Jenkins at 267-5822 or 264-0411.

Big Spring Jr. High equipment pick-up

Incoming Big Spring Junior High students wishing to participate in football for the upcoming season will need to pick up their equipment from 4 p.m. to 6 p.m. Thursday.

Call Kay Cook at 264-3662 with any questions.

Meet the Steers on Saturday

The Big Spring Quarterback Club will be hosting a Meet the Steers event at 6:30 p.m. Aug. 25 at Memorial Stadium.

The public is invited to get a first glimpse at this year's Steer football teams.

All players from junior high to varsity will be introduced.

Crossroads Youth Football sign-ups

The Crossroads Youth Football Association have begun their sign-ups for the 2007 season.

Registration will take place from 10 a.m. to 6 p.m. at the old Athletic Supply building in the Big Spring Mall on every Saturday during August.

Cost is \$40 for flag football and \$100 for tackle. Any cheerleaders who will not need a uniform can sign-up for \$35. The cost is \$100 is a new uniform is needed.

All children going into kindergarten through sixth grade can register.

For more information, contact Daphne Coates at 714-4688.

YMCA hosting skateboard contest

The fourth annual Summer Skateboard Contest will be held Thursday at the YMCA Skate Park.

The contest begins at 6:30 p.m. with participants able to register until 6 p.m.

The registration fee is \$8. Divisions of competition will be set up based on the number of entries.

Prizes will be awarded to first and second place winners.

See BRIEFS, Page 2B

Longhorns seek return to Big 12's top

By JIM VERTUNO

AP Sports Writer

AUSTIN — That national championship? Two seasons ago. Ditto the Big 12 title.

As good as the Texas Longhorns were for most of 2006, they crumbled at the end to finish 10-3 with no title and a return of the empty feeling that comes when a good team fails to be great.

Ah, but that's what always makes the start of a new season so enticing at Texas. So much talent, so much hype and such high expectations of champi-

onships.

Even coach Mack Brown has passed the point of settling for anything but perfection.

"It used to be we'd win 11 games and everyone was griping and I didn't understand," Brown said. "Now we don't win all the games and I'm the one griping."

Texas had its chances last season. The Longhorns were still in the national title hunt in November. Quarterback Colt McCoy was better than anyone expected, and the defense hung together despite giving up way too many big plays.

Then came a neck injury to

McCoy, a two-game losing skid and a fall to the Alamo Bowl. Texas beat Iowa in San Antonio, but the hated Oklahoma Sooners won the Big 12.

"It was really frustrating because the two teams in the Big 12 championship were teams that we beat," McCoy said, also referring to Nebraska. "It really didn't make sense to us."

McCoy is a big reason the Longhorns are favored to win the South Division. He tied the NCAA freshman record for touchdown passes with 29, and all of his top targets return. The leader among them is senior

receiver Limas Sweed, who tied a school record with 12 TD catches last season.

"All the veterans, every one of our skill position guys are back," McCoy said. "We didn't lose anybody. They can only be better than last year."

The biggest question is the offensive line, where Texas must replace three starters. The running game dropped off sharply last season as Texas failed to produce a 1,000-yard rusher for the first time since 1994.

See TEXAS, Page 2B

Steers ready for second scrimmage against Pampa



Big Spring's Justin Amaro breaks away for a nice gain during the Steers scrimmage with Wichita Falls Hirschi Saturday at Shotwell Stadium in Abilene. The Steers will play their second scrimmage Saturday against Pampa's Harvesters in Lubbock.

HERALD photo/Ken Hollandsworth

Orioles top Rangers, 6-2

By DAVID GINSBURG

AP Sports Writer

BALTIMORE — There was no fist-pump, no leap for joy. When Erik Bedard fired a third strike past Jarrod Saltalamacchia to end the seventh inning and tie the Baltimore Orioles' single-season record for strikeouts, the only emotion he felt was relief.

"Just to get the last out of that inning was the key, pretty much," the left-hander said.

Bedard struck out 11 in seven innings to win his ninth straight decision, and the Baltimore Orioles got home runs from Miguel Tejada and Aubrey Huff in a 6-2 victory over the Texas Rangers on Tuesday night.

Bedard (13-4) increased his AL-leading strikeout total to 218, matching Mike Mussina's club record in 1997. The only runs he allowed came in the seventh, immediately closing out his performance by striking out Saltalamacchia.

"It feels good, just to be in the same category as Mike Mussina," the soft-spoken Bedard said.

Bedard didn't know he was in such lofty company until catcher Ramon Hernandez handed him the ball.

"It looked like he was trying to hurry up and get it over with," Orioles manager Dave Trembley said. "Knowing him as I know him, it's probably

See RANGERS, Page 2B

Cowboys' Johnson ready to step in if needed

By STEPHEN HAWKINS

AP Sports Writer

IRVING — Brad Johnson offers a deadpan response when asked about the generation gap between himself and Tony Romo, already a Pro Bowl quarterback without even starting a full season.

"I think I'm a very young guy myself," said the 38-year-old Johnson, whose 16th NFL season will be as Romo's backup with the Dallas Cowboys.

Johnson then starts talking about Warren Moon, his teammate for three seasons in the mid-1990s with the Minnesota Vikings and a nine-time Pro Bowler last selected at age 41, three years before Moon played his final NFL game.

Listen long enough and it becomes obvious that Johnson, who won a Super Bowl as Tampa Bay's starter in 2002, is being sarcastic about being young.

But while Johnson already has a well-earned reputation with the Cowboys of keeping things light — from his dry sense of humor and easygoing demeanor to pulling a penalty flag out of his pocket during practice when a referee blew a whistle — it is also clear he has no doubts in his

ability and is ready to play in Dallas.

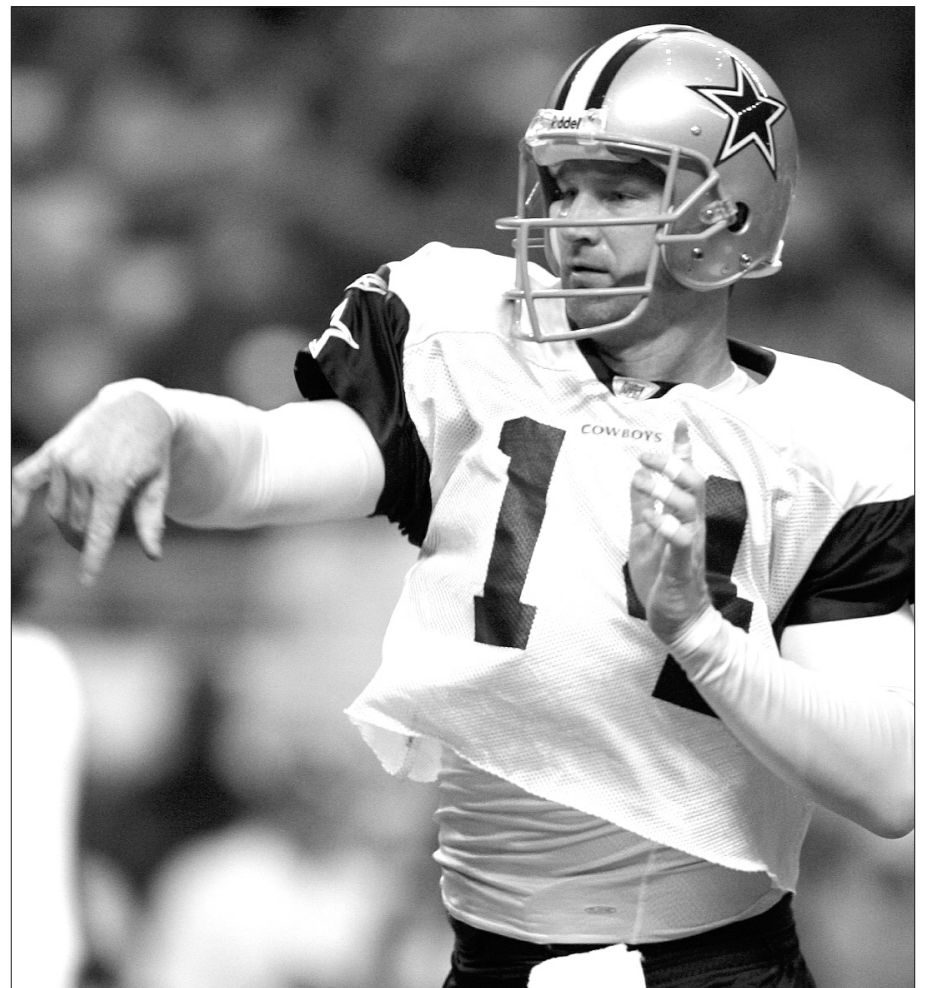
"My role doesn't change. The way I prepare doesn't change a bit," Johnson said Tuesday. "I was in a situation in '96 where I came in and played. In '98, I got hurt. Those things happen. ... Two years ago, people didn't ever think I would play in Minnesota."

Johnson became a starter for the first time in 1996 when Moon got hurt, and started the first 13 games 1997 before his own season-ending neck injury. He was limited to four games in 1998 because of injuries before he was traded to Washington and spent two seasons.

After losing his starting role at Tampa Bay early in the 2004 season, Johnson revived his career when he returned to the Vikings.

Johnson became the Minnesota starter again in 2005 after Daunte Culpepper's knee injury, and led the Vikings to a 7-2 record before they missed the playoffs at 9-7. Johnson started the first 14 games last year for the Vikings before rookie Tarvaris Jackson took over the final two of a 6-10 season.

See JOHNSON, Page 2B



MCT photo/Ron T. Ennis/Fort Worth Star-Telegram

Dallas Cowboys quarterback Brad Johnson releases a pass during drills at training camp in San Antonio, Aug. 5.

Obituaries

Police blotter

Lorene Massey



Lorene Massey, 86, of New Braunfels, formerly of Big Spring, died Sunday, Aug. 19, 2007, in New Braunfels. Funeral services will be at 10 a.m. Thursday, Aug. 23, 2007, at Myers & Smith Chapel with the Rev. Wayne Ogelsby of Abilene officiating. Burial will be at Trinity Memorial Park. The family will receive friends from 6 p.m. until 7:30 p.m. Wednesday at Myers & Smith Funeral Home.

She was born April 12, 1921, in Locker, Texas, to Myrtle and James Currie. She married Leon Massey, April 23, 1938, in Blanket. They came to Howard County in 1947. He preceded her in death on Aug. 13, 2003. She was a licensed vocational nurse, having worked a number of years at Hall-Bennett Memorial Hospital. Her hobby was quilting. She was a member of College Baptist Church.

She is survived by one son, Vernon Massey and his wife, Elena, of Kingwood; one daughter, Faye Boydson of San Marcos; three granddaughters, Cheryl Stiles and her husband, John, of McQueeney, Kristin McNeely and her husband, Keith, of Missouri City and Shannon Ponthier and her husband, Graig, of San Antonio; eight great-grandchildren, Chandler and Peyton McNeely, Rylan, Kaitlyn, Layne and Grayson Ponthier and Hunter and Garrett Stiles; four brothers, J.T. Currie of Alice, Job Currie of Victoria, J.W. Currie of Houston and Gilbert Currie of Brady; and one sister, Ida Mae Isom of Blanket.

In addition to her parents and husband, she was preceded in death by one brother and four sisters.

Pallbearers will be Johnnie Rawls, Owen Rawls, James Rawls, Ernest Massey, Richard Rowden and Gary Massey. Honorary pallbearers will be Ken Paurm and Ronnie Passmore.

Arrangements are by Myers & Smith Funeral Home. Pay your respects online at www.myersandsmith.com

Paid obituary

Haley Ann Seay

Funeral services for Haley Ann Seay, 16, of Bellville were held Saturday, Aug. 11, 2007, at 1 p.m. at Bellville United Methodist Church in Bellville with the Rev. Robert Stutes officiating. Interment followed in Oak Knoll Cemetery in Bellville.

She died in a traffic accident Wednesday, Aug. 8, 2007, in Bellville.

Born in Houston, Haley was the daughter of Wesley Seay and Paula Griffith. She was raised in Bellville and was currently attending Bellville High School where she was a straight A student. Haley was a member of the National Honor Society in junior high, Crime Stoppers, Bellville Young Life and Bellville United Methodist Church.

Haley is survived by her father, Wes Seay, formerly of Big Spring, and step-mother Tami Seay of Bellville; mother and step-father, Paula and Tom Griffith of Kenney; grandparents, Paul and Flo White of Conroe and Patricia Baxter Patton of Comanche; brother, William Seay of Huntsville; sisters, Amber Whitehead of Houston and Cara Grausam and husband Geno of Houston; and numerous aunts, uncles, cousins and friends. She was preceded in death by her grandfather, George Edward "Tuffy" Seay III of Big Spring.

Memorial contributions may be made to Bellville Young Life, P.O. Box 584, Bellville 77418 and Brenham Library.

Services were under the direction of Knesek Family Funeral Chapels in Bellville.

Antonia Cruz Terrazas



Antonia "Tona" Cruz Terrazas, 80, died Monday, Aug. 20, 2007, at her residence in Midland. Mass took place under the services of Fr. Frank Chavez at Our Lady of San Juan, where she was a parishioner. Interment followed at Serenity Memorial Gardens Cemetery.

Tona was born to Nicholas and Susanna Cruz in Big Spring on Nov. 19, 1926, where she was educated and raised. She married Fred R. Terrazas Sr. on June 23, 1942.

She was preceded in death by a son, Raymond Terrazas, in 2005, and a grandson.

She is survived by Fred "Lucky" and Marta Terrazas Jr. of Lovington, N.M., Mrs. Raymond Terrazas, Nick and Adela Terrazas, Albert and Mary Terrazas, Pascual and Yolanda Martinez, Lupe and JoAnn Perez, and Raymond and Linda Flores, all of Midland; 23 grandchildren; 38 great-grandchildren; and three great-great-grandchildren.

Services were under the direction of Pipkin Funeral Home. Family messages and condolences may be e-mailed to pipkin@nts-online.net

Ruth Forester Kiser

Ruth Forester Kiser, born June 12, 1920, in Knott, passed away at the age of 87 in Houston after a lengthy battle with Alzheimer's disease. She married Clyde A. Kiser on Aug. 8, 1947. She moved to Hobbs, N.M., with her husband and their two children in 1964. She was a full-time mother and enjoyed bowling, playing bridge and sewing.

She is survived by her husband, Clyde; son, Keith Kiser and wife, Loretta; her daughter, Sheila McCormick and husband, Blake; four grandchildren; and two great-grandchildren.

Funeral services were held at 10 a.m. Monday, Aug. 20, 2007, at Niday Funeral Home in Houston. Interment was at the Houston National Cemetery.

The family suggests donations be made to the Alzheimer's Association or the American Diabetes Association.

Correction

In the Monday edition of the Big Spring Herald, 410 Davis Road was listed as the address of record for Maria C. Hernandez, a 21-year-old woman arrested Sunday morning. According to police officials, Hernandez's address of record should have appeared on the department's media report as Hobbs, N.M.

James Wyatt Cowan



James Wyatt Cowan, M.D., FACS, DABU, died at his home in Houston on Monday, Aug. 20, 2007. He was 70 years old.

Dr. Cowan was born Dec. 17, 1936, in Dublin, Texas, to Ina Vaye Hodges Cowan and James Samuel Cowan.

Dr. Cowan was a beloved physician in Big Spring and Stephenville for many years and will be remembered by his family, friends and patients as a loving, compassionate man. His generosity of spirit and cheery sense of humor were apparent to all who met him. Dr. Cowan never met a stranger. Although he was accomplished in so many ways, he was most of all humble. He loved God, his church, his country, his family and friends. He was loyal and true friend to many.

Although a serious man, he had a wonderful, magical laugh and his sense of humor carried him and those around him through many difficult times.

After graduating from Dublin High School in 1955, he left his birthplace to pursue his education at The University of Texas at Austin. He married Gaye Ann Harbin, also of Dublin, May 31, 1957, and the pair continued to attend school in Austin.

After graduation from the University of Texas with a bachelor of arts degree in chemistry in 1958, he attended the University of Texas Southwestern School of Medicine in Dallas, graduating with a doctor of medicine degree in 1964. He completed his internship at John Peter Smith Hospital.

He served two years as a captain in the United States Army Medical Corps in Chicago from 1965 to 1967. Upon returning to Texas, he completed one year of general surgery residency at Baylor University Medical Center in Dallas. From 1968 to 1971 he practiced medicine at Stephenville Hospital and Clinic in Stephenville. Later, he finished his residency in urological surgery at The University of Texas Medical Branch, Galveston. Upon completion of his surgical residency, he moved to Big Spring where he practiced urology at Malone-Hogan Clinic for the next 24 years.

He was Board Certified in urology by the American Board of Urology, a member of the Texas Medical Association, the Texas Urological Society, a fellow in the American College of Surgeons and a member of the Texas Surgical Society. He was also a member of the South Central Section of the American Urological Association, the North Texas Section of the American College of Surgeons, the Singleton Surgical Society, Society of Baylor University Residents, the Tri-County Medical Society and the Permian Basin Medical Society.

Dr. Cowan was an accomplished author, and published articles in the Journal of Urology and Transactions of the American Association of Genitourinary Surgeons. He served as clinical assistant professor, Texas Tech University Health Science Center School of Medicine, Department of Surgery, Lubbock.

Dr. Cowan was ordained as deacon of The First Baptist Church of Big Spring on April 27, 1980, and was a Paul Harris Award fellow in Rotary Club International. He also served as team doctor for the Big Spring High School football team. Dr. Cowan retired from his medical practice in 1998, and moved to Houston.

Dr. Cowan is survived by his wife of 50 years, Gaye Ann Harbin Cowan of Houston, children Kathrine Gaye and David Garrett of Tulsa, Okla., Cynthia Ann and Don Knight of Houston, Deborah Vaye and David Ward of The Woodlands, and James Samuel Ellis Cowan and William Taylor of Houston, and grandchildren Megan Michelle Knight, Meridith Ann Knight, Sarah Kathrine Beard and James Isaac Lidji. He is also survived by his sister and brother-in-law, Mary and Dick Yantis, brother-in-law Dr. Richard Harbin and his wife Myra of Stephenville, his aunt Eloise Brown of Dublin, and many nephews, nieces, and cousins.

We wish to thank the Houston Hospice and his caregivers and caseworkers from LivHome for their loving care and support.

Memorials can be made to the National Parkinson Foundation, First Baptist Church of Dublin, or the Heritage Museum of Big Spring. Visitation was held Tuesday, Aug. 21, 2007, at the Bradshaw Carter Funeral Home in Houston and will also be held at Harrell Funeral Home in Dublin from 7 p.m. to 9 p.m. Thursday, Aug. 23, 2007. Memorial services will be 1:30 p.m. Friday, Aug. 24, 2007, at the First Baptist Church in Dublin. Graveside interment will follow at Live Oak Cemetery in Dublin.

Paid obituary

Vera Jane Clayton

Vera Jane Clayton, 67, of Big Spring died Tuesday, Aug. 21, 2007, in the Home Hospice House of Odessa. Her services are pending with Nalley-Pickle & Welch Funeral Home & Crematory of Big Spring.

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The Big Spring Police Department reported the following activity between 7 a.m. Tuesday and 7 a.m. today:

- **DAVID COSLOW**, 27, of 1425 Sixth Street, was arrested Monday on a Montague County warrant.
- **STEVE HILDRAND**, 39, of 1300 Wright, was arrested Tuesday on charges of evading arrest with a vehicle and a fictitious vehicle inspection certificate.
- **MICHAEL HAYS**, 19, of 2300 N. Highway 350, was arrested Tuesday on a local warrant.
- **ROCKY AUTRY**, 23, of 1410 Dixie, was arrested Tuesday on a charge of theft.
- **BOBBIE GIBSON**, 42, of 707 Magnolia, was arrested Tuesday on a local warrant.
- **ALLAN PLEXCO**, 44, of 1306 Lamar, was arrested Tuesday on a charge of public intoxication.
- **ALESHA KAY PACE**, 32, of 1011 N. Gregg Street, was arrested Tuesday on a charge of driving while license invalid.
- **EARNEST CLARK**, 67, of 4000 W. Highway 80, was arrested Wednesday on a charge of public intoxication.
- **THEFT** was reported:
 - in the 1000 block of Birdwell Lane.
 - in the 600 block of Caylor.
 - in the 1400 block of Highway 87.
 - in the 600 block of Nolan.
- **RESISTING ARREST, SEARCH OR TRANSPORTATION** was reported in the 1000 block of Main Street.
- **CRIMINAL MISCHIEF** was reported in the 1400 block of Highway 87.
- **BURGLARY OF A BUILDING** was reported in the 700 block of Johnson.
- **ASSAULT CLASS C/FAMILY VIOLENCE** was reported:
 - in the 1000 block of Main Street.
 - in the 1100 block of Settles.
- **ASSAULT BY CONTACT** was reported in the 1500 block of Highway 87.

Sheriff's report

The Howard County Sheriff's Office reported the following activity:

Note — Officials with the Howard County Jail reported having 64 inmates at the time of this report.

- **LATOYA MAXWELL**, 22, was arrested Tuesday by DPS on charges of driving while intoxicated - open container, assault of a public servant, possession of marijuana - two ounces or less, resisting arrest, search or transportation, no liability insurance, no driver's license and terroristic threat against a public servant.
- **GENA KAY RAY**, 46, was arrested Tuesday on a charge of Class C assault/family violence.
- **RAYMOND IGLESIA ALVEAR**, 29, was transferred to the county jail Tuesday by the BSPD on a charge of resisting arrest, search or transportation.
- **JIMMY FRANCIS GARRARD**, 33, was transferred to the county jail Tuesday by the BSPD on a charge of driving while license invalid.
- **STEVEN WAYNE BRYANT**, 47, was arrested Tuesday by the HCSO on a charge of Class C assault/family violence.
- **DARREN HEFFINGTON**, 38, was transferred to the county jail Tuesday by the BSPD on a capias warrant for non-payment of child support.
- **DOUGLAS BRENT PENNINGTON**, 41, was arrested Tuesday by the HCSO on a charge of Class C assault/family violence.
- **STEVEN GLEN HILDEBRAND**, 39, was transferred to the county jail Tuesday by the BSPD on charges of displaying a fictitious/counterfeit inspection/insurance document and evading arrest or detention with a vehicle.
- **DAVID COSLOW**, 27, was transferred to the county jail Tuesday by the BSPD on a charge of failure to appear - child support.

Fire/EMS

The Big Spring Fire Department and Emergency Medical Services reported the following activity:

- **MEDICAL** was reported in the 2600 block of E. 25th Street. One person was transported to SMMC.
- **MEDICAL** was reported in the 2000 block of Virginia. One person was transported to SMMC.
- **MEDICAL** was reported in the 3200 block of Parkway. One person was transported to SMMC.
- **MEDICAL** was reported in the 500 block of Lancaster. One person was transported to the VAMC.
- **TRAUMA** was reported in the 700 block of N.W. Eighth Street. One person was transported to SMMC.
- **MEDICAL** was reported in the 1400 block of Main Street. One person was transported to SMMC.
- **MEDICAL** was reported in the 1400 block of Wood. One person was transported to SMMC.
- **TRAUMA** was reported in the 3600 block of Dixon. One person was transported to SMMC.
- **TRAUMA** was reported in the 2300 block of Wasson. One person was transported to SMMC.

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TRIAL

Continued from Page 1A

argument, Mitchell asked Harbert to take the discussion outside. Harbert responded by making a hand gesture as if pointing a gun, pulling the imaginary trigger and telling Mitchell that if they met again, Mitchell's mother "would have to buy a black dress," Williams said.

Williams, Clayton and Mitchell soon returned to Big Spring, where Williams testified that he dropped off Mitchell at the home of Williams' mother on 2619 Fairchild.

It was there, shortly after midnight on Christmas Eve morning, that the final confrontation between Mitchell and Harbert occurred.

Williams said he returned to his mother's house shortly before a red Ford Focus pulled up the residence and Harbert exited the passenger's side door.

Williams said he told Harbert "over and over" to leave and was soon joined outside by Williams' mother Sheila, who also told Harbert to leave the residence.

Harbert responded by pulling a handgun from his sweatshirt. Sheila Williams said she retreated inside the house, telling Mitchell "not to go to the door," while her son backed away, as well, imploring Harbert not to go into the house.

Despite Ms. Williams' pleadings, Mitchell appeared in the doorway, according to testimony. At that time, Harbert allegedly fired for the first time, a shot that went into the ground.

Marcello Williams said he fled the scene on foot at that time, taking shelter a few houses away. Sheila Williams said a friend flung her into a corner and covered her with her body.

Both mother and son reported hearing subsequent shots fired, although neither saw the

fatal blasts. Shortly afterward, Harbert fled the scene and Mitchell lay dying in the dining area of the house.

Big Spring Police Cpl. Nathan Londenberg was on patrol at that time and testified to receiving a dispatch about "shots fired" in the 2600 block of Fairchild. He also was told to be on the lookout for a red Ford.

While heading to the scene, he spotted a vehicle matching that description heading east on Highway 80.

"I thought it might be the suspect, so I turned my patrol car around and began to follow it," Londenberg said. "The vehicle then turned into Sunset Boulevard ... and stopped in the middle of the road. I hadn't even turned on my emergency lights at that time, so I thought this was very odd behavior on their part."

Londenberg subsequently made contact with the vehicle's driver, Felica Aldridge, who had a male passenger later identified

as Harbert.

After explaining the situation, Londenberg obtained permission to search the vehicle, at which time he discovered a Ruger .357-caliber revolver stuck between the front two seats of the car.

At that time, both suspects were detained and the gun was taken into evidence, the officer testified.

Subsequent testimony by Department of Public Safety Forensic Scientist Jeffrey Brown showed that the confiscated revolver fired the bullets that killed Mitchell.

Further testimony showed that Harbert indirectly admitted to the shooting on three occasions — to Londenberg shortly after his arrest; to BSPD Det. George Oliver during their first interview that morning; and to BSPD Identification Technician Wayne Jones while being tested for gunpowder residue.

"I tried to give (Harbert) his Miranda rights warn-

ing, and he kept interrupting me," Oliver said. "He kept asking me, 'What would you have done if someone had threatened your family?'"

The first officer to arrive at the scene of the shooting was BSPD Cpl. Adam Binnix. Entering Ms. Williams' residence, Binnix said he observed Mitchell laying face-down on the floor, bleeding heavily from the mouth.

Emergency Medical Service personnel arrived soon after, but were unable to revive Mitchell, who was later declared dead at the scene.

BSPD officials searched the premises and discovered a second .357 revolver. That gun became a major focus of cross-examination by defense attorney Wayne Frost.

Marcello Williams testified that he returned to his mother's house shortly after Harbert departed and found the second weapon laying near Mitchell's body. He then said he "panicked" and

flung the gun out beyond the back yard fence, where it was later discovered unloaded by police.

However, neither Ms. Williams or Ismael Munoz, a neighbor who responded to the gunshots, told the court that the gun was near Mitchell's body after the shooting.

Brown, under cross-examination by Frost, testified that he examined the second revolver, but was unable to determine if it had been recently fired. He added that neither the bullets recovered from Mitchell's body or fragments found at the scene were fired from the second weapon.

Wilkerson said he expects to rest the state's case early Wednesday morning.

"I felt things went pretty smoothly," Wilkerson said of the first day's testimony. "We got a lot of material we intended to get in ... So far, we've brought what we've had to the table."

COUNTY

Continued from Page 1A

Barr. Commissioner Jerry Kilgore said the overall savings the consulting firm could bring to the table vastly outweigh the risks.

"I would support this if I didn't think we could save a lot more than what we'll be paying them," Kilgore told the court.

Barr and the commissioners voted unanimously in favor of hiring the consulting group, which includes Dick Kirkland, a former sheriff of Reno, Nev., and Griffith, who is a former county judge.

Commissioners also heard a presentation from Sheriff Dale Walker Tuesday concerning a plan that could help spell financial relief for the county, which continues to struggle with budgetary shortfalls in the millions of dollars.

"We (county department heads) have the same goal you do — to do the best

we can with what we have," Walker told commissioners. "The employees that are being laid off are career-minded employees, and a layoff can spell disaster for a family or a career. I just want the court to keep that in mind."

"Housing out-of-county inmates can be a serious money-making business. Bailey County built a 96-bed facility and houses no more than 15 inmates from their county, and is currently planning a 48-bed expansion. Their sheriff's office budget is \$1.16 million, and contract inmate revenue is more than \$763,000. That's 66 percent of their budget being paid for through contract revenue. The jail opened in 2004, and is now paid off. By 2008, they expect it will be totally self sufficient, bringing in revenue to cover 100 percent of the sheriff's office expenses."

According to Walker, within a 200-mile radius of Howard County there are currently 25 counties

in need of contract jail beds, and within the same boundaries there are nine contract facilities that are full and only eight that are still taking contract inmate housing contracts.

The problem isn't just spread out among Texas counties, according to Walker, who said there's a growing need in Big Spring as well.

"Both Cornell Corrections and Big Spring Federal Correctional Institution have expressed a great interest in utilizing beds here in Howard County," said Walker. "They have inmates that are being held on state charges and are housing an average of 50 each month to county jails. And, thanks to immigration reform, they say those numbers are expected to grow."

Walker said looking at the geographic layout of Howard County in respect to other counties in need of jail beds, the construction of a new jail could pull the county out of its budgetary hole.

"There are 83 counties in Texas that are housing their inmates out-of-county," said Walker. "That's a huge number, and much larger than I expected to see. If we use 50 to 60 beds for our county's inmates and use the rest for contracts at \$35 a bed — which is extremely low — we're looking at approximately \$500,000 in revenue a year."

"Because of the situation with immigration, there's a huge demand for jail beds. The federal government pays more than most agencies, as well. Where most counties only pay \$40 to \$45 a bed per day, the feds pay \$50 or more."

"My recommendation to this court is to proceed — and proceed quickly — in getting a new jail for Howard County. Delays cost us all. I say we bring in some money for the county instead of just paying for everything with taxpayer money."

While the court made no comments on Walker's

proposal, the idea did garner praise from at least one commissioner.

"I appreciate the time and research invested in this," said Commissioner Bill Crooker.

The commissioner's court has been struggling

with the design and construction of a new county jail for nearly three years.

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Lorene Massey, 86, of Big Spring died Sunday. Funeral Services will be at 10:00 AM Thursday at Myers & Smith Chapel. Burial will be at Trinity Memorial Park. The family will receive friends from 6:00 until 7:30 PM Wednesday at Myers & Smith Funeral Home.

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ALON

Continued from Page 1a

said the petro-chemical company has indicated it will pay taxes on a substantially lower amount than the county had anticipated.

"My office is required to put market value on property, regardless of what is going on outside of Howard County," McKibben told commissioners. "Alon USA appealed it's appraisal, which was close to \$320 million saying it should only pay taxes on \$152 million. The appraisal

review board upheld the \$320 million appraisal. The company has 45 days from the time the appraisal review board issued its findings to file a lawsuit."

The refinery, which filed a lawsuit over increased appraisals in 2006, will likely do so again this year to contest an appraisal of \$320 million on its property and taxable goods, according to McKibben.

Until litigation is settled, the refinery will pay taxes only on the uncontestated appraisal amount of \$80 million, according to Commissioner Jerry Kilgore.

"I spoke on the phone with David Foster, the manager of the Big Spring Refinery," Kilgore told the court Tuesday afternoon. "He indicated they are moving forward with paying taxes on \$80 million."

The difference between the two amounts will mean approximately \$264,000 less in tax revenue for the school district, while it will spell more than \$700,000 for the county.

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EDITORIAL

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-FIRST AMENDMENT

Opinions expressed on this page are those of the Editorial Board of the Big Spring Herald unless otherwise indicated.

Ron Midkiff
Publisher

John A. Moseley
Managing Editor

Bill McClellan
News Editor

OTHER VIEWS

Homegrown threat really must be eyed

Hurling down the terror highway with our eyes firmly fixed on the rearview mirror guarantees only disaster. The road inevitably curves.

The New York Police Department for which terrorist attacks are much more than theory made a valuable contribution last week toward pointing us in the right direction with a revealing 90-page study, "Radicalization in the West: The Homegrown Threat."

Produced by its excellent Intelligence Division, the report analyzes post-9/11 terror, urges us to look beyond simplistic views of al-Qaeda as the root of all evil and evaluates the growing threat of jihadist-inspired groups of "unremarkable" young men who can inflict great damage.

Our first impulse is to draw a straight line from each post-9/11 terror event whether successful or thwarted to a cave along the Afghanistan-Pakistan border. Mitchell D. Silber and Arvin Bhatt, authors of the NYPD report, study terrorist events and cells from London to Madrid to Amsterdam to New York, Toronto, Miami and Lackawanna, N.Y., and seek the root causes.

As we ask, "What signs did we miss?" they identify them. Their report draws a four-stage process pre-radicalization to self-identification to indoctrination to jihadization that tracks the "transformation of a Western-based individual to a terrorist."

The report, which mostly slipped below the national media radar, also echoes recent national intelligence warnings that the jihadist ideology "is proliferating in Western democracies at a logarithmic rate," driven in part by access to the Internet.

The idea of "unremarkable" men turning to terrorism should have particular resonance in Texas and especially our own area.

Or have we forgotten that an unremarkable Dallas convenience-store clerk, Eyad Ismoil, joined a San Antonio cabbie and a Houston pizza deliverer all influenced by international terrorist Ramzi Yousef in the first World Trade Center bombing? That an unremarkable tire store worker from Arlington also served as Osama bin Laden's personal secretary and contributed to two U.S. embassy bombings?

Did we miss the signs? Did we know where to look? Did law enforcement federal, state, local do all it could to prevent these and subsequent attacks?

It would be a happy coincidence if the absence of post-9/11 terrorism on U.S. soil provided the answer. As the NYPD report tells us, refighting the last war is only a small part of winning the next one.

THE MORNING NEWS
DALLAS

LETTER POLICIES

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- Provide a daytime telephone number, as well as a street address for verification purposes.
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- Letters should be submitted to Editor, Big Spring Herald, P.O. Box 1431, Big Spring, 79721. They can also be e-mailed to editor@bigspringherald.com

A SMALL PRAYER

by K. Rae Anderson

May we work together with others, Lord, toward Your love.

Amen

The making of a constitutional dictator

Just when we thought there was nothing more Hugo Chavez could do to legally entrench himself as dictator Venezuela, out he comes with yet another proposal that we think free and democratic voters will have to reject.

But amazingly, they never do.

On several occasions, Venezuelan voters have had opportunities to stop Chavez's drive to replace Cuba's Fidel Castro as the leader of U.S.-haters in Latin America. But instead of booting him out of office, they keep giving him more power to take away their freedom. It's absurd.

Castro has never held free elections because he knows the Cuban people would reject the misery and suffering his socialist revolution has brought them. But a majority of the Venezuelan people — seeing what has happened in Cuba and hearing Chavez say he wants to follow that model — keep creating the world's first democratically elected communist dictatorship.

And now, Chavez, elected in 1998 and re-elected in 2000 and 2006, is taking the final step toward crowning himself a totalitarian ruler. In 1999, he won approval for a new constitution that abolished the lower house of the legislature, and in 2005, with the opposition foolishly boycotting congressional elections, his supporters gained total control of the legislature.

But that's not enough for this

communist egomaniac. Last week, Chavez, whose term ends in 2012, proposed radical constitutional changes that would allow him to be re-elected indefinitely. He wants to be Venezuela's president for life, and a huge number of the Venezuelan people are willing to give him whatever he wants. They would make him emperor if it would suit his narcissistic needs.

Why? Unlike Castro, Chavez reigns over an oil-rich nation, the world's sixth biggest oil exporter, and he has used Venezuela's nationalized oil industry to buy the loyalty of the country's poor majority with free health care and education and affordable housing projects. He also has used a lot of anti-American rhetoric — the kind that appeals to neurotic losers all over the continent.

He also uses Venezuela's petroleum dollars to bribe corrupt government officials and support leftist candidates in Bolivia, Ecuador, Nicaragua and throughout Latin America. One of his bagmen recently was caught in Argentina with a suitcase filled with nearly \$800,000 in cash.

While the Bush administration has neglected Latin America, devoting most of its time and resources to Afghanistan, Iraq and other faraway places, Chavez has become the biggest philanthropist in the Western Hemisphere, and he has turned a lot of discontent and socially frustrated Latinos against the United States.

"We have broken the chains of the old, exploitative capitalist system," Chavez said as he announced his constitutional reforms in a long and rambling televised speech reminiscent of

Castro. "The state now has the obligation to build the model of a socialist economy."

Since his re-election in December, Chavez already has nationalized some of Venezuela's energy and telecommunications industries. But now he is proposing a series of constitutional reforms that would abolish limits on re-election, extend presidential terms from six to seven years, strengthen his power to expropriate private property, nationalize natural gas and coal resources and assume control of Venezuela's central bank and its \$26 billion in international reserves. His plan also would create new military, municipal and federal districts, allowing him to undermine existing state and local governments and consolidate power in the presidency by leaving local decisions to popular, grass-roots organizations that would be under his control.

To sweeten his power grab, Chavez has added some incentives for the Venezuelan masses, including a six-hour workday and more housing and welfare for the poor.

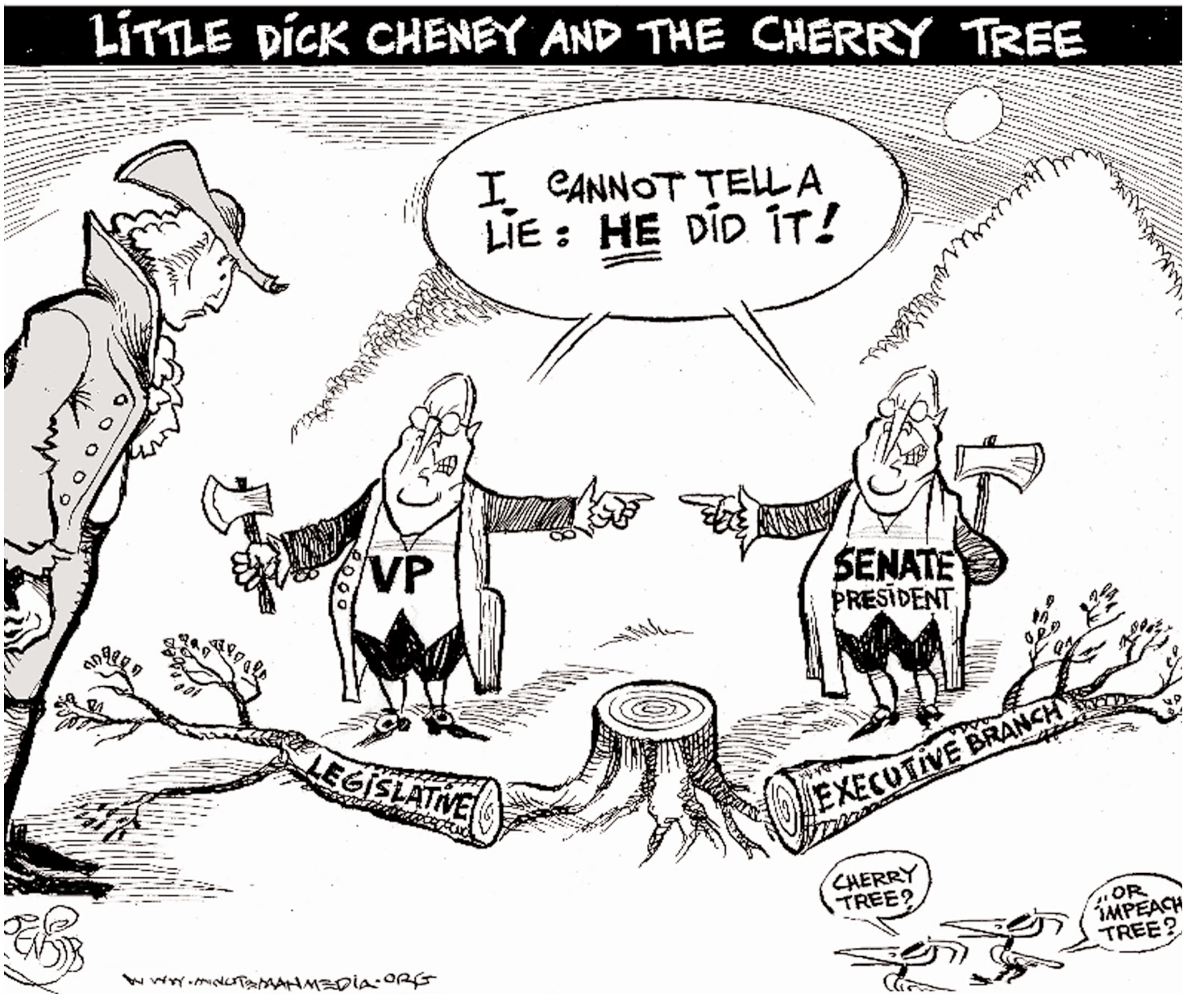
The changes would have to be approved by a popular referendum that could take place as soon as December. But given the recent track record of Venezuelan voters, the indifference of the Bush administration and a few popular initiatives bundled together with measures to craft a totalitarian regime,

Venezuela may be on the verge of creating a constitutional dictatorship.

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MIGUEL PEREZ



Paying a visit on Gator Country

I met Big Al the other day. He's the biggest alligator in Texas (13 feet, 4 inches long and weighs 1,000 pounds). He's between 70 and 75 years old. When I was introduced to him, he was with his girlfriend Allie, who's just 9 feet. They've been together a long time. Must be true alligator love.

They were both keeping cool among the lily pads in a pool at Gator Country, one of the most unusual places to visit in Texas. You can see alligators up close and personal, even feed and hold live alligators. It's located between Winnie and Beaumont on Interstate 10. Gary Saurage is one of the owners.

"We've been around the country looking at other parks and discovered there's not another place in the country that offers the chance to have close interaction with alligators that we have," says Gary. "We make it safe for people to

handle these gators."

Construction on the park started in 2005 and it opened in April of last year. Gary says they've been going strong since it opened. 27,000 people have visited the park.

I asked him where he got the 150 or so alligators on the place.

"We get them from all over — Taylor's Bayou, High Island, we've had them come in as far away as Tyler. We usually catch them ourselves. You know, people get alligators in their swimming pools and we go get them. Anytime we can get our hands on a gator, we bring them here."

I was there during the summer nesting season. There were alligator nests all over the place. When the eggs hatch, the population will increase to around 250 gators.

Gary hunted alligators for years, and was an alligator hunting guide, but the more he learned about them, the more respect he had for them. He says the best time to see the alligators is during the summer because they're real aggressive feeders then.

"We get out there and do shows

with the gators. They'll be all around us, chomping at us," he said. "People love to take pictures of us feeding the big gators. They (alligators) love weenies. We go through about 300 pounds of them every week. And if you'll notice, our alligators are fat."

"We also alligator wrestle. We grab them by their jaw, bring them up and turn them over," he added. "We get school buses here full of kids on a field trip. When they get off that bus, they're running and screaming and are just so excited. When you let them hold one of those 2- or 3-foot alligators, their faces are just full of fascination. They really get a kick out of watching our shows. We've got a heavy wire over this big pond with all the alligators in it and we have a guy that glides across the pond dragging one foot in the water. We call it Redneck Seaworld. It's kinda dangerous."

Admission to Gator Country is \$7 for adults, \$5 for kids and seniors. Shows are at noon, 2 p.m. and 4 p.m. Besides alligators, the park has an assortment of turtles and crocodiles.



TUMBLEWEED SMITH



Courtesy photo

Area Rotary Youth Leadership Award recipients were recognized recently by the Big Spring Rotary Club. They included, right to left, Shane Bowles, Michelle McMurtrey, Lauren Sage, Marshall Van Pelt and Malle Carrasco. Not pictured are Callie Partee and Samantha Whitehead.



Courtesy photo

Rebecca McEndree was awarded an Energen Resources Scholarship during a dinner at KC Steakhouse recently. Vice President Paul Sparks said Rebecca was chosen from numerous applicants for her academic success and her many accomplishments while attending Coahoma High School. Rebecca plans to attend Howard College and then Texas Tech University. Pictured from left to right are, back row, Paul Sparks, Joe Niederhofer, Danny Hagins, Bruce Allen and Willie McEndree, and front row, Rebecca McEndree and Gina McEndree.

Why not check this out? At the library

For all you Texas History buffs, Joan Upton Hall has written a charming book on jails in Texas (what a timely subject). "Just Visitin': Old Texas Jails" (365.34 HAL J) is not an exhaustive listing of all county jails in Texas, just those that have some sense of history. Hico, Monahans, Channing, LaGrange and many others are just a few that Mrs. Hall has been able to research. This is really a very interesting volume and would be well worth it to check out.



HOLLIS MCCRIGHT

Audio books

Here are some audio books for that last road trip before school starts. "Thirteen Moons" by Charles Frazier; Scott Turow's "Limitations"; "Blood and Thunder" (AUCD 978.02 SID H) by Hampton Sides; a great Civil War tour on "Civil War Battlefields" (AUCD 973.73 SHA J) by Jeff Shaara; and "Empire of Blue Water" (AUCD 972.904 TAL S) by Stephen Talty. This is about pirate Henry Morgan. More fiction: "Drop Dead Beautiful" by Jackie Collins, S.J. Rozan's "China Trade," "The Tooth of Time" by Sue Henry; and John LeCarre's "The Mission Song." Do check the New Book Binder as there is not enough space to put everything in.

Non-fiction

Another heart-stopping book is "Forever After: New York City Teachers on 9/11" (974.710 TEA C) published by Teachers College Press. While the fall of the World Trade Center Twin Towers is undeniably a tragedy, along with the loss of life and jobs is the loss of innocence of the school children of New York City. They lost friends, parents, teachers, cousins, siblings, etc. This is the story of what happened within the school rooms on that dreadful day.

H. Paul Jeffers has written a World War II story of Darby's Rangers. "Onward We Charge: The Heroic Story of Darby's Rangers in World War II," (940.54 JEF H) will be interesting to those who read history. Some true crime:

(364.152 PAG C) by Carol Pogash and "Armed & Dangerous" (364.177 QUE W) by retired ATF agent William Queen. He writes of going undercover into a skinhead gang and was also instrumental in capturing a survivalist drug runner in the rugged mountains of California. It is a rather simply written book, but interesting all the same.

Health

Khaliah Ali is the daughter of Mohammad Ali and has struggled with obesity for most of her life. She has always felt insecure about her weight and tried many diets and weight-loss programs, but was never was she able to get below 220. Khaliah decided to try laparoscopic banding — a surgery this book claims has less risk, less recovery time and better results than gastric bypass. With the help of the band (which is wrapped around the stomach), Khaliah was finally able to lose the weight. She is a very likable person and seems to genuinely want to help others get results. The sections written by her doctors explain the mechanics of the surgery, who should or should not have it and what to expect if you do. The audience of the book is clearly limited to those curious about the surgery or at least in the market for a way to lose a large amount of weight. Review is from Publisher's Weekly.

Pets

I am a sucker for pet books — cat, dog, horse, you name it, I love to

read them. When I saw Dr. Padwee's book, "The Cat Who Couldn't See in the Dark" (636.8 PAD H), I knew I had to read it. Padwee is a vet who practices in New York City. While he does have a full service veterinary practice, I think his heart is with cats. In chapter 2, he writes that while people choose to have a dog, a cat will choose you. This is a really neat, interesting book, all about cats and the whys and wherefores of living with them.

Biography

Maybe you know who

Taylor Hicks is? I didn't, until I read the book flap. He was a winner on American Idol. He has written a book about how he made it there. "Heart Full of Soul" (B HIC T) is his story.

I guess we are on a music kick. The Library has also acquired "Anchored in Love: An Intimate Portrait of June Carter Cash" (B CAS J) written by John Carter Cash and "Jacko: His Rise and Fall" (JAC M) by Darwin Porter. This is about Michael Jackson.

Larry King has written a book about Princess

Diana — "The Peoples Princess" (B DIA P) — and we also have "MacArthur" (B MAC D) written by Richard B. Frank about Douglas MacArthur, hero of the Pacific Theater during WW II.

Howard County Library hours have changed. New hours are 10 a.m. to 6 p.m. Monday through Friday. The library is

closed Saturday's until September. The Internet/Video room is closed from noon until 2 p.m. and will close at 5 p.m. The Library is located at 500 S. Main St. Our phone number is 264-2260. The Web site is www.howard-county.lib.tx.us

Hollis McCright is director of the Howard County Library.

su | do | ku

© Puzzles by Pappocom

Fill in the grid so that every row, every column and every 3x3 box contains the digits 1 through 9 with no repeats. That means no number is repeated in any row, column or box. Solution, tips and computer program at www.sudoku.com

7	6	1	9	5	2
		3	4	5	8
		6	3	7	
	2			8	
3					9
	5			1	
		3	1	2	
		2	7	8	6
8	1	9	4	3	5

Contract Bridge

By Steve Becker

Three Is Not Enough

North dealer. Neither side vulnerable.

<p>NORTH</p> <p>♠ 6 ♥ K 10 9 8 7 4 ♦ Q 7 3 ♣ A 6 5</p>	<p>EAST</p> <p>♠ 10 8 7 5 4 2 ♥ A J 6 2 ♦ 6 ♣ 10 4</p>	<p>SOUTH</p> <p>♠ A K ♥ 5 ♦ A K J 10 8 2 ♣ K Q 7 3</p>
---	---	---

The bidding:

North	East	South	West
2♥	Pass	3♦	Pass
4♦	Pass	4NT	Pass
5♦	Pass	6♦	

Opening lead — queen of spades.

Every declarer worth his salt looks for more than one way to make his contract before he begins to play. Finding an additional chance or two might not be satisfactory, however, if the best possibility is overlooked.

Take this case where South wound up in six diamonds after North had opened with a weak two-bid in hearts. Declarer won the opening spade lead with the ace and saw immediately that if the opposing clubs were divided 3-3, the slam was in the bag. He therefore focused on what could be done if the clubs were

not divided evenly.

One possibility was that the opposing trumps might split 2-2, in which case his fourth club could be ruffed in dummy after trumps were drawn. Failing that, he might develop a heart trick on which a club could be discarded.

Armed with these three separate chances, South pressed on. He started by cashing the A-K of trumps. When the trumps proved to be divided 3-1, he drew West's third trump and led a heart to the king, losing to East's ace.

South won the spade return, cashed his remaining diamonds, then played the A-K-Q of clubs. But when West turned up with four clubs, the slam was kaput.

Declarer was naturally disappointed that all three chances had failed, but in fact he overlooked a superior line of play that would have brought the slam home. After playing the trump ace, he should have cashed the king of spades and discarded a low club from dummy. The A-K of clubs are then played, followed by a low club, ruffed with dummy's queen. Dummy's remaining diamond is led to the king, and trumps are drawn, leaving declarer with only a heart to lose.

This line of play fails only when the opposing clubs are divided 5-1 or 6-0, giving declarer a considerably better chance to make the slam than the three-pronged attack he chose.

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TEXAS NEWS BRIEFS

Condemned inmate facing execution would be 400th in Texas since 1982

HUNTSVILLE (AP) — An old leg injury surfaced as a key element in an appeal that seeks to keep a condemned inmate from a trip to the death chamber Wednesday evening and the notoriety of being the 400th executed in Texas since the state resumed carrying out the death penalty in 1982.

Johnny Ray Conner, 32, was before the U.S. Supreme Court, arguing his trial attorneys were deficient for ignoring a limp he suffers as evidence he couldn't have been the man identified by witnesses as the gunman who quickly ran from the scene of a convenience store killing in Houston nearly 10 years ago.

Kathyanna Nguyen, 49, a Vietnamese immigrant, was fatally shot in the holdup attempt while she was in a glass-wrapped cage intended to protect her from such an attack.

Conner would be the 21st condemned prisoner to receive lethal injection this year in Texas and the 400th in the state since the Supreme Court allowed the death penalty to resume.

Insurance commissioner blocks Allstate's planned home insurance rate hike

AUSTIN (AP) — The Texas Department of Insurance has blocked Allstate's plan to raise homeowner insurance rates by 5.9 percent, faulting the proposal as unreasonable and excessive.

Insurance Commissioner Mike Geeslin's Tuesday order came one day after Allstate Insurance announced the rate hikes would take effect immediately for policy renewals.

The commissioner also said that Allstate is now restricted from raising rates without supervision from state regulators. The company has "repeatedly" tried to impose excessive rates on its customers over the last three years, he said.

Allstate, the state's second-largest home insurer, said

the rate increase is necessary considering the risks associated with doing business in Texas.

Former Texas pastor arrested in Montana on sexual assault of a child charges

GREAT FALLS, Mont. (AP) — A former youth pastor accused of sexually assaulting a child in Texas was tracked down living here Tuesday, six months after he allegedly faked his own death.

Kevin Othell Laferney, 40, is wanted in Upshur County, Texas, on four counts each of aggravated sexual assault of a child and bail jumping.

According to the U.S. Marshals Service, he faked his death in February and disappeared before he was scheduled to appear in court.

Great Falls police and U.S. Marshals deputies arrested Laferney without incident at about 5 p.m. Tuesday when authorities knocked on the door of his apartment.

Rossmiller had no details of the alleged scheme, and the Upshur County sheriff's office declined to comment Tuesday evening. Texas media accounts of the sexual assault charges, which were filed in August 2006, said Laferney is a former youth minister at a church in the Gilmer area.

Lady Bird Johnson's will calls for entire estate to go to her two daughters

AUSTIN (AP) — Lady Bird Johnson's will calls for her entire estate to be left to her two daughters, Lynda Johnson Robb and Luci Baines Johnson.

Claudia "Lady Bird" Johnson, the wife of former President Lyndon B. Johnson, died last month at the age of 94.

Johnson, noted for environmental conservation efforts, also built a business empire with her own money, including multimillion-dollar holdings in radio and TV stations, banks and real estate. She held stock in the LBJ Holding Co., which comprises securities, including stocks and bonds, and some real estate and private equity.

Edcouch city manager resigns amid allegations of dog mistreatment

EDCOUCH (AP) — The city administrator has resigned under pressure from the mayor, who accused him of allowing stray dogs to die and dumping their carcasses in ditches rather than bringing them to animal shelters.

Ernesto Ayala Jr. said his resignation Tuesday was unrelated to the allegations of dog dumping.

He said a majority of the Edcouch Board of Aldermen doesn't want him to leave, "but I can't see good things happening if I don't."

Jose Guzman, mayor of the South Texas town of about 3,300 residents, had said Ayala should resign over an animal control policy that Guzman said led to the deaths of about a dozen dogs.

The mayor said the dogs were tied up with little food or water outside the city public works department until they were brought outside city limits and released. He said some were tied up for days and didn't survive.

Ayala has denied allegations that the animals were mistreated.

RATE

Continued from Page 1A

The cuts include two full-time positions and one part-time position from the sheriff's office budget, two full-time positions and one part-time position at the county library, two full-time and one part-time position from the county's road and bridge department, one full-time and one part-time position from the maintenance department and a single part-time position with the District Clerk's Office.

District Clerk Donna Wright pleaded with the

court to reconsider eliminating the full-time position in her office, saying it will make it nearly impossible for her to operate in the coming months.

"I have two employees that have overlapping vacation and another employee that's getting ready to have surgery, and will be out from four to six weeks," Wright told commissioners. "If my office was under one roof, it might be possible for us to handle this cut. However, with the office in two locations across the hall from one another, this is going to make it almost impossible for us

to do."

Before recessing for lunch, Commissioner Gary Simer suggested exploring a different course to make up the difference on the expected shortfall, of which approximately \$360,000 is expected to be alleviated by the layoffs.

"Do we know what it would take if we did pay cuts across the board," Simer asked Olson during the meeting.

Following the lunch recess, no mention was made of across-the-board cuts in county employee salaries or allowed work hours.

The total number of lay-

offs expected as a result of the budgetary cuts, as proposed by the commissioners court, comes to six part-time positions and eight full-time positions.

"I knew it was going to be hard when I took office, but I didn't realize the county was already in such a financial bind," said Barr. "That's due largely in fact to the jail, and cutting people is awfully hard. I wish we had another way, but we don't have any alternatives. It's either this, or let the county go broke. And I don't think anyone wants to see that happen."

In Sunday's Big Spring Herald



A lesson in persistence

When Nola Ochs graduated with a history degree in May, she made history herself as the world's oldest college graduate. And, at 95, she says she's not through learning yet. Plus, finding John Henry and butter rum cake.



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(Board Certified In Pediatrics)

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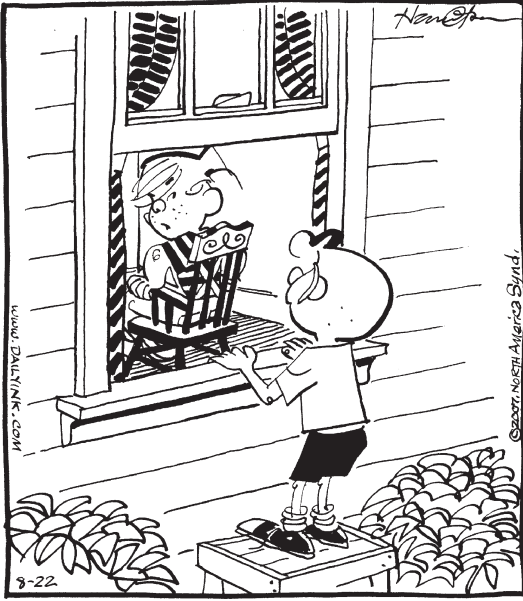
**"Providing Quality Health
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Se Habla Espanol

WEDNESDAY

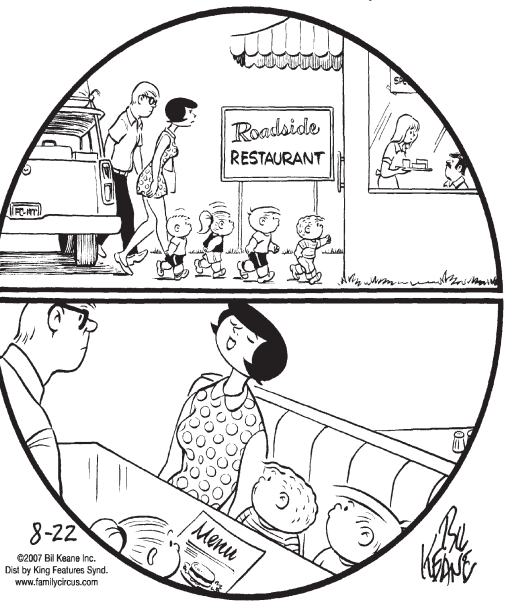
Table with 20 columns (WFAA, KMYD, UNI, KPEJ, KOSA, KTLT, KWES, WTBS, KMLM, KPBT, DISC, AMC, SPIKE, TNT, BET, DISN, ESPN2, ESPN, SCIFI) and 6 rows (6:30 PM to 12:30 AM) listing various TV programs and their channels.

DENNIS THE MENACE



"SORRY, JOEY, I CAN'T COME OUT. MY MOM'S GOT ME CORNERED."

THE FAMILY CIRCUS



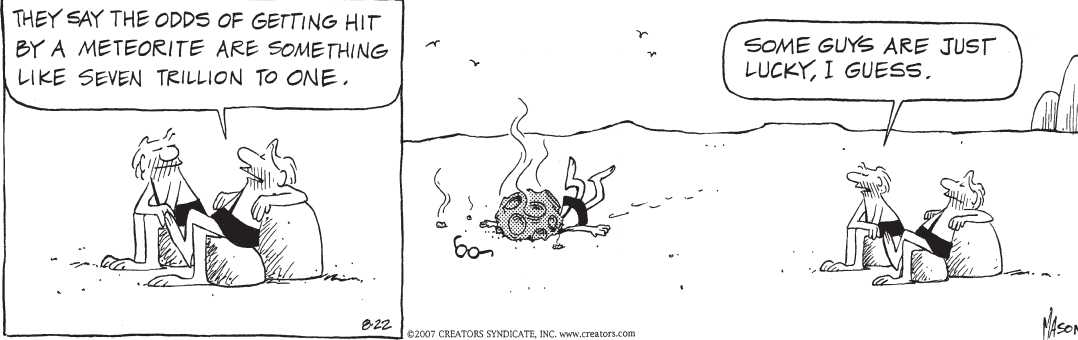
"Ahhh! Feels good to sit down!"

HAGAR



EVERY YEAR THEY MAKE THEIR NEW MODEL BIGGER AND MORE EXPENSIVE! AND I'M NOT SURE BIGGER IS BETTER!

BC



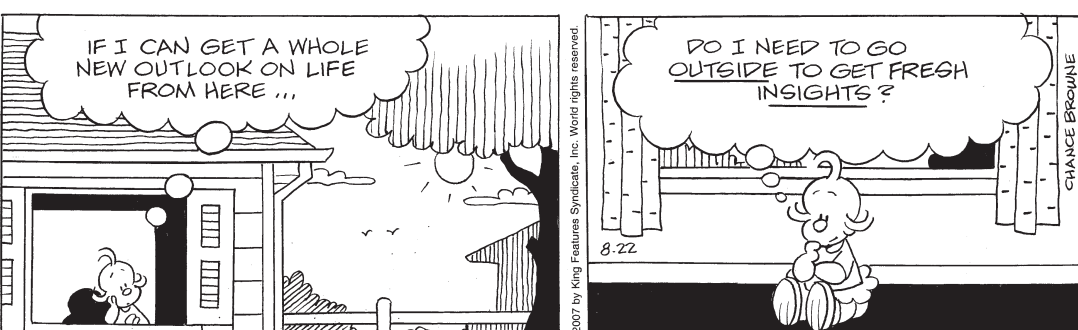
WIZARD OF ID



AGNES



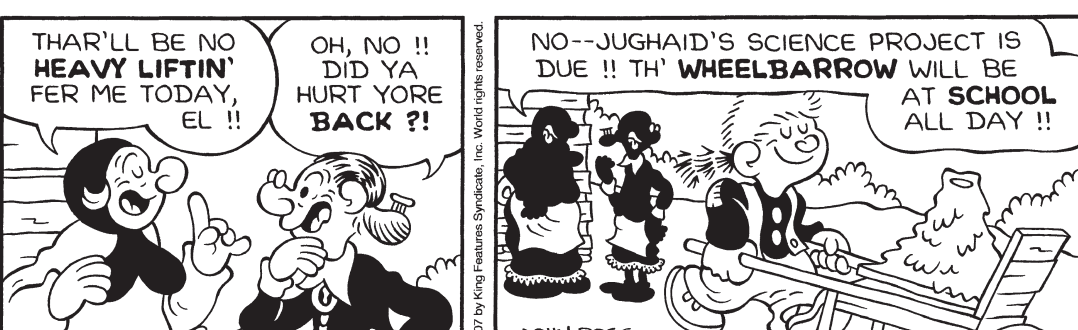
HI AND LOIS



THE OTHER COAST



SNUFFY SMITH



BETLE BAILEY



This Date In History

Today is Wednesday, Aug. 22, the 234th day of 2007. There are 131 days left in the year. Today's Highlight in History: On Aug. 22, 1787, inventor John Fitch demonstrated his steamboat on the Delaware River to delegates of the Continental Congress. In 1485, England's King Richard III was killed in the Battle of Bosworth Field, ending the War of the Roses. In 1846, Gen. Stephen W. Kearny proclaimed all of New Mexico a territory of the United States. In 1851, the schooner America outraced more than a dozen British vessels off the English coast to win a trophy that came to be known as the America's Cup. In 1904, Chinese leader Deng Xiaoping was born in Sichuan province. In 1910, Japan annexed Korea, which remained under Japanese colonial rule until 1945. In 1956, President Dwight D. Eisenhower and Vice President Richard M. Nixon were nominated for second terms in office by the Republican national convention in San Francisco. In 1968, Pope Paul VI arrived in Bogota, Colombia, for the start of the first papal visit to Latin America. In 1978, President Jimmy Carter, a leading figure in Kenya's struggle for independence, died; Vice President Daniel Arap Moi was sworn in as acting president. In 1985, 55 people died when fire broke out aboard a British Airtours charter jet on a runway at Manchester Airport in England. In 1989, Black Panther co-founder Huey P. Newton was shot to death in Oakland, Calif. (Gunman Tyrone Robinson was later sentenced to 32 years to life in prison.) Today's Birthdays: Author Ray Bradbury is 87. Heart surgeon Dr. Denton Cooley is 87. Retired Gen. H. Norman Schwarzkopf is 73. Broadcast journalist Morton Dean is 72. Writer Annie Proulx is 72. Rockabilly singer Dale Hawkins is 71. Baseball Hall-of-Famer Carl Yastrzemski is 68. Actress Valerie Harper is 67. Football coach Bill Parcells is 66. CBS newsman Steve Kroft is 62. Actress Cindy Williams is 60. Musician David Marks is 59. Country singer Holly Dunn is 50. Rock musician Vernon Reid is 49. Country singer Collin Raye is 47. Actress Regina Taylor is 47. Country singer Ricky Lynn Gregg is 46.

Answer to previous puzzle: REGIS BOCA GOOD ADAPT OPEN EBAY IGL00 NECK TOTE LEADPENCIL TESS SIT LEVI BTU THAT TINMAN OHNO ETRE AGILE SILVERMEDALISTS SNEER SEEM NEAT ASTRAY SNIP RRS CHIC CARBONCOPY RUST HIYA DOGIE OGLE TRAY AORTA WEED SSNS SPEAR

Newsday Crossword

- ACROSS: 1 Bit of bread, 6 Flat floaters, 11 Black gunk, 14 Daily delivery, 15 Hearing-related, 16 Tick off, 17 Thrilled, 19 Undercover agcy, 20 Granny or half hitch, 21 Meandered, 23 Dietary need, 27 Humdinger, 28 Go back, 29 Midnight rider of yore, 32 Starts the bidding, 33 Civic leader, 34 Corp. alias, 37 Database function, 38 Egg purchase, 39 Joyride, 40 Ballpark fig., 41 Fodder storers, 42 Wall covering, 43 One at the plate, 45 What's happening, 46 Fancy flapjack, 48 High-tech door-opener, 49 Shark hanger-on, 51 Crow's-nest spot, 52 Commotion, 53 Thrilled, 59 Cheyenne's state: Abbr., 60 River of Tours, 61 Worker's reward, 62 Actor Cariou, 63 Phased out, 64 Linen item, DOWN: 1 Ens.' subordinate, 2 Sought office, 3 Merchandise ID, 4 Singer Tormé, 5 Investment intermediaries, 6 Dangerous inert gas, 7 Polly, to Tom Sawyer, 8 TGIF part, 9 Catches some rays, 10 Trim-figured, 11 Thrilled, 12 Disney mermaid, 13 All set, 18 Measurement standard, 22 Put on TV, 23 Purl writing, 24 Bank takebacks, 25 Thrilled, 26 Jamboree setup, 29 Stubble remover, 30 Potato features, 31 Wernher Braun, 33 Suburban burrower, 35 Jag, 36 Inclined to fidget, 38 Morse click, 39 Expressed aloud, 41 Germ-free, 42 Baggage handlers, 44 Wall St. launch, 45 Short race, 46 Slow pace, 47 Color yet again, 48 Not roaming free, 50 "Auth. unknown", 51 Twist's request, 54 Covered up, 55 Satisfied sound, 56 Compete, 57 Language suffix, 58 Aerialist's protection

13x13 crossword puzzle grid with numbers 1-64 indicating starting positions for words.

NASA looks ahead to 3 more launches at risk

By **MARCIA DUNN**

AP Aerospace Writer

CAPE CANAVERAL, Fla. — Even as the wounded space shuttle Endeavour brought its seven astronauts safely home Tuesday, NASA is looking ahead to three more launches at risk for the same kind of damage.

There is a striking parallel with the 2003 Columbia disaster in the space agency's failure to anticipate the harm from breaking ice or insulating foam — this time from a new area of the shuttle's fuel tank.

The 3 1/2-inch-long gouge in Endeavour's belly did not put the astronauts at risk. And as soon as the damaged tiles are popped off, engineers will know whether repairs are needed to the underlying aluminum structure. The gash seemed to weather the return flight well, NASA said.

But for the early part of Endeavour's 13-day mission there was an eerie sense of déjà vu.

Back before Columbia flew its last mission four years ago, NASA knew it had a foam problem with its fuel tanks but never imagined a piece of the airy insulation could severely wound a space shuttle.

The result: Columbia shattered during re-entry to Earth's atmosphere, just five days before engineers were to propose possible repairs.

This time, NASA knew it had a foam problem with brackets on its fuel tanks but never imagined a stray piece would ricochet off the tank and smash into the shuttle.

The result: Endeavour was gouged.

Retired Navy Adm. Harold Gehman Jr., who headed the 2003 Columbia investigation, was reluctant to comment this week on the troublesome brackets, which support the fuel feed line on the tank. He said he didn't have enough information.

But he observed: "You have to assume things are going to happen and you have to mitigate the consequences, that's what our report was all about."

Endeavour's gash, although deep, was too small for scorching atmospheric gases to penetrate and cause serious damage, mission managers said during the flight. It was also on the belly, a more benign area than the nose or wings, which are subjected to much higher heat. The platesize hole that brought down Columbia pierced the left wing.

Commander Scott Kelly said he was "a little bit underwhelmed" when he saw the gouge for himself after touchdown. "We knew how big it was conceptually. We were told the dimensions. But to see it, it looked rather small," he told reporters.

Officials who checked out Endeavour on the runway said there was no apparent charring to the exposed felt fabric, the last barrier before the aluminum frame.

But now NASA finds itself playing catch-up. It's analyzing a variety of temporary bracket solutions, which may or may not be in place before the next space station construction mission in late October.

Making the brackets with titanium, which would require far less foam insulation than the aluminum version, is the permanent solution ordered after the problem first cropped up last summer.

But that won't happen

Room spins for teacher-astronaut, readapting to gravity

By **MARCIA DUNN**

AP Aerospace Writer

CAPE CANAVERAL, Fla. — Adapting to weightlessness was hard. Readapting to gravity was even tougher for teacher-astronaut Barbara Morgan.

Morgan passed up the opportunity to check out space shuttle Endeavour with her six crewmates after Tuesday's landing. She was too weak and wobbly and hinted that she was nauseous, as well.

"Actually, I was doing some good science back there," she later said with a laugh, referring to how she remained in the crew-transport vehicle following touchdown.

"The room still spins a little bit, but that's OK," she said.

Morgan — who was Christa

McAuliffe's backup for the doomed Challenger flight in 1986 — said it took her a while to adjust to space. "I felt like I was upside down that entire first day," she said.

She's hoping the readjustment to Earth's gravity won't take as long. At a news conference six hours after touchdown, she still looked pale and shaky, but was able to walk unassisted.

"Probably easier adapting to weightlessness than now, but don't get me wrong, this isn't that bad," she told reporters. "It will go away and it's actually pretty interesting if you could be in my body."

As for her 13-day flight, it was "absolutely wonderful." Morgan said she can't wait to see what schoolchildren and teachers do with the 10 million basil seeds

she carried into space. The plan is for students to devise mini-greenhouses like the two she left behind at the international space station.

When asked about her future plans, Morgan said with a smile, "My first plan is to get rid of the room spinning, and that should happen pretty soon."

She said she really wants to figure out how the space agency can do a better job helping students and teachers. "And I would love to figure out how we can make more and more of these opportunities available for more of our teachers."

Morgan, 55, was teaching elementary schoolchildren in McCall, Idaho, when she was chosen as McAuliffe's backup. After the launch disaster, she returned to teaching. NASA

invited her into the astronaut corps in 1998, and she began training as a full-fledged mission specialist.

The 2003 Columbia disaster delayed her mission from fall of that year until now.

Morgan said she wishes she could have devoted more time to education in orbit but knew time would be limited because of the station construction mission.

As it turns out, the flight was shortened by a day because of concerns about Hurricane Dean, and Morgan lost out on an opportunity to speak with children in Lynn, Mass. She managed to answer questions from youngsters in Boise, Idaho, and Alexandria, Va., earlier in the mission, and squeezed in a session with Canadian students at flight's end.

until next spring. By then, NASA will be just two years from retiring its three remaining space shuttles after wrapping up a demanding schedule for finishing construction of the international space station.

Engineers are considering a variety of short-term options: shaving some foam from the brackets or possibly applying an oil to the foam to reduce condensation and buildup of ice.

Because the bracket problem has intensified for the launches since Columbia, engineers theorize it might be due to the one-hour earlier start of fueling — a new rule intended to provide more time for ice checks. That extra hour that the super-cold fuel is in the tank could be allowing more undetected ice to form, which then can cause the neighboring foam to pop off.

NASA Administrator Michael Griffin said after Endeavour's landing that he will need to be satisfied that any change "is necessary and, in fact, beneficial" before ordering modifications. The last thing the space agency wants to do is to change something and make it worse.

NASA still doesn't know whether the debris that smacked Endeavour was foam, ice or a combina-

tion of both. Whatever it was, it broke off the bracket, fell nearly 25 feet onto a strut lower on the external fuel tank, then shot into Endeavour's belly.

The four-by-four-inch piece of debris, just a third of an ounce, was traveling more than 200 mph when it hit the strut and 150 mph when it bounced into Endeavour. Engineers were surprised the fragment didn't shatter when it hit the strut, which holds the tank to the shuttle's belly. That's why they suspect ice may have been attached to flying foam.

"We have been looking at this area for some time," said LeRoy Cain, a launch manager. Even though NASA factored the bracket debris into its risk assessment, Cain said managers didn't consider the ricochet possibility. That risk assessment is now being re-evaluated.

Shuttle program manager Wayne Hale called it an unanticipated "unlucky bounce."


"When we returned to flight, we knew that we had not eliminated all the risks," he said. "In fact, at the end of the day, we will never eliminate all the risk."

Gehman agreed that launch debris can never be entirely eliminated. Each fuel tank is cov-

ered with 4,000 pounds of foam and each bracket has only ounces of foam on it, NASA's space operations chief Bill Gerstenmaier said. "We've really taken this huge complex problem ... and we've really shrunk it down to just very, very few areas, essentially ounce-size pieces of foam that we need to go work with."

A NASA veteran who now chairs the mission management team, John Shannon, is quick to point out that once the problem was discovered, the difference in the way the Columbia and Endeavour flights were handled was "night and day."

Columbia's damage was not seriously addressed by mission managers and worried engineers did not speak up.



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Courtesy photo

The Burnin bush, a gospel rapper from Birmingham, Ala., will perform Thursday at the Grace Fellowship church of God in Big Spring.

Burnin Bush to perform at Grace Fellowship here

Special to the Herald

The Burnin Bush, a gospel rapper from Birmingham, Ala., will perform at Grace Fellowship Church of God — formerly College Park Church of God — at 6:30 p.m. Thursday. Admission is free. A love offering will be taken. Pizza and door prizes will be available. Stephen Bush, who goes by the stage name Burnin Bush, is a born-again Christian who spreads

the gospel through his music. He has performed at a variety of events, including the Joyce Meyers Ministries St. Louis Dream Center, McDonalds Gospel State at the Birmingham Heritage Festival, the RESPECT rally Jesus Jam in North Carolina, the Faith Hope Love Retreat in Atlanta, Ga., and many schools and churches across the country. He has appeared on

such projects as Priceless Camps Gospel Symphony and Short Tees Operation Save. His new solo album, The Burnin Bush, shows his heart and soul from such songs as "Enemies Camp" to the wild, in-your-face lyrics of "Yaw," guitar riffs in "In This Life," and the melodic flow of "Peace." The public is invited to hear his message. Grace Fellowship Church of God is located at 603 Tulane.

HAYS

Continued from Page 1A

only in a pair of underwear and a white T-shirt, showed signs of a brutal assault, according to Walker.

Also indicted on first-degree murder charges in the death were Billy Wayne Haynes, 30, of Houston; Christopher David Lovett, 33; and Calvin Ray Fox Jr., 22.

According to Howard County District Attorney Hardy Wilkerson, the course of Hays' case will help determine how he decides to try the other

three suspects. "I really can't go into the details at this time," said Wilkerson. "Hays is the primary suspect in the case, and there are some questions about what role certain evidence will play in the proceedings. That evidence has the potential to play a part in the other trials as well."

According to investigators, Hays confessed to the murder, saying Dickinson had been hateful and disrespectful to a family member.

All four suspects are believed to have ties to the Texas prison affiliated

gang known as the Aryan Circle, according to Walker.

Also arrested and charged with first-degree murder was Kirk Douglas Flanary, 35. Flanary was later cleared by investigators and charges against him were dropped.

"It's possible we could charge him with something else at a different time, but as of now he has been cleared," said Walker.

"Originally, he was named by a witness as being at the location at the time of the murder. Through our investigation, however, it was

determined he was not at the location at the time of the crime."

Hays is represented by local attorney Robert D. Miller.

Jury selection in the case began Monday, with Wilkerson expected to begin presenting the state's case in 118th District Court Thursday at 9 a.m.

Contact Staff Writer

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