

Creed concert review
See Page 5

Sharpe wins
weekly honor
See Page 8

TUESDAY, OCT. 20, 2009
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THE DAILY TOREADOR

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Voters to decide on transfer of higher ed funds

By JETT THOMPSON
STAFF WRITER

Early voting began Monday in this year's Texas Constitutional Amendment Election, which will take place Nov. 3.

Proposition 4 on the ballot would establish a new state fund that would benefit any of the seven Texas emerging research universities that reach tier-one status, including Texas Tech.

Sen. Robert Duncan, R-Texas, a co-sponsor of the proposed amendment, said if Texas voters decide to pass Proposition 4, it will send a message to other states Texas has placed constitutional priority on state universities becoming tier-one

universities.

Duncan also said Texas universities will be able to compete more easily with other research universities across the nation if they are able to achieve national research university status.

"Texans will be making a statement to the nation that we are making a serious investment in our ability to compete," Duncan said.

He also said New York and California already have several more tier-one universities than Texas does with only three



DUNCAN

— Rice University, Texas A&M University and the University of Texas.

"I think in the next five to 10 years, you'll see six, maybe seven national research institutions in Texas," Duncan said.

Vice Chairman of the Tech Board of Regents Jerry Turner said the board has made some efforts at getting the word out on the election to Tech supporters and alumni and that an approval by Texas voters could put Tech on track to become a tier-one university in the next two to five years.



WILLIAMS

"We would anticipate that this would be the additional funding needed to gain the research status that Rice, UT and A&M have already achieved," he said.

Dailey Fuller, a marketing coordinator for the Texas Tech University System, said his office has been working to inform students and faculty of the issues surrounding the Proposition 4 vote.

"We are mainly taking the role of educating students and faculty on Proposition 4," Fuller said. "Our role is just to inform people of how this could impact the future of Tech."

He said several e-mail communications explaining Proposition 4 have been sent to Tech students and faculty on behalf of

Chancellor Kent Hance and a press conference on the proposition will be hosted by the Lubbock Chamber of Commerce 1:30 p.m. Tuesday.

Student Government Association President Suzanne Williams said the SGA also has worked toward informing students about the significance of Proposition 4 and encouraging students to vote.

"We have a handout that goes over specifics as far as what Proposition 4 is," Williams said. "Several senators have been out in the Free Speech Area handing out flyers. We also had a table in the SUB by the food court with flyers for people."

NRUF continued on page 2

University Day brings prospective students

By ALLYSON SCHELL
STAFF WRITER

About 2,500 visitors toured the Texas Tech campus Monday for University Day, which is offered each fall for prospective students to come to Tech.

Kaci Hite said she came to University Day to be sure she was making the right decision about which college she wanted to attend next fall.

"Everyone from my school basically goes here, and I wanted to see if I would like the big school atmosphere," Hite said. "The arena events were good, and I learned a lot from the speakers and the different booths."

In contrast, visitor Zoe Phelps said she came to Tech to see if she wanted to apply.

"I'm from Kansas, so I really wanted to see the area and see if I would like the town," Phelps said. "I thought the hospitality was really nice, and now I'm definitely going to apply here."

Campus walking tours were held at 30-minute intervals by President's Select student ambassadors starting at the Visitors Center in West Hall.

"We have a set tour route, but we add our own personal experiences," said tour guide Dee Duncan, a senior marketing and management major from Rockwall. "After so many tours you develop your own script."

Duncan gave four tours during the day, leading the visitors around to see the different buildings and students going about their day.

"Everyone seemed really interested on the tour," Duncan said. "They all chose to be here to see a day in the life of a student. We can show them that more than just some other tour guide that is getting paid to be here."

Duncan said he believed the number of families he saw on University Day was a step in the right direction toward the university's goal of an enrollment of 40,000 students.

Ethan Logan, managing director of undergraduate recruitment and admission, also said he thought the day's excitement was productive for future enrollment.

"For prospective students to be able to see themselves as a member of our campus community is an invaluable recruitment experience,"



PHOTO BY KEN MUIR/The Daily Toreador

HENRY RAMOS, CENTER, a junior broadcast journalism major from Lubbock, gives a tour of the Quad during University Day on Monday. Campus tours are given weekdays and Saturdays by members of President Select.

Logan said. "I think that we have had a very successful day today, which will carry us towards a great fall of 2010."

Jill Fadal, a student assistant in the Visitor's Center, said the department sent out mail-outs and included information about the day on the Web site.

"We showcase as many services the campus has as we can."

Visitors began arriving at about 7:30 a.m. for check-in and then

went to a spirit rally in the United Spirit Arena where the cheerleaders and pom squad were available to teach the Fight Song and the Matador Song.

Then came academic presentations.

"The provost spoke and there were academic sessions from the major colleges," Fadal said. "There was also information sessions with a fair and booths."

The information fair was set up

on the concourse level of the arena. Student services, organizations and eight of the academic colleges were present to offer any information a visitor might have. The Colleges of Education, Mass Communications and Human Sciences provided overviews in their respective buildings. Thirty-minute sessions on housing, financial aid and being a first-time freshmen were hosted in rooms around the arena.

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QB Steven Sheffield out 2-3 weeks with injury

By ALEX YBARRA
MANAGING EDITOR

Just when the Red Raiders seemed to find their season savior, they get hit with another injury.

An unnamed source confirmed Monday that quarterback Steven Sheffield, who injected a struggling team with new life since he took over the starter's role, suffered a foot injury in a 31-10 win against Nebraska Saturday and will be out for 2-3 weeks.

Team spokesman Chris Cook declined to comment about the injury.

After Tech plays Texas A&M at 6 p.m. Saturday at Jones AT&T Stadium, the Red Raiders face Kansas at home, have a bye week and then travel to Stillwater, Okla., to play Oklahoma State.

During his weekly press conference on Monday, coach Mike Leach said naming a starting quarterback will be a game-time decision.

"Absolutely," he said, "we wouldn't have it any other way."

For what it's worth, Sheffield — known as "Sticks" because of his thin build — was not selected as a captain this week after being chosen the past two weeks.

It's an unfortunate development considering how Sheffield led the team to three consecutive victories,

including a 66-14 blowout against Kansas State last week when he had seven touchdown passes.

It all started with 56 seconds remaining in the second quarter against New Mexico three weeks ago, when he spelled starter Taylor Potts, who left with a concussion. It was the first midseason quarterback change in the Leach era at Tech.

Sheffield provided enthusiasm and sparked the Red Raiders, leading them from a 7-7 tie just before halftime to a 48-28 win.

With Potts watching from the sidelines, Sheffield started against Nebraska on Saturday and went 23-of-32 for 259 yards while running for two scores and throwing for another.

In merely a minute more than 10 quarters of play, Sheffield has thrown for 1,014 yards, 12 touchdowns and two interceptions while completing 74.5 percent of his passes — giving him a passer rating of 192.92.

With Sheffield out, Potts may get a chance at reclaiming the starting position he once seemed so secure in.

The status of the injury suffered against New Mexico is still unknown considering Leach's long-standing policy of not officially releasing that type of information.

SHEFFIELD continued on page 8

Tech student remains in critical condition after fall

A Texas Tech student remained in the hospital in critical condition Monday afternoon after falling off a balcony at Raiders Pass early Sunday.

Harvey Randal Chisamore, a junior from Corpus Christi, was taken to the University Medical Center just after 2 a.m. Sunday after dispatch received a medical call, according to the Lubbock Police Department.

A UMC spokeswoman said Chisamore was in critical condition as of press time Monday.

Sgt. John Gomez of LPD said investigators were reviewing the

information given to them by neighbors and others who were at the apartment during the incident.

Although alcohol was present, he said, the investigators were not yet sure whether alcohol played a part in the incident and they believed it was an accident.

According to statements given by those in and around the apartment, Gomez said, Chisamore was running in the apartment and approached the rail, after which he fell over the rail.

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INDEX

- Classifieds.....7
- Crossword.....6
- La Vida.....5
- Opinions.....4
- Sports.....8
- Sudoku.....2

WEATHER

Today	84/55	Wednesday	62/40
	Isolated T-Storms		T-Storms

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IN BRIEF

STATE

Ex-governor White urges rethink of death penalty

AUSTIN (AP) — Former Texas Gov. Mark White said he believes it's time that the state reconsider its use of capital punishment because — among other reasons — the risk of putting innocent people to death is too great.

In an interview published in Monday's editions of the Houston Chronicle and San Antonio Express-News, White said the death penalty no longer deters murder, long delays between convictions

and executions show there is no swift justice and he's increasingly concerned that the law isn't administered fairly.

"There is a very strong case to be made for a review of our death penalty statutes and even look at the possibility of having life without parole so we don't look up one day and determine that we, as the state of Texas, have executed someone who in fact was innocent," he said.

NATION

Army review: Troop use in Ala. shootings broke law

SAMSON, Ala. (AP) — An Army investigation has found that soldiers should have never been sent to a small Alabama town after 11 people died in March during a shooting spree.

Records from the investigation into why nearly two dozen armed military police were sent to Samson to man traffic stops were released to the Dothan Eagle on Monday after a Freedom of Information Act request. The investigation found the

decision to send the soldiers violated federal law. The law doesn't allow the use of military for civilian law enforcement duties.

The records say the officer who made the decision to send the soldiers from nearby Fort Rucker thought he had the authority based on his experience with responses to Hurricanes Katrina and Andrew. The records did not say whether anyone was disciplined.

WORLD

UN-backed panel confirms massive Afghan fraud

KABUL (AP) — U.N.-backed fraud investigators on Monday threw out nearly a third of President Hamid Karzai's votes from the August election, undercutting his claim of victory and stepping up the pressure for him to accept a runoff.

The Obama administration has been holding off on a decision to send more troops to Afghanistan until a credible

government is installed in Kabul.

Both Secretary of State Hillary Rodham Clinton and the U.N. secretary general signaled on Monday that a resolution was near.

Clinton said Karzai planned to announce his intentions on Tuesday, adding that she was "encouraged at the direction the situation is moving."

Correction

In Friday's issue of *The Daily Toreador*, the pull quote in the article, "Free-spirit artist has own TAB event" should have been attributed to Erick Stow. Also,

it should stated that the original mural on Sept. 24 took 7 hours to complete.

The DT regrets the error.

NRUF

CONTINUED FROM PAGE 1

If approved by Texas voters, the proposition would create the National Research University Fund, which would be available to emerging research universities in Texas who meet at least five out of seven qualifications. Among these qualifications are that schools must have at least \$400 million in endowment, award at least 200 doctoral degrees each year and meet qualified research expenditures of \$45 million per year for two years.

The seven emerging research universities that could benefit from a voter

approval of Proposition 4 are Tech, the University of Houston, the University of North Texas, UT-El Paso, UT-San Antonio, UT-Arlington and UT-Dallas.

Lubbock County voters can cast their vote at any of 40 polling sites Nov. 3 including the Robert H. Ewalt Student Recreation Center on the Tech campus. Several early voting locations including the one at the rec also are open but with varying hours.

For more information on early voting hours and polling places check out the Lubbock County Elections Office Web site.

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Regents to discuss search for next HSC president, Weeks Hall changes

By JETT THOMPSON
STAFF WRITER

The Texas Tech Board of Regents will meet Thursday and Friday in their first meeting of the Fall 2009 semester to discuss the search for a new Texas Tech University Health Sciences Center president and the demolition of Weeks Hall among other issues.

Following the resignation of former HSC President Dr. John Baldwin, the board will discuss hiring a search firm to help find a replacement for Baldwin, said Jerry Turner, the vice chairman of the board. Turner also is the chairman of the search committee for a new HSC president.

"We very much hope to have an

initial meeting of our committee in the next two weeks and to get a consultant on board," Turner said. "We want to make sure we've looked far and wide and found the best candidate to lead our Health Sciences Center."

Turner said the committee will look for a candidate with a strong track record of leadership and a high standing in the academic and medical community. He also said the committee will fine tune the job description based upon discussions at the board meeting this week.



TURNER

Another issue on the meeting agenda is a project that calls for the demolition of Weeks Hall and the Doak Conference Center to make room for new construction.

"The plan is to go ahead and demolish Weeks Hall and to begin preliminary design for a new residence hall, which may in time become an Honors Hall," Turner said.

Turner said the university has a growing need for dorm spaces as enrollment climbs.

The board also is expected to re-approve the construction project for the expansion of the east side of Jones AT&T Stadium. According to the meeting agenda, the construction will mirror the west side of the stadium and will

consist of a five-story building with 26 suites and 544 club seats.

"The stadium really needs to be able to stand on its own two feet," Turner said. "Finishing out the stadium will attract teams to come play us and help recruit students."

The original budget for the project, which initially was approved in August 2008, was \$25 million.

The meeting will take place from 1 p.m. to 5 p.m. Thursday and from 8:30 a.m. to noon Friday, although the meeting may continue past noon if needed. The meeting will be hosted in the Matador Room on the second floor of the Student Union Building both days.

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Tech Terrace, shuttle routes show increased ridership

By ZACH QUIÑONES
STAFF WRITER

Two new routes approved by the Texas Tech Student Government Association for use this semester have increased ridership 30 percent since their adoption this year, according to Citibus numbers.

Lonny Kane, the director of operations at Citibus, said to accommodate for the new route, Citibus added two new trolleys and hired 20 new drivers for service to the Tech Terrace area and an airport shuttle to transport students to the airport.

"The numbers have come out and we've seen a 30 percent increase in people using the route," he said.

Increases are present across the board for other bus routes at Tech, Kane said, so it has not created any inconvenience for the pre-existing routes.

"I used to live in Tech Terrace and always kind of wished there was a bus there," said Dee Jay Wilde, external vice president of the SGA and chairman of the Transportation Advisory Fee Committee.

As of now about 200 students a day use the Tech Terrace bus route, he said.

The committee is in charge of collaborating with Citibus to create new and effective bus routes and will continually evaluate transportation services available.

Bus services already included Lynwood Townhomes, the North Overton area, The Cottages of Lubbock and other select neighborhoods within the campus vicinity.

Officers in the SGA who lived at Tech Terrace wanted to see a bus route that could provide transportation to campus besides walking and bicycling, Wilde said, especially when winter comes around.

The addition of the Tech Terrace bus route began as a summer project for Austin Pennington, the former external vice president of the SGA and current

law student.

"We negotiate our contract with Citibus and see what the needs are for the students," Pennington said. "What we thought would be good for the students is to have a bus route to Tech Terrace."

One, for the students who live in Tech Terrace but also to the students who park there and walk to campus.

To get approval for the new bus route, the SGA also looks at the availability of the proposed route, the benefits and how it can be worked into the system, he said.

"It's good to hear, I'm glad it's being used," Pennington said. "I hope that students continue to use it and it becomes something more popular."

The SGA visited five universities: University of Arizona, Arizona State

University, University of Texas, University of North Texas and Texas A&M University, Wilde said.

During those visits, the SGA looked at what its transportation demands were compared to each campus, Pennington said, and one thing that stood out was the airport shuttle other universities provided for the students.

Incorporating an airport shuttle would provide convenient transportation for students who want to go home on the weekends and for potential students visiting on University Day, Wilde said.

Students are paying \$48 transportation fee per semester, he said, so it would be good to take advantage of the bus routes provided.

"We don't want the students to think we're telling them not to ride their bike to school or walk to school," Wilde said. "We just want to let them know we got a variety of transportation."

A future bus route the SGA plans to incorporate is one for the South Overton area, he said.

For detailed schedules and routes for Tech Terrace and the airport shuttle visit the SGA Web site.

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"The numbers have come out and we've seen a 30 percent increase in people using the route."

— LONNY KANE
CITIBUS DIRECTOR OF OPERATIONS

Diplomats: First day of nuclear talks with Iran yields no results

VIENNA (AP) — A first day of talks to get Iran to send most of its enriched uranium abroad — and thus delay its potential to make a nuclear weapon — ended inconclusively Monday, with Tehran remaining uncommitted, diplomats told The Associated Press.

International Atomic Energy Agency chief Mohamed ElBaradei said the negotiations between Iran and the U.S., Russia and France got off to a "good start." However, three diplomats, who were familiar with the discussions, suggested little was accomplished outside of both sides outlining their positions.

Iran had signaled going into the meeting that it would not meet Western demands for a deal under which it would ship most of its enriched material out of the country. Tehran has said it needs enriched uranium for nuclear fuel. The West fears it could be used to make weapons, and the U.S. says Iran is one to six years away from being able

to do so.

The talks were focused on a technical issue with huge strategic ramifications — whether Iran is ready to farm out some of its uranium enrichment program to a foreign country.

ElBaradei appeared cautiously optimistic after the closed meetings, saying most technical issues had been discussed and the parties would meet again Tuesday morning.

"We have had this afternoon quite a constructive meeting," ElBaradei told reporters. "We are off to a good start."

ElBaradei did not elaborate, but his upbeat interpretation was in line with his stated preference for negotiations over sanctions and other tough measures for dealing with the issue.

One diplomat said the talks were "not as good as ElBaradei said, but good enough to have them continue." Another cautioned against qualifying the discussions, noting

that they were in a very early stage.

The delegations said little as they left the meeting. The chief Iranian delegate, Ali Asghar Soltanieh, said only that he endorsed ElBaradei's comments.

Despite ElBaradei's upbeat assessment, the diplomats said Iran would not elaborate on whether it was ready to ship its enriched material out of the country. They said Tehran had asked questions about the plan put forward by the U.S., Russia and France.

Iran, which holds a 10 percent share in a Eurodif nuclear plant in France, also criticized President Nicolas Sarkozy's government for withholding enriched uranium from that facility, the diplomats said, speaking on condition of anonymity because the talks were confidential.

Areva, the state-run French nuclear company, has described Iran as a "sleeping partner" in Eurodif, which Tehran bought into more than three decades ago. Iran is under

three sets of U.N. Security Council sanctions for defying demands that it freeze enrichment. The sanctions include embargoes on all shipments of sensitive nuclear materials or technology.

Before the meeting, Iran's state-run Press TV had cited unidentified officials in Tehran as saying the Islamic Republic was looking to keep its low-enriched uranium and buy what it needed for the Tehran reactor abroad. One said Iran was looking to the U.S., Russia or France for such supplies — a stance that would likely doom the talks, with neither the U.S. nor France expected to accept anything short of an Iranian commitment to ship out its own material for further enrichment.

Tehran's continued refusal to give up most of its enriched stock could also abort chances of a second round of broader negotiations between Iran and the U.S., Britain, Russia, France, Germany and China. The first round was held Oct. 1 in Geneva.

Transient arrested in Calif. fire probe

(AP) — The Justice Department told federal prosecutors that targeting people who use or provide medical marijuana in strict compliance with state laws was not a good use of their time.

Marijuana advocates and patients called the memo an

encouraging step forward from the strict anti-pot policies of the Bush administration. But many worried that the web of laws in the 14 states that allow medical marijuana use could still leave users and sellers vulnerable to prosecution.

"Now we've got to figure out what these words actually mean," said Wayne Justmann, a longtime pro-pot activist in San Francisco who campaigned for the 1996 ballot measure that made California the first state to legalize medical marijuana.

The state stands out for the inconsistent enforcement of medical marijuana laws. There are as many as 800 storefront pot shops in Los Angeles just as some dispensary owners are starting decades-long sentences in federal prison. Some cities are trying to clamp down on medical marijuana, while others offer permits and collect taxes on dispensaries just like any other small business.

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Puzzles by PageFiller

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TEXAS TECH VS. TEXAS A&M

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OCTOBER 24, 2009

Obama's College Station visit foreshadows change

Here we are again, just a few short days from our annual biannual blow-out of Texas A&M at Jones AT&T Stadium with another record crowd in attendance. But right now, A&M is far from focused on football. The team is, once again, headed for the cellar of the Big 12 while Tech appears to be rolling on all cylinders.

Meanwhile, just last week, College Station welcomed its own special guest: President Barack Obama. Aggieland isn't exactly what you would call a haven for Obama, but the president made it clear his stay wasn't to promote a new liberal policy, saying to a loud applause that sometimes "the R or D next to your name is irrelevant."

Pushing away party alliances and the so-called "politics as usual" is exactly what Obama has advocated in his attempt to distance himself from the Bush administration. However, there is nothing Obama could have done or said to receive a warm welcome in College Station.

Obama faced a shower of opposition Friday as he met former President George H.W. Bush to celebrate

Ben Jones



community service. A very limited number of tickets were available, meaning most protesters were forced to assemble at a nearby park.

Several hundred Aggies showed up to picket the event with flags and signs that read, "Texas isn't Socialist" and "Obama Hates Freedom." Certainly, none of these signs had anything to do with the actual reason Obama came to the university, as one poster cleverly said, "Volunteering = Socialism," but that is far from the point at A&M.

For Aggies, many are struggling to cope with the shift in power at both the state and national level. There was perhaps no place that supported President George W. Bush more than College Station and the exact opposite can be said for Obama. But Obama has

no choice but to embrace Texas. Texas' own Aggie governor, Rick Perry, announced March (albeit somewhat jokingly) Texas might have to secede.

But A&M's brass isn't exactly sitting comfortably itself. This summer, after well-liked university President Elsa Murano resigned, the Texas A&M's Faculty Senate issued a 55-9 no confidence vote in Chancellor Mike McKinney. Murano was well-liked by students and faculty, and it wasn't until a poor review of her job by McKinney that she resigned.

Undoubtedly, McKinney's priorities must be put into question. As the Aggie football team is again struggling under second-year coach Mike Sherman, some are holding McKinney accountable. When A&M was poised to hire a new coach two years ago, McKinney announced Sherman — who coached and recruited McKinney's sons — was the only candidate for the job.

Shortly after Murano's resignation, the Austin-American Statesman suggested Perry might have

had a hand in the events, perhaps looking forward to his life after his governorship. And for Texas, that may be on the horizon as Perry faces stronger and stronger opposition from Republican Sen. Kay Bailey Hutchinson, who has been quick to criticize Perry's health care and education policies.

A&M's ties in Austin run deep. With several Aggie alumni on Perry's staff, as well as several former staff members in the A&M administration (including McKinney), A&M faces large power losses in the next gubernatorial election. Certainly, there doesn't seem to be any great ideological shift coming, but Obama's presence on the A&M campus is strikingly ironic.

College Station, or even Lubbock, will never embrace Obama, but he does seem to represent the wave of change that could be approaching.

■ Jones is a sophomore economics major from Lubbock. >> ben.jones@ttu.edu

STAFF EDITORIAL

Vote for Proposition 4 would increase value of education

Texas Tech students have a rare opportunity to directly affect the future of their university with a "For" vote on the constitutional amendment Proposition 4, which could not only enhance the view of the university but the value of students' degrees.

The vote for Proposition 4, a Texas constitutional amendment that would re-allocate money from the Higher Education Fund to the National Research University Fund and allow the Texas Legislature to dedicate money each biennium to the fund, is one of few votes that directly and very quickly will affect the students of Texas Tech University.

The proposition would make about \$500 million available for any of the seven emerging research universities that earn tier-one status, which Tech administrators have confidently expressed would take only a few years for Tech.

The degrees Tech students earn from the university only are as valuable as the university itself. Should Tech achieve tier-one status, a degree from the university would become more valuable than before.

If Tech wants to be considered a top university, nationally or in Texas, the passage of this proposition coupled with Tech achieving tier-one status is of utmost importance.

Such a status, and with the ability to draw from a fund that contains

about \$500 million, would place Tech in a position to be more competitive with the University of Texas and Texas A&M University for research money and recruitment of students and faculty.

Even without this money, tier-one status would give Tech prestige it has not had before.

However, if the proposition is voted down, the university will be left at a disadvantage in terms of funding to the University of Texas and Texas A&M University, both of which draw from the Permanent University Fund.

Although college students are proven to be one of the groups in society that cares the least about politics and do not often show up to polls, especially in a non-presidential election, Tech students

have an excellent reason to show up at the polls for early voting or on election day Nov. 3.

Many college students are sheltered from needing to cast important votes on issues such as health care and Social Security because those issues do not immediately affect the majority of students. But with this amendment hitting so close to home, *The Daily Toreador's* editorial board believes every Tech student should visit the polls to vote for this amendment with the hopes of increasing the value of their education from the university without even having to pick up a book.

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“If Tech wants to be considered a top university, nationally or in Texas, the passage of this proposition coupled with Tech achieving tier-one status is of utmost importance.”

Learn from Zombieland, enjoy little things

From the first moment I heard mention of the film "Zombieland," I was intrigued.

Because I am a strange person with an affinity for such things, I vowed that I would see it; however, due to various extenuating circumstances entirely out of my control, I was unable to watch it until last week. After speeding furiously to the theater in an attempt to narrowly avoid missing the first few minutes, I was finally able to quench my "Zombieland" thirst.

Aside from being both ridiculously hilarious and entirely awesome, the film possessed one element in particular made a great deal of impact. For those of you who have not yet seen it, several "Zombieland rules" are incorporated in the film. These rules are, of course, put forth to instruct remaining humans how to not fall victim to an impending Zombie attack.

Among the rules detailed in the movie are #1 Cardio (endurance is intuitively necessary to outrun your attackers), #2: The Double Tap (always shoot twice as a necessary precaution), and #31: Check the Backseat (it is entirely likely that a threat could be lurking there just waiting to strike).

If you have not yet emitted an enormous sigh and put down this article thinking it to be just another pop-culture-infested blurb or movie-critique, hear me out. I promise I have a point.

Personally, I feel the most crucial rule in the entire movie is Rule #32: Enjoy the Little Things. The storyline essentially hinges

Sherri Haertling



on this notion; alas, for those of you deprived individuals who have yet to see the movie, I shall not reveal much more.

As soon as I heard it, this simple statement resonated with me. And as soon as I stepped out of that theater, I began thinking about how we all, myself included, need to do more of just that — enjoy the little things.

All too often, we get caught up in the big things or at least the unimportant things. We repeatedly brush right past life's beauty in our rush to type up that last-minute paper, run to class, speed to work, cram for that next ever-encroaching test, prepare for this or that and then repeat it all again.

I have lately come to realize the world is a much happier and more enjoyable place if you take just a moment to pause all of life's craziness. We'd all do well to take time to revel in the seemingly insignificant events that can't help but makes us smile.

Young children seem to have this down pat. They are able to sit completely contented and thoroughly enjoy a too-big chocolate-chip cookie or become enthralled with a make-believe world and spend hours upon gleeful hours there. Kids amaze me both with their

exuberance and their ability to derive great pleasure from the simplest things.

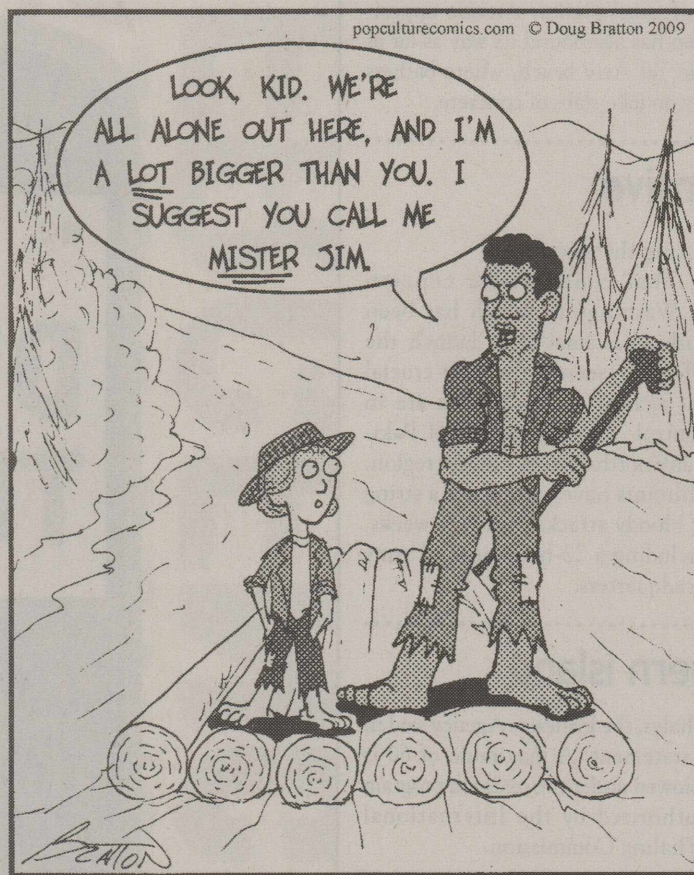
A book I was able to steal from my house titled "All I Really Need to Know I Learned in Kindergarten" by Robert Fulghum comes to mind. It is a collection of anecdotes, essentially, that all centralize on the notion our early lessons are really all we need.

What I fervently hope all readers are able to take from all of this foolish prattling on about Zombies, children and other randomness is we all would benefit in

some way from taking a break.

It need not be for any extended period of time and it may not take any time at all. Rather, it is about altering your mindset slightly. I encourage you to now and then revert back to that child-like appreciation for simplicity. I also highly encourage those of you so inclined to see "Zombieland."

■ Haertling is a sophomore psychology major from Los Alamos, N.M. >> sherri.haertling@ttu.edu



Tom Sawyer becomes a bit more politically correct.

Marine to plead guilty in fake war heroism case

HAGERSTOWN, Md. (AP) — A Marine sergeant charged with faking battle injuries to get freebies intended for wounded warriors will plead guilty, a Marine Corps spokeswoman said Monday.

Sgt. David W. Budwah, 34, of Springhill, La., will enter the plea at a court-martial hearing Wednesday at the Marine Corps Base in Quantico, Va., 1st Lt. Joy Crabaugh wrote in an e-mail.

Budwah faces eight counts, including making false official statements, malingering, misconduct and larceny. They carry combined penalties of up to 31½ years in prison and a dishonorable discharge.

Prosecutor Marine Capt. Thomas Liu declined to disclose terms of the plea agreement.

Neither Budwah nor his lawyer, Marine Capt. Kelly Repair, returned calls from The Associated Press.

Budwah is accused of bluffing his way into 33 events last year, including six rock concerts, two Washington Nationals baseball games, a Washington Redskins football game and a World Wrestling Entertainment "Monday Night Raw" show. Sponsored by various civilian

groups, the events often included special recognition of injured service members in attendance.

Budwah also is alleged to have worn eight unearned medals and decorations on his uniform, including bronze-star campaign medals from the wars in Iraq and Afghanistan. Other unauthorized decorations included a humanitarian service medal denoting work on the 2004 tsunami relief effort, the government has said.

Budwah claimed in a speech to young boys at an American Legion camp near Sabillasville in July 2008 to have been wounded in Afghanistan when he dove on a homemade grenade to shield a buddy from the blast — a false story, the government contends.

Instead, Budwah was with a radio communications unit in Okinawa, Japan, from early 2000 to early 2006, and then at Quantico, the Marines have said.

The government claims he faked post-traumatic stress disorder in July 2008 in hopes of leaving service early and was sent to the National Naval Medical Center in Bethesda, where he began bluffing his way into wounded-warrior events.

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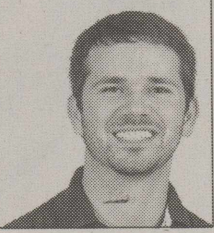
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After reuniting, Creed could rediscover relevance

I attended a Creed concert on Sunday. Yes, that Creed. The same band many people would be embarrassed to say they secretly enjoy just a little. And although there may be some merit to the cries that Creed is just as cheesy as a bands like Nickelback, let us not forget they were basically on top of the music world 10 years ago.

Noel Bryant



a cheesy, forced and commercialized effort like some of their newer stuff or their side projects?

These guys have paid their dues, been on top in a very competitive music game and are now back together trying to recapture their magic after a five-year break-up. The show they put on in Lubbock Sunday night is a sign of good things to come for the newly-reformed band that, like them or not, is one of the most popular of our generation.

Of course, I was skeptical. As a 14-year-old, I loved Creed. They rocked, they had positive messages, they seemed to really care about their fans. I was a Creedie.

So, as I was waiting for their return in my seat in the United Spirit Arena, I wondered if I was about to hear the Creed of my childhood, the band that rocked hard and reminded one of Stone Temple Pilots or Soundgarden. Or was the LBK about to be treated to

known songs, as well as some of their big hits like "Click, Click, Boom" and "Always."

And even if you weren't so interested in listening to their songs, you could just laugh at the onstage antics of their rhythm guitar player, who did everything he could to make sure he had everyone's total attention at all times.

I have never seen one rocker perform as many concert clichés as this guy. Spitting water every song? Yep. Rolling around on the ground? Yes sir. Stripping? Oh yeah. Now that's quality entertainment.

Creed opened with a bang, with extreme pyrotechnics lighting up the stage as we listened to their song "Bullets" from their Weathered album. They then kept rocking out like the Creed of old, playing almost all of their hits from the old days, like "My Own Prison," "Are You Ready" and "What If?"

I was pleasantly surprised. I mean, I knew the band could still rock, especially with vets Brian Marshall back on the bass and Mark Tremonti doin' his thing. And yes, Scott Stapp's vocal

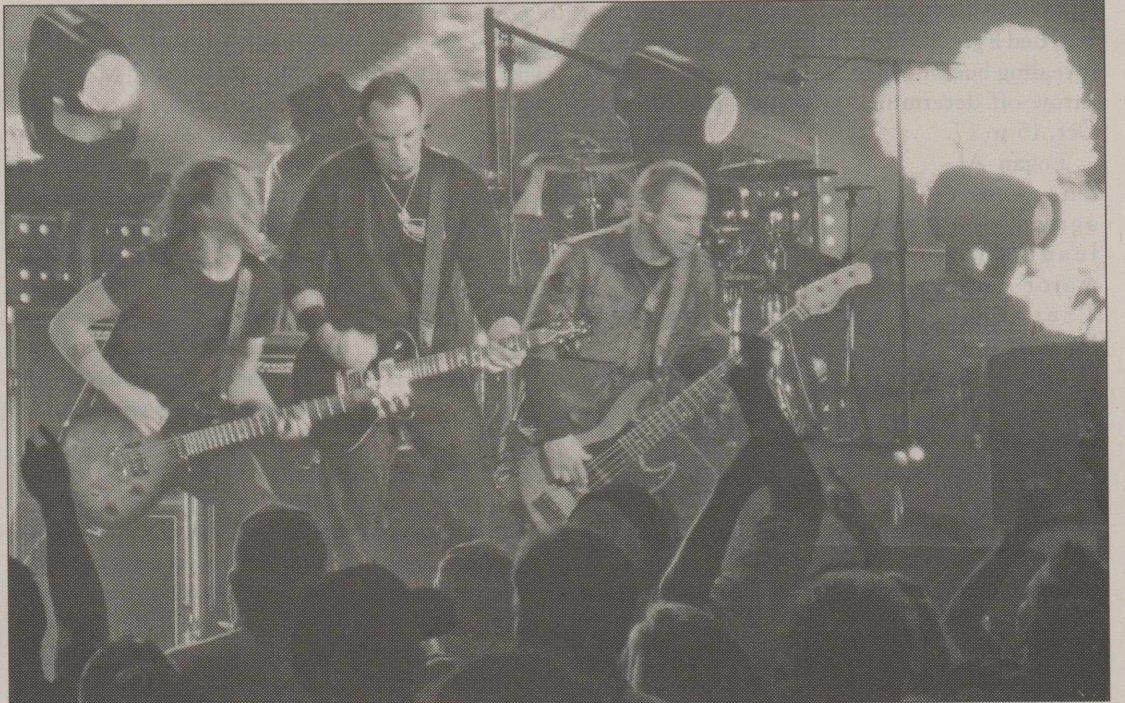


PHOTO BY NOEL BRYANT/The Daily Toreador

CREED LIT UP the stage Sunday at the United Spirit Arena. The rock band followed performances by Like a Storm and Saliva.

chords have been through a lot. He is not and will not ever again be the Stapp of old, but he still gave it everything he had, and it was certainly more than fine to my ears.

I was just surprised Creed was

really making an effort to bring back the truly best days of the band, the beginning days.

They were sounding more like their old selves, save Stapp's aging voice, and if they want to be relevant again in the rock scene,

Creed needs to continue to make that kind of effort. My 14-year-old and 22-year-old self really enjoyed the show.

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Don't expect to sleep after seeing new scary movie

Ten years after "The Blair Witch Project" took the country by storm, a new independent project simply titled "Paranormal Activity" has done the same.

Aaron Nichols



The extraordinarily low-budget of \$11,000 confirms it doesn't take Hollywood millions to produce quality film nor does it take a year, seeing as how this film only took a single week. To top it all off, the filmmakers have continued the phenomenon originally set by "Blair Witch" by taking an ultra low-budget movie and turning it in a big profit. Since its nationwide release Oct. 17, it has made more than \$33 million at the box-office.

Shot in documentary format, as was "Blair Witch," "Paranormal Activity" follows the supernatural events surrounding a young couple,

Katie and Micah, with each occurrence being caught on camera. Most of these occurrences are simple things like sounds downstairs as the couple sleeps or lights turning themselves on. However, as the story continues things begin to get worse and simple sounds are replaced by doors closing themselves and sheets flying off beds. The entire ordeal comes to a head in the closing moments of the film.

As with "Blair Witch," viewers

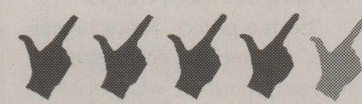
are encouraged to not take the circumstances presented in the film seriously. This is not a true story in its entirety but it makes every indication it could be and that is where the proof lies this is top-flight filmmaking.

While watching "Paranormal Activity" I heard people turn to their neighbors and say things like, "This is supposed to be scary?" and "Is this it?" However, by the end of the show nobody was doubtful. The theater was overcome with a unanimous wave of screams signifying the scare factor of what was seen. Nobody I have spoken with has doubted the film's power after seeing it.

This new scary movie has been marketed as the "scariest movie of the decade" but nobody should

expect nonstop bone-chilling thrills throughout. This is a psychological thriller whose power lies in causing anticipation in the audience before moving in for the climactic final scare, which is delivered with the impact of a 100 mph car crash. It hits suddenly and abruptly, a combination which makes for great horror cinema.

Anyone curious about the intensity of this film or who is simply looking forward to a good scare should see it as soon as possible. It will be worth every cent you pay.



■ Nichols is a DT movie critic.
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Feds worried Blagojevich TV appearance will taint jury pool

CHICAGO (AP) — Prosecutors said Monday they are worried about what ousted Gov. Rod Blagojevich might say on Donald Trump's "Celebrity Apprentice" TV show that could taint the jury pool for his federal corruption trial.

The show is likely to air just as jurors are being qualified for the trial, which is scheduled to start June 3, and anything Blagojevich might say about the evidence could cause complications, prosecutors told U.S. District Judge James B. Zagel.

Blagojevich has "repeatedly commented on the evidence" in appearances on TV and radio

shows in the months since he was indicted on charges of scheming to trade or sell President Obama's former U.S. Senate seat, Assistant U.S. Attorney Reid Schar told Zagel. Prosecutors did not ask Zagel to bar Blagojevich from going on the show.

The judge said he was similarly concerned and told Blagojevich's attorneys to work out an agreement with prosecutors that would allow Blagojevich to appear on the show but prevent the sort of remarks that might cause concern. He said he wanted the sides to show him their agreement once it's completed.

Public statements by defendants about criminal charges they

are facing could "create a certain amount of jeopardy for the defendant," Zagel said. Such remarks could also create "a problem that would cause me to have to make difficult judgments," such as how far the government could go in introducing evidence to balance what the jury might have heard on the television show, he said.

Defense attorney Samuel E. Adam told reporters after court it would be unfair to block Blagojevich from proclaiming his innocence in public. He said U.S. Attorney Patrick J. Fitzgerald used such strong language in announcing the indictment that the jury pool was already effectively

tainted.

Fitzgerald said at a news conference after the indictment was returned that Blagojevich's crimes would make "Lincoln roll over in his grave."

Blagojevich, who did not attend the hearing, was in New York last week as taping for the show got under way. The show is due to air in March.

Blagojevich was impeached and kicked out of office after he was accused of trying to sell or trade President Barack Obama's former U.S. Senate seat. He has denied wrongdoing, and pleaded not guilty to the corruption charges against him.

New medical marijuana policy could make patients less of a target

WASHINGTON (AP) — Pot-smoking patients or their sanctioned suppliers should not be targeted for federal prosecution in states that allow medical marijuana, prosecutors were told Monday in a new policy memo issued by the Justice Department.

Under the policy spelled out in a three-page legal memo, federal prosecutors are being told it is not a good use of their time to arrest people who use or provide medical marijuana in strict compliance with state law.

The guidelines issued by the department do, however, make it clear that federal agents will go after people whose marijuana distribution goes beyond what is permitted under state law or use medical marijuana as a cover for other crimes.

The memo advises prosecutors they "should not focus federal resources in your states on individuals whose actions are in clear and unambiguous compliance with existing state laws providing for the medical use of marijuana."

The new policy is a significant departure from the Bush administration,

which insisted it would continue to enforce federal anti-pot laws regardless of state codes.

"It will not be a priority to use federal resources to prosecute patients with serious illnesses or their caregivers who are complying with state laws on medical marijuana, but we will not tolerate drug traffickers who hide behind claims of compliance with state law to mask activities that are clearly illegal," Attorney General Eric Holder said in a statement.

By the government's count, 14 states allow some use of marijuana for medical purposes: Alaska, California, Colorado, Hawaii, Maine, Maryland, Michigan, Montana, Nevada, New Mexico, Oregon, Rhode Island, Vermont and Washington. Some medical marijuana advocates say Maryland shouldn't be included in that group, because the law there only allows for reduced penalties for medical marijuana usage.

California stands out among those for the widespread presence of dispensaries — businesses that sell marijuana

and even advertise their services. Colorado also has several dispensaries, and Rhode Island and New Mexico are in the process of licensing providers, according to the Marijuana Policy Project, a group that promotes the decriminalization of marijuana use.

Advocates say marijuana is effective

in treating chronic pain and nausea, among other ailments.

Holder said in March that he wanted federal law enforcement officials to pursue those who violate both federal and state law, but it has not been clear how that goal would be put into practice.

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Mexico fells trees to save butterfly reserve

MEXICO CITY (AP) — Authorities who have struggled to stop illegal logging in Mexico's famed monarch butterfly reserve now are cutting down thousands of trees themselves to fight an unprecedented infestation of deadly bark beetles.

Biologists and park workers are racing to fell as many as 9,000 infested fir trees and bury or extract infested wood before the orange-and-black monarchs start arriving in late October to spend the winter bunched together on branches, carpeting the trees.

Environmentalists say the forest canopy of tall firs is essential to shelter the butterflies on their annual migration through Mexico, the United States and Canada. The journey is tracked by scholars and schoolchildren across North America and draws tens of thousands of tourists to the reserve, a U.N. Heritage site.

But freezing rains and cold night air that can kill the monarchs at the high-altitude reserve, so the insects are threatened by a loss of trees, whether by loggers or the bark beetles.

Because the migration is an inherited trait — no butterfly lives to make the round-trip — it's not clear whether they could find another wintering ground.

Experts say insecticide is the best way to control the beetles, but that would endanger the butterflies. Instead, park officials are fighting the plague tree-by-tree.

"It is obvious that in the medium and long term, if we do not act to adapt to the changes, then there could be a serious risk" to the butterflies' migration, said reserve director Rosendo Caro, a forestry expert. "The forest is not going to disappear, but the conditions that make up the right environment for the wintering phenomenon could disappear."

Beetles are devastating forests across the continent from Colorado to the Yukon, killing millions of acres (hectares) of trees. In most places, the infestation is spurred by trees weakened by drought, and beetles that thrive in warmer weather. The dead trees increase the risk of forest fires, exacerbating the problem.

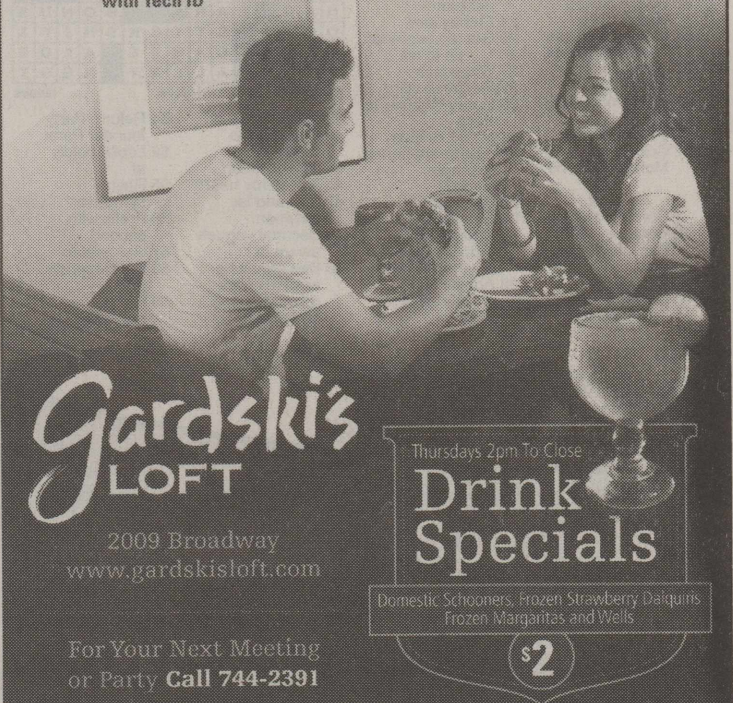
Bark beetles have long been present in the reserve monarch reserve, usually attacking a few trees in the driest months of early spring, before heavy seasonal rains that normally start in May. But this year, little rain had fallen by July, and the trees were weakened. The beetles took advantage, burrowing in and robbing the trees of nutrients until they turned orange and die.

The infestation so far has affected 100 of the 13,550 hectares (33,482 acres) in the reserve's core mountain-top wintering grounds.

But experts are concerned because the outbreak is occurring in patches, indicating the infestation is spreading. And a Mexican government report on climate change predicts more late or delayed summer rains, with a 15 percent decline in overall rainfall between now and 2080.

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60th Annual Tech Rodeo brings diverse crowd, tough competition

By SHERREL JONES
STAFF WRITER

The Texas Tech Equestrian Center seated rodeo fans who watched a green gate swing open revealing bucking bulls trying to throw off determined cowboys Oct. 15 to 17.

Logan Allen, a senior agriculture leadership major from Crescent, Iowa, was one of the Tech cowboys who competed the 60th Annual Texas Tech University National Intercollegiate Rodeo Association Rodeo.

"It's pretty tough this year in this region. There are about 10 regions in the United States. There are two in Texas and this is the toughest region."

LOGAN ALLEN
TEXAS TECH
COWBOY

"It's pretty tough this year in this region," Allen said. "There are about 10 regions in the United States. There are two in Texas and this is the toughest region."

Allen said he competed in bull riding, saddle bronc riding and team roping. He said bull riding is one of his favorite activities

to compete in.

A cowboy's goal in bull riding is to stay on the bull for eight seconds, he said. The bull will do everything in its power to buck off the rider. If the rider does not stay on the bull eight seconds, no points are received.

The event brought in both a dedicated rodeo crowd and individuals who were experiencing the rodeo atmosphere for the first time.

Nikki Mortlack, a freshman architecture major from Cypress, said this weekend was her first time at the rodeo.

"I have never seen anything like this before," Mortlack said. "It is all new to me, but it's not a bad experience."

Tie-down roping was a shock-site to take in, she said.

Tie-down roping or calf roping is an event in which a calf is released from a gate and the

cowboy is in a race with the clock to rope and tie the calf. If the calf does not manage to untangle itself from the rope in six seconds, the cowboy receives his time.

"That is terrible," Mortlack said. "It seems like they grab it too hard and slam it down."

More judges watch the animals than the cowboys to make sure the animals are not harmed in any way, said Wendee Langdon, a doctoral student in animal science and long-time rodeo fan.

The family-fun rodeo had a good turnout this year, she said.

"I think the competition here is really good," Langdon said. "We have one (professional bull rider) competitor. The competition is pretty stiff. Tuff Hedemann was spotted here, who was a PBR, so it is a little celebrity sighting."

The celebration of the 60th annual rodeo did not go unnoticed by rodeo fans.

"I came here tonight to get extra credit for a class," said Susan Martin, a junior animal science major from El Paso, "and I'm selling programs. It is interesting to be able to work behind the scenes instead of sitting in the crowd. I think it is great that is the 60th annual rodeo because Tech is really big on tradition."

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PHOTO BY COLEMAN MOREFILED/The Daily Toreador
MAISON HAINES, A freshman architecture major from Roswell, works on a self-portrait in her architectural free-hand drawing class Wednesday in the Architecture building.

D'oh! Bash marks 'The Simpsons' 20th

SANTA MONICA, Calif. (AP) — Forget red.

The arrivals-line carpet leading into Barker Hangar was yellow — appropriate, given the night's honorees: Homer, Bart, Lisa, Marge and Maggie Simpson, all on hand to celebrate 20 years of "The Simpsons." Their series is the longest-running American sitcom, the longest-running American animated program, and it recently surpassed "Gunsmoke" as the longest-running American primetime scripted entertainment program.

"You know, it's really weird," noted Simpsons creator and series executive producer Matt Groening. "I mean, I thought the show would be successful. But the fact that we're still standing here some 20 years later and talking about it is very peculiar. But very happy."

Brace yourself for another "Simpsons" milestone, as matriarch Marge Simpson appears on the cover of November's Playboy, as well as in a three-page spread for the adult magazine.

"Well, I talked to Marge today," said Al Jean, "The Simpsons" executive producer. "She's a little embarrassed. She wanted people to know the photo is Photoshopped. It's really the body of Wilma Flintstone."

The carpet was crammed with guest stars who've lent their voices to "Simpsons" episodes, including Robert Englund, the actor best known for playing Freddy Krueger in the "Nightmare on Elm Street" movies; and one who appears eager to see more of Mrs. Simpson. "Marge is hot — big hair and all," he confessed. "And I've loved (actor) Julie Kavner (who supplies the voice of Marge) since 'Rhoda.' So, I'm glad some manifestation of her is getting to finally show it off."

"It is hilarious," added "Star Trek" actor George Takei. "(The Playboy spread) is the kind of thing that makes 'The Simpsons' a perennial. It's going to live long and prosper," he continued, laughing.

Some reporters along the yellow

carpet couldn't resist drawing comparisons between "The Simpsons" precocious Bart Simpson and the so-called "Balloon Boy," a 6-year-old who was said to be hiding in the rafters of his family's garage following reports Thursday that he was flying over the plains of Colorado in a giant, homemade helium balloon.

Authorities said Sunday that the story was a hoax concocted to land a reality television show, and the boy's parents, Richard and Mayumi Heene, will likely face felony charges.

"Such a perfect 'Simpsons' episode," commented documentarian Morgan Spurlock, who serves as director of "The Simpsons 20th Anniversary Special in 3-D on Ice," which will air in January. "All of that playing out in real time was so unbelievable. But it's America. It was American news at its best. We run with something without having all the facts. We turn it into a big lead story. That's what it's all about."

32 More planets found outside solar system

WASHINGTON (AP) — European astronomers have found 32 new planets outside our solar system, adding evidence to the theory that the universe has many places where life could develop.

Scientists using the European Southern Observatory telescope didn't find any planets quite the size of Earth or any that seemed habitable or even unusual. But their announcement increased the number of planets discovered outside the solar system to more than 400.

Six of the newly found planets are several times bigger than Earth, increasing the population of so-called

super-Earths by more than 30 percent. Most planets discovered so far are far bigger, Jupiter-sized or even larger.

Two of the newly discovered planets were as small as five times the size of Earth and one was up to five times larger than Jupiter.

Astronomer Stephane Udry of the University of Geneva said the results support the theory that planet formation is common, especially around the most common types of stars.

"I'm pretty confident that there are Earth-like planets everywhere," Udry said in a Web-based news briefing from a conference in Portugal. "Nature doesn't like a vacuum. If there is space

to put a planet there, there will be a planet there."

What astronomers said is especially exciting is that about 40 percent of sun-like stars have planets that are closer to being Earth-sized than the size of Jupiter. Jupiter's mass is more than 300 times that of Earth's.

Depending on definitions of the size of super-Earths, the discovery suggests that planets that have a mass similar to Earth's are "extraordinarily commonplace," said Alan Boss, an astronomer at the Carnegie Institution of Washington. He was not part of the European team. "The universe must indeed be crowded with habitable worlds."

Los Angeles Times Daily Crossword Puzzle

Edited by Rich Norris and Joyce Lewis

ACROSS

- 1 Modify to fit
- 6 Nile bird
- 10 Early late-night host; Jack
- 14 —Stimul
- 15 It smells
- 16 Golden Fleece ship
- 17 Devoured every bit of
- 18 Coke or Pepsi
- 19 "Peter Pan" pirate
- 20 Suffering writer's block
- 23 Color gradation
- 24 "Days of — Lives"
- 25 One of the Musketeers
- 28 Paintings by dadaist Max
- 30 Really little
- 32 Sport — family vehicle
- 33 Is bratty
- 35 "Do it, or —"
- 36 Suffering writer's block
- 41 Open fields
- 42 Modeling session activity
- 43 Frequently, to a poet
- 44 Docking spot
- 46 Black Sea resort
- 50 Offers from a genie
- 52 Small bill
- 53 Favored student
- 54 Suffering writer's block
- 58 Pinza of "South Pacific"
- 60 Space-saving abbr.
- 61 Many sculptures
- 62 Parking lot fillers
- 63 Completion problem
- 64 Krupp Works city
- 65 Decides
- 66 Letters after pl
- 67 Color-coded Monopoly cards

DOWN

- 1 Gerónimo's tribe
- 2 Route around the construction area
- 3 Ancestors in Darwin's theory
- 4 Spitter's sound
- 5 Exceptional
- 6 Acquire, as liabilities
- 7 Cartoon flapper
- 8 Maui, for one
- 9 Sailor
- 10 Apartment house choice
- 11 Military mascot
- 12 It goes before beauty, so they say
- 13 — v. Wade: 1973 Supreme Court decision
- 21 Enthusiasm
- 22 Get too personal
- 26 — sin to tell ...
- 27 Witnesses
- 29 Get fresh with
- 30 Henry Higgins, to Eliza
- 31 NYSE debuts
- 34 Apartment house manager, slangily
- 35 Periphery
- 36 Go with the —
- 37 Strategy for reducing loan payments, briefly
- 38 Admits an embarrassing error

Georgia Supreme Court rules against millionaire Strother's mistress

ATLANTA (AP) — The Georgia Supreme Court ruled unanimously Monday against the mistress of a millionaire, saying she is not entitled to receive \$7,900 a month for the rest of her life as provided under amendments to his will.

The court ruled 7-0 that Anne Melican should not receive the monthly payment, and that she also is not entitled to property in Florida and Cape Cod, Mass., as provided by the late Harvey Strother in amendments to his will signed between 2000 and his 2004 death.

The ruling overturns a decision last summer that had upheld the monthly allowance, despite his family's insistence that when he died, Strother was a fragile alcoholic who Melican conned

into changing his will.

Part of the case hinged on the testimony of two home nurses who cared for Strother and signed as witnesses to the amendments, but later confessed they hadn't witnessed anything.

Monday's ruling nullified the women's signatures and voided the amendment, known in legal terms as a codicil.

"We conclude the first codicil was not properly executed," Justice Hugh Thompson wrote.

Justices also upheld a decision denying Melican ownership of a Cape Cod home, and a Florida property and boat slip. The court was not asked to rule on an amendment granting her a condominium in Marco Island, Fla., an issue that will

go before a different court.

Strother died at 79, a multimillionaire who made his fortune with a small empire of Atlanta-area car dealerships.

Court records show he was drinking more than a gallon of wine a day by the time he made changes to his will that guaranteed Melican about \$6 million of his \$37 million estate and multiple properties.

After Strother's death from congestive heart failure, his grandson challenged the amendments, depicting Melican as a canny manipulator who used sex and alcohol to influence Strother into changing his will.

In Monday's opinion, justices pointed to testimony from Bonnie Gordon and Amie Spears Lockett, former

nurses of Strother, who admitted they signed off as witnesses to the changes of his will though they never saw Strother himself sign the document.

Melican's camp argued the women simply forgot the circumstances of the signing. The court dismissed that claim.

"The record shows that Lockett's testimony was unequivocal that testator (Strother) did not sign in her presence and he did not acknowledge his signature," Thompson wrote.

Attorneys representing the Strother estate said the ruling means money and property will likely be distributed among the dead man's family, in keeping with a 1988 will leaving the bulk of his assets to his wife Betty, their children and their grandchildren.

Burned soldier portrait to show at Smithsonian Institution

SAN ANTONIO (AP) — Retired Army Sgt. Richard Yarosh has gotten used to the stares. His face is blanketed in knotty scar tissue. His nose tip is missing. His ears are gone, as is part of his right leg. His fingers are permanently bent and rigid.

All is the result of an explosion in Iraq that doused him in fuel and fire three years ago.

"I know people are curious," he said. "They'll stop in their tracks and look. I guess I can understand. I probably would have stared, too."

Soon, a lot more people will be staring at Yarosh's face but in a very different way: A life-sized oil painting of him will go on display at the National Portrait Gallery at the Smithsonian Institution in Washington later this month. The portrait, by Matthew Mitchell, is a finalist in the Outwin Boochever Portrait

Competition, which recognizes modern portraiture at the gallery known for its collection of notable Americans.

The gallery received more than 3,300 entries. Many are less conventional portraits, including video and photos, but others, like that of Yarosh, draw strength from the traditional head-and-shoulders composition, said curator Brandon Fortune.

Mitchell's use of the style — historically reserved for nobility, a high-ranking military officer or a president, not a disfigured soldier in an Army T-shirt — democratizes such paintings, Fortune said.

"The portrait is clearly meant to honor him. I think that contributes to the gravity of the presentation," she said.

The Yarosh painting is part of a series of portraits by Mitchell begun

four years ago, when he set out to paint 100 military personnel or others who served in Iraq and Afghanistan. With 30 completed so far, each of the portraits is 26-by-30 inches with roughly the same head-and-shoulders framing. Yarosh's portrait is No. 23.

"There's a huge amount of people who have been deeply touched by these wars in America, and these wars are obviously some of the most formative events in the world," said Mitchell. "Yet, most people in America don't need to pay attention to these wars whatsoever. They don't feel compelled."

The 38-year-old Mitchell, of Amherst, Mass., asks each of his subjects to write a brief description of his or her experience to go with the portraits. Yarosh's includes the line: "That day started the same as every other day, but that day has never ended."

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Cross Country peaking at right time

By ZANE TURNER
STAFF WRITER

The Texas Tech men's and women's cross country teams could not have picked a better time to peak.

The Lady Raiders took the team title at the Chile Pepper Invitational on Saturday in Fayetteville, Ark., and the Red Raiders finished fifth as a team.

The win for the Lady Raiders is their third consecutive victory in the Chile Pepper, and All-American Lillian Badaru won the women's individual title — her third victory this season in four meets.

Tech hopes it can carry the momentum it has built so far this season into the Big 12 Conference Championships and to the NCAA Championships.

"We are looking forward to winning conference," said senior Gladys Kipsang. "We are a very strong team, and we have been working so hard all season."

With their eyes set on the Big 12 Championships, the women are aiming for back-to-back conference titles.

Both teams performed well and Murray said both the men and women have progressed well in their training and are focused on going as far as they can go.

On the men's side, the Red Raiders hope to leave their mark as one of the best men's teams in Tech history with

a strong finish at the Big 12 Championships.

The men have shown improvement throughout the season with wins in their first two meets, a top 10 finish at the Cowboy Jamboree on Oct. 3 in Stillwater, Okla., and their fifth-place finish at the Chili Pepper.

With a strong front four, the Red Raiders are led by All-Big 12 runner Gilbert Limo, who finished 28th in Arkansas, Silas Kemboi, who finished 60th, senior Cory Higgins, who finished 66th and Zach Quiñones, who placed 97th.

Higgins said this team has a chance to be one of the best men's teams to run for Tech and knows all the hard work they have put in culminates in the Big 12 Championships.

"This was the best finish we've had at the Chili Pepper since I've been here," he

said. "So it gives us some confidence going into the conference championships. We know we can be better and hopefully we will be better at conference."

Tech has put themselves on the map with the running of its women's team, and Murray said it's a constant battle for his team to earn the respect of voters and other teams across the nation.

"We've had some success, winning the Big 12 with the women and consistently doing the same or better on the men's side," Murray said. "We're not anywhere near there. I don't think we



PHOTO BY KEN MUIR/The Daily Toreador

TEXAS TECH'S LILLIAN Badaru led the women's cross country team to its third consecutive win at the Chile Pepper Festival Saturday.

The men and women head to the Big 12 Championships on Oct. 31 in Columbia, Mo.

zane.turner@ttu.edu

Coach says Okla. State WR Bryant gets lesson

— Being without All-America receiver Dez Bryant hasn't stopped No. 14 Oklahoma State from starting Big 12 play on the right foot.

To hear coach Mike Gundy tell it, the situation hasn't been so easy for Bryant.

"I would hate to speak for him, but I would say he's not doing very good," Gundy said Monday. "You take any of us in here and the one thing that you really love to do and you take it away and you can't do it, then you're not going to feel very good, and I think that's what's happened to him."

Oklahoma State (5-1, 2-0 Big 12) has held Bryant out of the last three games after discovering that he lied to the NCAA about an off-season meeting with NFL player Deion Sanders.

The Cowboys have defeated Grambling, then beat Texas A&M and Missouri to start conference play with back-to-back wins for only the fourth time in the 14 years the Big 12 has been in existence. A win Saturday at Baylor (3-3, 0-2) would give OSU only its third 3-0 start in Big 12 play. Keith Toston surpassed 200 yards of total offense against A&M, and receiver Hubert Anyiam set new career highs with 10 catches in a breakout game against Missouri on Saturday.

Gundy said his team could benefit if it weathers the storm until Bryant comes back. And even that isn't a sure thing. Bryant has asked the NCAA to

reinstate him.

"I would say that if we're fortunate enough to get Dez back, then we have a number of receivers that have gained some experience and it should allow us to be more balanced and versatile in our passing game would be the football side of it," Gundy said.

"I think the Dez Bryant side of it, and again I hate to speak for him, is I think there's no question that he's learned his lesson and that should help him down the road, later in life."

Gundy said he isn't any closer to knowing whether Bryant will be able to play again this season. He said he checked with the compliance office Monday.

"I wish I could give you guys an answer," Gundy said. "I don't have an answer."

The Cowboys have also been without Kendall Hunter, the Big 12's leading rusher last season, for the last four games because of a sprained right ankle. Gundy said Hunter has practiced the last two weeks, and should do so again this week.

"His workload has been increased each week," Gundy said. "Medically, I think he's OK. I think they've said, 'You can play.' He has to feel like he can go out there and handle the workload. I think that's what it's come down to right now."

If Hunter is healthy, Gundy said, he would not be held out against Baylor just because No. 3 Texas comes to Stillwater a week later.

Both players watched Saturday's game from the sideline in hooded sweat shirts.

Bryant has not spoken to report-

Mills, Bogar interview for Astros managerial job

HOUSTON (AP) — Boston Red Sox coaches Brad Mills and Tim Bogar interviewed with the Houston Astros on Monday for the manager's job.

Mills and Bogar are the final two of 10 candidates interviewed by the Astros since last Wednesday. Houston is looking for a replacement for Cecil Cooper, who was fired on Sept. 21.

The 52-year-old Mills has been Boston's bench coach for the past six seasons. He previously managed minor league affiliates for the Chicago Cubs (1987-92), Colorado (1993-96)

and Los Angeles Dodgers (2002). He served as current Boston manager Terry Francona's bench coach in Philadelphia from 1997-2000 before joining him in Boston.

The 42-year-old Bogar finished his first year as Boston's first-base coach. He joined the Red Sox from Tampa Bay, where he was the quality assurance coach in 2008.

Bogar has past ties to the Astros. He managed their rookie league affiliate in 2004 and their Class A team in Lexington in 2005. Bogar also played for the Astros in four of his nine major

league seasons (1997-2000), helping Houston win three NL Central titles. He also played for the New York Mets (1993-96) and Los Angeles Dodgers (2001).

The Astros also interviewed interim manager Dave Clark; minor league field coordinator Al Pedrique; former Milwaukee manager Ned Yost; San Diego hitting coach Randy Ready; former Seattle and Arizona manager Bob Melvin; former Washington manager Manny Acta, former Astros manager Phil Garner and Philadelphia bench coach Pete Mackanin.

Coach says 2 teammates with victim during stabbing

STORRS, Conn. (AP) — One teammate performed first aid while another comforted a University of Connecticut football player who was fatally stabbed during a fight outside a school-sanctioned dance over the weekend, their coach said Monday.

Coach Randy Edsall wouldn't identify the teammates or say how many players witnessed the fight that led to the death of 20-year-old Jasper Howard.

"One had Jasper in his arms and the other was pressuring where the wound went in and had blood on his hands," Edsall said. "And those two young men are pretty deeply affected right now."

The state's medical examiner's office said Monday that Howard died from a single stab wound to the abdomen. The death was ruled a homicide.

A second player stabbed in the attack, 19-year-old Brian Parker of Sarasota, Fla., sustained minor injuries. The sophomore wide receiver, who is academically ineligible to play this season, was treated and released from a local hospital.

Parker was able to point out one of the men allegedly involved in the attack, who was still at the scene, according to a police report released Monday.

Police arrested that man, 21-year-old

Johnny Hood, after the stabbing and charged him with interfering with an officer and breach of peace. According to the report, he gave police a false name. Hood was arraigned Monday and ordered held on \$100,000 bond.

He has not been charged with Howard's death and university police Maj. Ronald Blicher said authorities were not anticipating any "significant" changes in the investigation Monday.

Howard, a junior and starting cornerback, came to the school to get away from the violence on the streets of his hometown of Miami. He was the first person in his family to go to college.

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Sharpe, Howard showing big-play potential

By ALEX YBARRA
MANAGING EDITOR

A prideful Daniel Howard couldn't wait to talk about what Texas Tech's defense had just accomplished. That much was obvious after the Red Raiders' 31-10 upset against Nebraska on Saturday.

"Go ahead, I got a chair for you," the normally tight-lipped defensive end said to a reporter as he positioned a chair across from him.

In the same week that Nebraska's vaunted defense had just renewed the prestigious black shirt defense, the Red Raiders showed they can play that tune as well, holding the Huskers to their lowest point total since 2006.

The duo of Howard and defensive end Brandon Sharpe had a lot to do with that.

Sharpe has emerged as one of the top pass rushers in the nation. The senior from Lyons, Ga., was named the Big 12 Conference Co-Defensive Player of the Week after he had a career high seven tackles and four sacks against Nebraska.

He now has eight sacks this season, which is second in the Big 12 Conference and fourth nationally.

"B-Sharpe, he was my roommate when I first got here," Howard said. "He comes off the edge real fast. I always tell him, you gotta come off fast. You gotta hustle. You gotta go every play and something good is gonna happen."

Howard may be on to something there.

The Red Raiders' 23 sacks lead the conference and are eighth nationally — particularly impressive considering the departure of

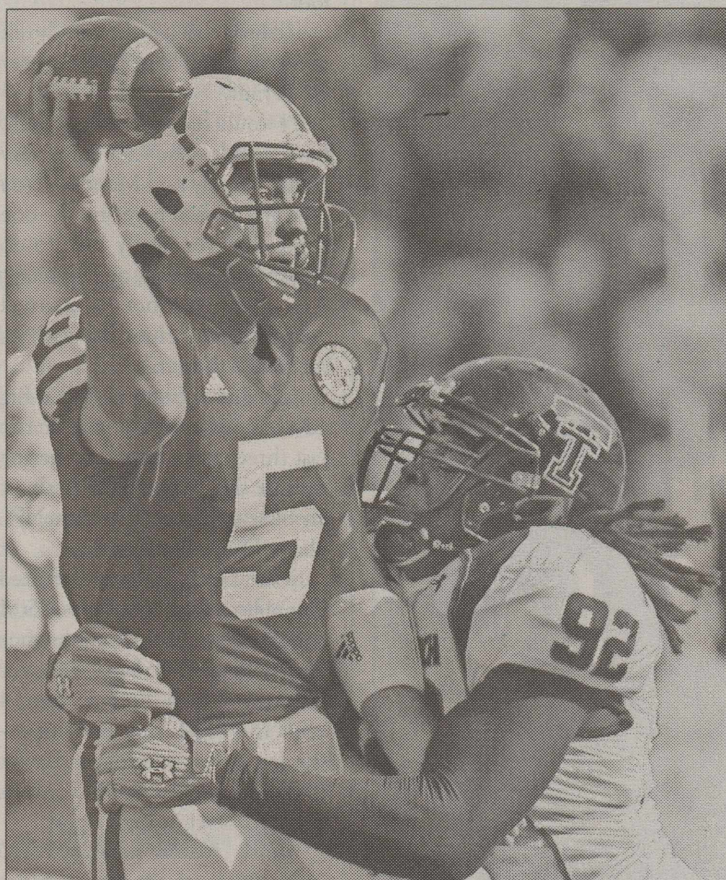


PHOTO BY KARL ANDERSON/The Daily Toreador

NEBRASKA QUARTERBACK ZAC Lee attempts a pass before he is tackled by Texas Tech defensive end Brandon Sharpe during its 31-10 victory against Nebraska on Saturday at Memorial Stadium in Lincoln, Neb.

Brandon Williams and McKinner Dixon last season, who combined for more than 20 sacks.

But Tech seems to be doing just fine without them, perhaps even better.

"I just remember the first two sacks," Sharpe said of his field day against Nebraska. "I don't remember the other one. I was just out there having fun and running hard, trying to get noticed in the field of football. Enjoying it, this is my last year, so I have to play it to the fullest."

On the other end of the line, Howard returned a fumble 82

yards to give Tech a two-touchdown lead in the first quarter.

"I feel comfortable saying this, he might have the best motor of anybody on our team," Tech coach Mike Leach said. "He just plays and plays and plays and plays. We're routinely seeing him tackling people on the other sidelines, he's a defensive end of all things."

Although he brushed aside the compliment, Howard's response to Leach's assessment showed why the coach was correct.

"I don't know if I have the best motor on the team," Howard



PHOTO BY KARL ANDERSON/The Daily Toreador

TEXAS TECH DEFENSIVE end Daniel Howard tackles New Mexico running back Demond Dennis during the Red Raiders' 48-28 victory against New Mexico on Oct. 3 at Jones AT&T Stadium.

said. "I think I try to have the best motor on the team."

In other words, he may not have the same athletic capabilities as some of his teammates, but he's going to do everything in his power to replace that with unmatched grit and determination.

"Daniel is a guy who's al-

ways been a playmaker for us," said defensive coordinator Ruffin McNeill.

"To see him make a play, it doesn't surprise me. It surprises me more when Daniel does not make a play. He's a guy on film, if you watch film, that he's never not played hard.

He goes very hard, every snap — to exhaustion."

As happy as he was with the outcome, Howard still wasn't satisfied. Tech allowed a few big plays and if it weren't for Nebraska shooting itself in the foot with penalties and dropped passes, the game would have been much closer than 24-10 midway through the fourth quarter.

But all things considered, the Red Raiders won a game with defense, which was a big reason Howard couldn't stop smiling.

"As far as the games I've been associated with," he said, "we're finally coming around to being a swarming, aggressive, attacking defense."

►daniel.ybarra@ttu.edu

"Daniel is a guy who's always been a playmaker for us."

RUFFIN MCNEILL
TEXAS TECH
DEFENSIVE COORDINATOR

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Have questions? E-mail Editor Kevin Cullen at kevin.m.cullen@ttu.edu

Sheffield

CONTINUED FROM PAGE 1

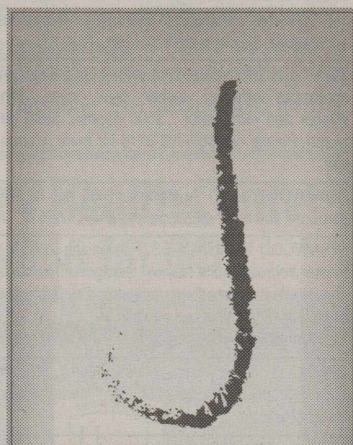
Prior to Sheffield taking over, Potts went 159-of-235 for 1,817 yards, 13 touchdowns and six interceptions while completing 67.7 percent of his passes.

He led Tech in a narrow 34-24 loss to then-No. 2 Texas in Austin Sept. 19, when he took several sacks, including a bone-jarring hit from defensive end Sergio Kindle.

For the next week, Potts was applauded for his toughness, and deservedly so. However, the Red Raiders lost 29-28 at then-No. 15 Houston a week later and were tied 7-7 with lowly New Mexico a week after that before Potts left with a concussion.

Third on the depth chart at quarterback last week was redshirt freshman Seth Doege, who received in-game reps for the first time late in the game against Kansas State.

He passed for 64 yards and a touchdown on 6-of-8 passing.
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Texans turn around run defense

HOUSTON (AP) — Houston allowed 615 yards rushing in its first three games. The Texans have gotten a lot stingier since then.

In the last three games, Houston surrendered just 135 rushing yards. On Sunday, the Texans held NFL rushing leader Cedric Benson to a season-low 44 yards in a 28-17 win over Cincinnati.

Now the Texans will try and keep it up against San Francisco and running back Frank Gore as they seek consecutive wins for the first time this year.

The Texans had the NFL's worst run defense through three games before their turnaround. Still, it was easy to discount the improvement as a product of facing poor rushing teams in Oakland and Arizona.

The performance against Benson was different. He entered the game averaging almost 100 yards a game, but was held to 2.8 yards a carry. He was stopped for no gain or a loss three times and his longest run, which he scored on, was 10 yards.

The performance capped the lowest three-game rushing total in Texans' history.

"We have come a long way," linebacker DeMeco Ryans said. "When we can limit the league's leading rusher the way we did, it was a good effort."

Coach Gary Kubiak said the players haven't really changed anything since the embarrassing start, they're just doing things better.

"I think we've eliminated some mistakes and assignment issues and just been more sound in what we're doing and it's adding up to more plays," he said.

The group has benefited from the improvement of rookie linebacker Brian Cushing and cornerback Dunta Robinson. Both have been solid all year, but took a couple of games to work out the kinks after missing training camp. Robinson sat out in a contract holdout and Cushing had a knee injury.

"We knew with the lineup we had defensively on opening day, starting Cushing, starting Dunta, that there was a big risk from them not going through camp," Kubiak said. "But for us to get to where we needed to be down the road, we knew those guys needed to be in there."

Cushing leads all rookies with 48 tackles. He had the best game of his young career against Cincinnati with nine tackles, two forced fumbles and an interception near the goal line that halted the Bengals' last drive.

"He's a guy that when you get in crunch time he tends to make even more plays," Kubiak said. "So he's playing like a veteran, like a four- or five-year player now."

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