Gunman takes bank hostage, in police custody

Two-hour standoff ends peacefully

By CAITLAN OSBORN NEWS EDITOR

Helicopters circled 82nd Street while SWAT snipers stationed themselves on rooftops across from the City Bank near Quaker Avenue, during a two-hour standoff that led to the peaceful surrender and arrest of an attempted robber.

Tommy Ray Beadles, 61, was charged with one count of aggravated kidnapping, a first-degree felony. He is currently in a LPD holding facility

Capt. John Caspell of the Lubbock Police Department said officers first received a call of an inprogress robbery in South Lubbock at about 3:30 p.m. Wednesday.

Police and SWAT team members arrived shortly on the scene, while officers directed traffic and kept members of the Lubbock community away from the crime's vicinity.

Caspell said responding officers learned the gunman had taken a woman hostage, but they were able to establish contact with the suspect 5:20 p.m. and successfully negotiate for the hostage's release, along with others trapped inside of the bank during the standoff.

There were no injuries reported, Caspell said, however Emergency Medical Services vehicles were stationed nearby. He described the situation as "fluid and ongoing" as officers cleared and secured the bank to make sure everyone had been evacuated successfully, and to make sure no other weapons were found.

Beadles surrendered and was taken into police custody about

"It was through the good help of the FBI, as well as the bank officials, that we brought this to a successful resolution," Caspell said.

Caspell said police officers would not confirm if the gun Beadles had was a fake, and that it — along with details of the 911 call — were still part of the ongoing investigation.

Besides a SWAT team, there was also a negotiator team and command post present during the standoff. Caspell would not reveal details regarding police training for hostage situations.

"There's a pretty involved process any time you're dealing with a hostage situation," he said. "That's certainly one of the most dangerous situations that we have to deal with. We have certain procedures in place, some of which we won't discuss, but (they) go through hours and hours of training and... very

to the situation." Cory Newsom, president of City Bank Lubbock, said he was thankful the bank's customers and employees are safe, and thankful they had the work of the LPD and FBI to bring

well-trained officers that responded

the incident to a positive outcome.

Newsom said he was proud of the bravery shown by his employees and the bank would be open today.

"As always, this is a very traumatic thing," he said. "This is something we don't ever want our employees to go through, but our employees are very well trained and they know how to handle a situation like this, and fortunately every one came out safe and I think that that is just a reflection of how they handled it. We're so proud of them."

ROBBERY continued on Page 3

Leach supporters go after Tech with claims against impending tier-one status

Cite concerns over university's financial stability, NRUF funding

By CAROLINE COURTNEY **Staff Writer**

Lynn Eastham, a Texas Tech alumnus and fan of former head football coach Mike Leach, is conducting an extensive campaign, complete with a public relations specialist and a high-powered Dallas law firm, to try to show improprieties in Tech's quest for tier-one status.

Eastham plans to visit with a state legislator to discuss his concerns over Tech's financial stability, said Charles Hodges, Eastham's public relations manager, who represented Team Leach — the group that formed to support the former head football coach after he was fired.

The Tech Alumni Association said Eastham graduated from Tech in 1991. Eastham, president of Eastham Forge, Inc. in Houston, did not return phone calls left at Eastham Forge, Inc., Eastham Energy, his home or with his secretary. Eastham Forge, Inc. is a subsidiary of Eastham Energy, a private oil well drilling company.

Eastham's lawyer in this pursuit, Val Perkins of the Dallas-based law firm Gardere, Wynne, Sewell, LLP — also known as Gardere remove Tech University System Chancellor Kent Hance from his position, or that Eastham is pursuing any kind of vendetta on behalf of Leach.

"We were just hired to file the open records requests to get these documents (relating to tier-one status, the Jones AT&T stadium expansion, and financial records)," Perkins said. "Mr. Eastham was interested in revealing a variety of matters, including tier one."

However, Lyle Setencich,

Leach's former defensive coordinator, said Eastham could possibly be pursuing this course of action on behalf of Leach.

"I don't know whether he is or not, but it's possible," Setencich said. "(Leach is) very vindictive."

Hance said there is no question that Eastham is trying to hurt him and someone else may be behind the attacks as well.

"Those guys would not be doing this on their own if they didn't have the green light from someone else," he said.

Setencich said Leach fired him after he told Leach he disagreed with his behavior off the field and would not support it. Setencich, who was the former head football coach at Boise State and Cal Poly, first hired Leach to coach at Cal Poly in 1987. He is currently retired and living in Nipomo, Calif.

Hodges said his client, Eastham, is planning a visit with a legislator, who Hodges refused to identify, partly to show that Chancellor Hance is misleading people when he states Tech is close to tier-one status. Hodges said documents reveal Tech is a long way away from reaching this goal.

"The chancellor tries to make it look like tier one is right around denied Eastham was seeking to the corner," Hodges said. "But if you listen to (Tech President Guy) Bailey's explanation to the regents, it's not going to be right around the corner. There's still a lot of work that must be done."

He said Bailey's presentation to the Texas Tech Board of Regents in February shows Tech may be 10 to 12 years away from tier-one status, despite the fact Hance recently spread the word that Tech was close to receiving the status.

TIER ONE cont. on Page 2

HUMAN HORDE



PHOTO BY BRAD TOLLEFSON/The Daily Toreador

JOE LIPPERT, A sophomore conservation major from Bedford, leads a human charge out of the mechanical engineering courtyard to deliver a hologram to the clock tower outside of Carpenter Well Residence Hall during a Humans vs. Zombies mission Tuesday.

Panelists discuss FERPA guidelines protecting student information

By CAROLYN HECK **Staff Writer**

Panelists discussed the rights of students to control their educational records and the Family Educational Rights and Privacy Act on Wednesday, as part of an ongoing ethics series.

FERPA is a federal act that prohibits the release of a student's educational record information without the consent of the student, said Brenda Martinez, an associate registrar and one of the presenters in the discussion.

Under FERPA law, a student has the right to review their educational records, to request to amend their records and to have control over the disclosure of information from their records, according to the Office of the Registrar's website.

"If they believe there is something incorrect in their record," Martinez said, "they need to have an avenue or path to seek to have that corrected."

student could sign a FERPA waiver form that allows them to dictate who their information is disclosed to, or to not disclose the information at all.

"Essentially, when a student fills out a FERPA waiver form," he said, "he or she can identify the type of information that they wish to be disclosed and they can specify who the information can be released to.'

FERPA forms can apply to three types of student information, according to the FERPA waiver form on the registrar office's website. The information can be applicable to a business account, to financial aid or to academic records.

Jorge Iber, an associate academic dean for the College of Arts and Sciences and a presenter in the series, said the FERPA waiver is most used in consideration to academic information.

Often, he said, a parent or guardian will call a professor or college requesting information Andrew Canham, an ombudsman for stu- about a student. However, he said, if there is

dents and moderator in the discussion, said a not a form on file that consents to the release of information to that person, no information can be provided.

"It does cause some problems from time to time — and I'm thinking of a specific case right now," he said, "where we were allowed to share the information with dad but not with mom and there were some issues. That can happen."

To verify the identity of the person requesting the information, Martinez said, there is a question and answer process.

"There are certain things that a parent of a student should know," she said. "And so you would be able to ask several different questions on their record and see what information they know, without divulging the answers; see what they know and verify that they are indeed whom you are speaking to."

The university also prefers all information requests come in writing, she said.

FERPA continued on Page 3

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WEATHER



Sunny



Mostly Sunny

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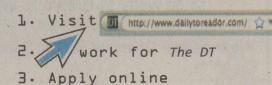
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Community Calendar

TODAY

Texas Tech's Landmark Arts Time: 8 a.m. to 5 p.m. Where: School of Art So, what is it? Enjoy Virginia Saunders' exhibit, "Visions and Dreams," with images based on Saunders' recent travels in Europe and China.

Da Vinci: The Genius Time: 10 a.m. to 5 p.m. Where: Science Spectrum Mu-

So, what is it?

This traveling exhibition features some of da Vinci's full-scale machine inventions crafted from his personal notebooks, as well as reproductions of his most famous Renaissance art, including the "Mona Lisa," "Virgin of the Rocks," "The Annunciation," the "Last Supper," the "Vitruvian Man," and the "Sforza Horse."

Free Movie Matinee Time: 3 p.m. to 5 p.m. Where: Student Union Building, Allen Theatre

So, what is it? Enjoy the feature film, "Sherlock Holmes: A Game of Shadows" presented by TAB.

Death in the Province: Mortuary Practices and Roman Imperialism in Syria and Lebanon

Time: 5:35 p.m. Where: College of Arts and Sciences, Room 113 So, what is it?

This event features Lidewidje de Jong, as assistant professor at the University of North Carolina at Chapel Hill.

ACROSS

cooler?

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14 Kicking partner

15 Maker of Old

World Style

sauces 16 Wet bar 17 One concerned with Times

changes
19 Senate wrap
20 "Roundabout"
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ownership of it in

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Umbuds Office

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Germans wore gray. You wore blue"

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40 Dogie catcher 45 Some blenders

1 Pig ___ 6 Out of the

Texas Tech Baseball vs. Texas Time: 6:30 p.m. Where: Rip Griffin Park So, what is it? Support the Red Raiders as they compete against the Longhorns.

Trombone Ensemble Concert Time: 7:30 p.m. to 9 p.m. Where: The Legacy, Great Hall So, what is it? Enjoy this trombone ensemble concert presented by the School

After Hours: Open Mic Night Time: 7 p.m. to 9 p.m. Where: Student Union Building, Barnes and Noble Cafe So, what is it?

of Music.

mances at Open Mic Night.

FRIDAY

Come out and enjoy perfor-

First Friday Art Trail Time: 6 p.m. to 9 p.m. Where: Museum of Texas Tech So, what is it? Come enjoy different works of art at the First Friday Art Trail.

Texas Tech Baseball vs. Texas Time: 6:30 p.m. Where: Rip Griffin Park So, what is it? Support the Red Raiders as they compete against the Longhorns.

To make a calendar submission email dailytoreador@ttu.edu.

Events will be published either the day or the day before they take place. Submissions must be sent in by 4 p.m. on the preceding publication date.

Los Angeles Times Daily Crossword Puzzle

Tier One ← **CONTINUED FROM PAGE 1**

Dominic Chavez, spokesperson for the Texas Higher Education Coordinating Board, said Tech is eligible to receive funding from the National Research University Fund, pending a state audit. However, he said, reaching NRUF status is not the definition of tier one.

In fact, Chavez said, there is no clear-cut definition of tier one.

"No, there really is no definition for tier-one status," he said. "Tier one and National Research University are synonymous, but there is no real definition for what it means. There are just a couple indicators and if an institution meets these indicators, they are generally considered tier one."

The tier-one status to which Bailey was referring was achieving National Research University status. said Chris Cook, Tech's managing director of communications and marketing. Cook said when Hance states Tech is near reaching tier one, he is stating NRUF is one step along the path to tier one and therefore bringing Tech very close to achieving that status.

Cook said he does not know why Eastham would be questioning the veracity of Tech's reported information to receive NRUF funding, because all information undergoes months of internal auditing before it is sent for confirmation to the Texas Higher Education Coordinating Board. The THECB has confirmed Tech is eligible and now the university's information is undergoing a mandatory state audit.

Throughout Eastham's 17-month investigation, Hodges and the Gardere law firm said they found several alleged discrepancies between the criteria necessary to receive NRUF funding and the information Tech reported. Hodges said Eastham will take the information found by Gardere to a state legislator.

Perkins said they found discrepan-

cies in Tech's reporting on three categories: high-quality faculty, matching funding for the TRIP program and a freshman class of high academic achievement.

Tech must meet two mandatory categories, which the THECB certified Tech met, and another four out of six categories, three of which, Gardere said, Tech might have misrepresented facts.

For the discrepancy over the high-quality faculty category, Gardere said, Tech submitted questionable data about awards held by professors. To satisfy this category, the university had to show its professors won a certain number of awards and distinctions.

"Dr. Katharine Hayhoe was claimed to be a Nobel Laureate, when in fact she was simply one scientist among thousands that were part of a large group which received a Nobel prize," Gardere stated in its summary of discrepancies.

Cook said this claim was a gross exaggeration, pointing out Hayhoe was among a group of 187 scientists, not thousands.

Chavez, of THECB, said Gardere's complaints are entirely moot, because Tech did not even claim to have met the high-quality faculty category.

"If they misreported the faculty that's important, but it was not a determining factor for NRUF because high-quality faculty was not one of the categories they were depending on," he said.

For the discrepancy about the freshman class of high achievement. Gardere said, Tech may have attempted to use a different metric in determining ACT and SAT scores in order to meet the criteria.

However, Perkins said they had no proof Tech was using a different metric.

Chavez said if Tech used a different metric, it would be unimportant in determining whether Tech would have access to the NRUF funding, because there are two ways to satisfy this one requirement. Tech was able to satisfy the requirements

for the category of a freshman class of high academic achievement by showing 50 percent of its incoming freshman class graduated in the top 25 percent from high school.

"The SAT question is moot too," Chavez said. "So if there is a discrepancy in their ACT reporting, it needs to be fixed. But they qualified under this category because of the number of students in the top 25 percent of their (high school) class.'

Finally, Chavez said, Gardere's allegation of discrepancy over Texas Research Incentive Program funding has nothing to do with NRUF, and is not even a rare occurrence.

Gardere stated Tech also might have misreported a number of donations in hopes of attaining matching funding from the TRIP, which is designed to reward research productivity through the matching of private funds.

"What they're claiming Tech did, does happen. But that's not something uncommon," Chavez said. "It happens when some things don't meet criteria to get TRIP funding. TRIP funding has nothing to do with NRUF. The TRIP funding is not part of NRUF criteria at all.'

Eastham's initial investigation into the whole matter of Tech's tier-one status and the university's financial stability began Nov. 5, 2010, when Tech alumnus and former Team Leach representative Hodges filed several open records requests digging for information on behalf of an anonymous "fan of Leach," referencing Eastham.

Becky Timmons, Team Leach's Lubbock representative, said Hodges helped organize a Leach's rally in Memorial Circle after Leach was fired in December 2010. However, she said, it was Hodges' idea to dig into Tech's financial records and file open records requests and Team Leach was not a part of the requests.

"He's never given any of the information to me or any of the other administrators," Timmons said. "It's never been made public on Team Leach's page at all. I really don't know what that consists of. I was aware that he was doing it, but it wasn't in our directive."

Hodges said Leach is not behind these open records requests. He said John Gray and Ted Liggett, both he considers friends with Leach, are not behind it either.

Hodges said his first request was in response to ESPN reporter Holly Rowe's September 2010 statement that Tommy Tuberville's financial contribution to the university had been \$25 million.

"The University told me yesterday that the financial impact of Tommy Tuberville has been \$25 million," Rowe reported. "He has been out fundraising. So when you see that Texas Tech logo, it just might mean Tommy Tuberville now 25 million."

After the statement's authenticity was questioned, Hodges filed an open records request on behalf of Eastham for all accounting records of Tech's fundraising for the university since Tuberville had been hired.

Tech's response to Hodges' request was that the university had no documentation showing Tuberville had a \$25 million impact and could not say

ANNUAL

PARTE I

who gave the number to Rowe.

"My clients are worried about the financial health of Texas Tech," Hodges said. "The concerns that my clients have cover a number of different areas - debt service, the fact that the financial officer told the regents that when they go to a bond rating company they have to tell them that they're not able to make bond payment without state funding."

Hodges followed up with two more requests. One in November requested more information detailing financial gifts and donations to Tech, and also asked for all records that could prove reports on Tech's website that said the university accepted \$100 million in each of Chancellor Hance's first three years of employment.

Documents provided to Hodges from Tech's Office of the General Counsel show this statement is an understatement of Hance's fundraising efforts during his first three years. The documents show fundraising at Tech during these years totaled \$384

By Hodges' final December request, he began asking for proof of Tech's reports of its progress toward tier-one status, which would grant the university access to millions of dollars in funding through TRIP and NRUF, both steps along the way to National Research University status.

"There are some people who have concerns about the tier-one program and what Texas Tech was trying to do," Hodges said, "so we were just trying to get some information from the university on tier one and their

Hodges said he passed the investigation on to Gardere after these three requests.

Perkins denied the firm was conducting an investigation. Even though the firm does not require a lawyer to file an open records request, he said, Gardere was solely hired to attain documents, review them and make a summary.

Gardere's initial requests asked for proof of Tech's progress toward tierone status. In August 2011, Gardere requested documents demonstrating the viability of financing improvements for expansion of the Jones AT&T Stadium, which included the east side extension.

Gardere also requested the minutes for the university's Finance and Administration Committee's hearings since 2006. In another request, the firm asked for all audited copies of financial reports for Tech, the Texas Tech University System, the Red Raider Club, the Tech booster organization and the Tech Lettermen's Association.

In Leach's ongoing legal battle with Tech, the Texas Supreme Court upheld the Seventh Court of Appeals opinion that he cannot receive any monetary damages, but can pursue a declaratory judgment that his rights were violated. Leach's attorneys, Stephen Heninger and Ted Liggett, filed a motion to consolidate Leach's lawsuits against Tech and Craig James in the 99th District Court, with his lawsuit against ESPN and Spaeth communications in the 72nd District

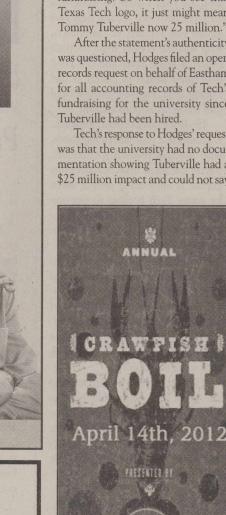
In a motion opposing this consolidation attempt, ESPN stated Leach has changed his story on why he was fired. The motion states Leach originally said he was fired because of a conspiracy with Board of Regent members and Tech administrators, beginning a year before Leach was fired. Now, ESPN reported Leach is arguing he was fired because of pressure from Craig James after his son, football player Adam James, suffered a concussion during practice.

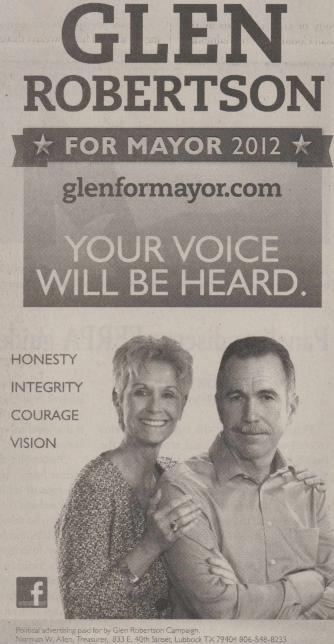
Attorneys met for the hearing Wednesday before State District Judge William Sowder in the 99th District Court, who took the motion under advisement, Heninger said.

No date has been set for when Eastham will visit the unidentified state legislator, Hance said, but he is not worried about the outcome.

"They can take it to any (legislator) they want," he said. "We've done it, and we've done it right, and we're going to get tier-one status despite people who are full of spite and revenge.'

>>> ccourtney@dailytoreador.com





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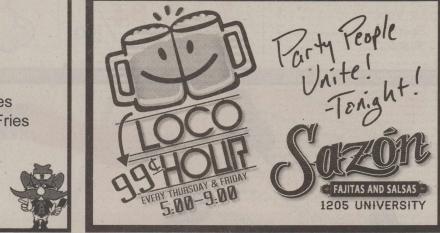
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Thursday- Old Fashioned Burger w/ Fries Friday- Green Chile Cheese Burger w/ Fries Power Hour 1-5

Wednesday- Chopped Brisket Sandwich w/ 1 Side Saturday- Smoked Chicken Quesadillas



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FERPA←

CONTINUED FROM PAGE 1

Professors may also discuss information about a student with one another, she said, but only if there is a legitimate education interest.

"There should be a valid, defensible, reason for every member of Texas Tech whenever they enter into a student's educational record," Martinez said.

The act also applies to students' directory information, Martinez said, though individual institutions define what that information is.

Tech defines directory information as a student's name, major, classification, degrees, local and permanent address, place of birth and others, according to the registrar's website.

"While we may release that information," Martinez said, "if the student marks their record as confidential, then at that point we cannot even release directory info."

There are also exemptions to the law that permit certain entities to gain access to students' information, according to the registrar's website, including access by appropriate university administrators and faculty members, staff members who require access to records to perform legitimate educational duties, officials of other schools the student intends to enroll in and in connection with a student's financial aid.

The event Wednesday discussed the guidelines that faculty and staff must follow, Martinez said, as well as how to handle conversations with guardians or those seeking information.

"Most are just simply not aware there is a federal law that governs what we can and cannot say," she said, "and so I think the ethics series was very good to allow us to, one, explain what the law is and what the basic parameters are of it, but also to talk about how you handle these real life situations that we are presented with."

The presentation helped students by better illustrating what their rights are, Canham said, and allowed them to be better represented by Tech faculty.

"I think in truth, one, it's always good to know your rights and how to use them," he said, "and then they also benefit by having staff and faculty on campus being knowledgeable about the topic so they don't, perhaps, make an accidental mistake."

FERPA is in place to uphold and protect a student's rights, Iber said, and a student can choose to sign it or not.

"Everyone has a right to privacy," he said. "Everyone has a right to safeguard certain information about themselves, so it makes perfect sense to me that there are things like FERPA or HIPAA."

However, Iber said, as a parent, he understands why guardians would want FERPA in place.

"Not just because I am nosey," he said, "or not just because I'm paying for this, but because I understand that FERPA is a tool that gives me the ability to intervene in order to assist the student, my son in this case, early on in the process. So if there are issues, we can nip them in the bud.'

The most important thing a student should know, Martinez said, is the university is serious about FERPA and its regulations, and how to best work with students to protect their records; whether they want them to be released

"We want them to be assured that we're trying to protect their information, regardless," she said. >>> check@dailytoreador.com

CONTEMPORARY CREATION



PHOTO BY LAUREN PAPE/The Daily Toreador

BLANCA GALLEGOS, A sophomore early childhood education major from El Paso, makes a pot out of clay during an art for non-art majors class Wednesday in the Art building.

Judge orders psych exam for JetBlue captain

LUBBOCK (AP) — A federal judge on Wednesday ordered a psychiatric exam for the JetBlue Airways captain accused of interfering with a flight crew when he disrupted a Las Vegas-bound flight after he left the cockpit and screamed about religion and terrorists

The order U.S. District Judge Mary Lou Robinson in Amarillo signed will send Clayton Osbon to a medical facility for federal prisoners for tests to determine if he was legally sane when passengers wrestled him to the floor after witnesses said he ran through the cabin yelling about Jesus and al-Qaida.

The exam also will determine if he's competent to stand trial.

The prosecution's motion filed Wednesday comes the day Osbon's attorney asked another judge to reschedule a Thursday detention hearing. That judge set the hearing

The motion seeking the psychiatric states that events enumerated in an FBI affidavit "establish a likelihood that Osbon may be suffering from a mental disease or defect."

In a motion filed earlier this week, prosecutor Christy Drake asked that bond be denied to Osbon to assure the "safety of any other person and the community," according to court documents.

Osbon, 49, is alleged to have committed a "crime of violence," and should remain in custody until his trial, documents say.

Osbon was taken to a hospital for a mental evaluation March 27 after the plane he was piloting made an emergency landing in Amarillo. Passengers had restrained him with seat belt extenders and zip tie handcuffs for about 20 minutes until the plane landed.

A call to Osbon's attorney, Dean Roper, was not immediately returned. Drake declined to com-

Under federal law, a conviction for interfering with a flight crew can bring up to 20 years in prison. The offense is defined as assaulting or intimidating the crew, interfering with its duties or diminishes its ability to do operate the plane.

Investigators say Osbon told his co-pilot "things just don't matter" and incoherently rambled about religion shortly after the flight departed from New York. His behavior became more erratic as the flight wore on, prosecutors say, and ended with a tense struggle in the cabin after Osbon abruptly left the

Passengers said the pilot seemed disoriented, jittery and constantly sipped water when he first marched through the cabin. Then, they said, he began to rant about threats linked to Iran, Iraq and Afghanistan after crew members tried to calm him down in the back of the plane.

A flight attendant's ribs were bruised while trying to restrain Osbon, but no one on board was seriously hurt.

A day after the incident JetBlue suspended Osbon pending a review of the flight. Osbon, who lives in Richmond Hill, Ga., was in the custody of U.S. marshals at the Randall County Jail on Wednesday.

Robbery ←

CONTINUED FROM PAGE 1

Newsom said all the bank's employees had gone through security and crisis

training, and were prepared to deal with the gunman.

"It came together very well," he said. "Our people are very well-prepared for something like this. We don't want something like this to happen, but we know the chances of this happening are out there. Our team did a great

Samantha Hertel, 22, was

working at the Chipotle in Kingsgate when the robbery began.

She said when police cars began pulling up, she and her coworkers thought

it was just a bad accident. Then, Hertel said, they watched as people in a green SUV began to bring out ladders and pull snipers onto the roof of Cattle Baron Steak & Seafood Restaurant.

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bunch of

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the other

direction,

away from

Quaker.

They're

telling us

we're in

their line

"(We) looked to our left and there

When we turned that corner, there was a barrage of police officers with their guns drawn telling us to get out of there.

> **JOSHUA ALLEN** WITNESS BANK ROBBERY

> > everything, so we kind of sneak up closer, they keep telling us to push back but we

just try to get closer and watch it."

situation, the action was exciting.

"I know it sounds bad, but it's like the movies or something you know, like hostage situation," she said. "We've been here since the beginning, since about 3:30, watching all of this happen."

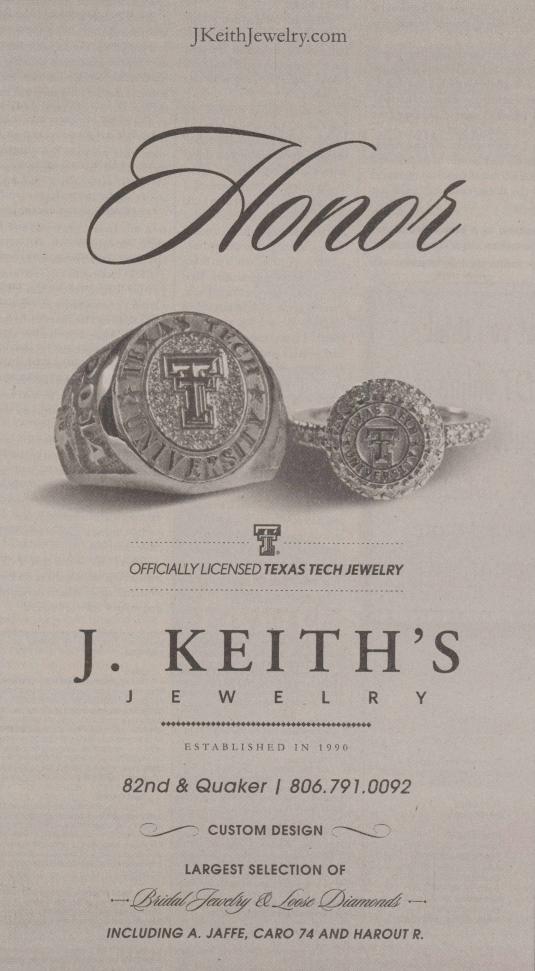
Joshua Allen, an accountant, was in the drive-thru of City Bank with his father and children when the bank was

"The lady waved at me... just like she does every day," he said, "and I look down to fill out my deposit, and I looked back there was nobody in the bank. After about a minute-and-a-half we were like, 'Something's going on."

Allen said he turned the corner, preparing to go inside, when he saw the police officers. He said the effects did not sink in until he was driving away, knowing he could have chosen to go inside of the bank with his children instead of choosing the drive-thru.

"When we turned that corner, there was a barrage of police officers with their guns drawn telling us to get out of there," he said. "It was definitely something crazy. It doesn't happen every day."

Joshua Koch of KTXT-FM, the Raider 88.1 news staff, contributed to this story. Hertel said despite the dangerous >> news@dailytoreador.com





OPINIONS

Obama wrong to address Supreme Court

Every part of the

law is not

unconstitutional,

mandate

certainly is.

The news world has been abuzz over the past couple of weeks about the Supreme Court's hearing of the constitutionality of the Patient Protection and Affordable Care Act, also known as Obamacare. This is arguably the court's most important case since Brown v. Board of Education

Opponents and supporters of the law have been exchanging rhetoric on the issue since before the law was passed. President Obama, however, turned things up a notch Monday with some very sharp words toward the high court.

"I'm confident that the Supreme Court will not take what would be an unprecedented, extraordinary step of overturning a law that was passed by a strong majority of a democratically elected Congress," he said.

Let's examine the validity of that statement, shall we?

First of all, the Supreme Court overturning a law would not, as the president says, be unprecedented. Has Mr. Obama never heard of Marbury v. Madi-



son? For over two centuries, the court has reserved, and sometimes used, the right to void a law because of a violation of the Constitution.

It is true this power of judicial review is not expressly enumerated in the Constitution, but it is common knowledge the court does indeed have such power. As a former professor of constitutional law, Obama should be well aware of this.

Second, the health care law was not "passed by a strong majority" of Congress. It cleared the House of Representatives by a mere seven votes and passed the Senate thanks to the Democrats' majority. In both houses, a grand total of zero Republicans voted in favor of the bill while 34 House Democrats joined in opposition.

Additionally, many Demo-

crats who voted in favor of the bill despite strong opposition from their constituents saw their political careers come to an abrupt end. Some senators who have not yet faced the voters since the passage of the bill might meet a similar fate. I would not classify this as a strong

President Obama also said the "unelected" court overturning the law would be an example of judicial activism. Yet again, he is dead wrong.

Judicial activism refers to when a judge ignores the law and rules based

on his or her own personal opinions. The court simply overturning a law that you like, Mr. President, does not constitute activism. If the decision is based on the Constitution or legal precedent, it is perfectly valid.

president should know.

I'm of the opinion that the president's rhetoric is a result of anxiety that his prized accomplishment will be shot down, at least partially. Every part of the law is not unconstitutional, but the individual mandate cer-

One of the most important aspects is whether or not the mandate, which stipulates anyone who does but the individual not purchase health insurance will have to pay a fine, should be considered a tax or a penalty. The

> answer to this is quite clear.

> The federal government wants to call it a tax because Congress is explicitly given the power to tax. However, it is

something, as well as the fact it is referred to as a penalty in the actual legislation.

Therefore, it does not fall within the powers of Congress, which makes the mandate unconstitutional. Every court that has previously heard this case has agreed it is, indeed, a penalty. Obama obviously recognizes this, which is why I think he is resorting to intimidating the court.

The only hope for the mandate is the General Welfare Clause of the Constitution, which states that Congress has the power to "provide for the ... general Welfare of the United States." The federal government can argue that compelling people to purchase insurance promotes the general welfare because of the burden that the uninsured place on those who are insured.

This argument, however, is quite thin. If the court were to accept this explanation, it would open up a huge can of worms.

With millions of Americlearly a penalty based on the cans then on a governmentfact that it is designed as a sort run health care system, that

Again, this is something the of punishment for a failure to do same argument could be used to compel people to eat, or to not eat, certain foods that would improve health and thereby save the government some money. Do we really want the government telling us what we can and can-

> The fact is that the mandate should most definitely be shot down. The bulk of the law could still survive, but unless the Supreme Court has been bought and paid for, the mandate is

> If that proves to be the case, prepare yourselves for an attack on every Supreme Court justice not appointed by Obama. He will publicly vilify them while secretly searching for a way to circumvent their decision. This is all the more reason why we need to elect a new president in November rather than face another four years of an arrogant and all-too-powerful President Barack Obama.

Gleinser is a junior political science and history major from Kingwood.

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Relationships complicated by sex

he Loch Ness Monster, Bigfoot, the Abominable Snowman.

All of these are heard of, and may have even been spotted a time or two, but never actually been nailed down. One more thing, I think, needs to be

added to this list: college virgins. They haven't been nailed, either. Obviously, it's extreme to claim

college virgins are the same as urban legends, but finding one has become increasingly difficult.

If you're looking, though, you may have a good chance of finding a plethora of them playing humans vs. zombies I'm onto you, you bandana-wearing

Point being: sexual purity in college, while admirable, is unlikely.

College is a time where sexual promiscuity is rewarded with high fives, an occasional, "sweet, brah" and a Long Island iced tea or two, but what if you're on the other end of the spectrum?

Which side is the side to be on? Obviously, the main motivation behind be-bopping around and doing the horizontal dance - or vertical, if that's what you're into — is that it's fun.

Also, you can get a pretty cool hat or a comfy shirt out of it. I know tons of girls who have archives of the things they've taken from the houses of their



Bumping uglies satisfies this weird

other. Others are more inclined to stalk

want to note.

planning to save herself for marriage, ditched her purity ring and chastity belt

She wasn't actually dating the person she opened her cookie jar for and, in

While this is a totally judge-free zone, watching her go through this was

She had given away something she cherished so much and the feeling wasn't reciprocated.

The first time is always significant, so my one tip to whoever is debating diddling someone is to make sure that there is monogamy beforehand.

Patti Stanger, The Millionaire Matchmaker, has taught me everything I know. She preaches no sex before monogamy, and with good reason.

Why? Because, usually, unless you're Tila Tequila or Samantha Jones, no matter what you tell yourself, some part of you is just going to get attached.

While I love the idea of simply having a meat puppet with no actual feelings, I know that if there's no snuggling involved, I'm going to be mad and the muffin shop will be closed until further notice.

Some people may disagree with me — actually, most people do — but I think a relationship is far more satisfying than random penetration.

I read in Cosmo — the most reliable source ever — that post-coital, a hormone is released that makes a woman trust her partner. It's called oxytocin, or the cuddle hormone.

So, guys, one of two things needs to happen.

Option 1: don't be shocked if a girl starts to care about you after you get

Option 2: Become terrible in bed. These both are foolproof, obviously. Basically, what I'm saying is this: feel free to do what you want any old time.

If you're capable of mentally blocking out any type of human emotion, then do it. Otherwise, my suggestion is to hold off until you find someone you care about.

You don't have to keep your chastity belt under lock and key until you can get to the bathroom at the reception hall on your wedding day, unless that suits you. I think it's smart to take a test drive

before making it legal.

I would, however, strongly suggest keeping your goodies to yourself until there is a mutual commitment, instead of the all-too-common, "we're just

Holmes is a junior broadcast journalism major from Houston. >>> sholmes@dailytoreador.com

Stricter food labels needed from FDA

By MELANIE WILLIAMS MINNESOTA DAILY (U. MINNESOTA)

Warning: If you have a weak stomach, simply love eating chocolate, ice cream or burgers, or prefer to remain ignorant of the problems in our commercial food industry, read no further. This column is about to get a little hairy. Literally.

But it's not going to stop at hairy — it's also going to get slimy, pulverized, poisoned and infested. The worst part is, whether you decide to read this column, you're not going to be able to avoid it.

You might choose to ignore the bugs, chemicals and animal bits in your lunch — I know I have — but with all of the recent coverage of "pink slime," exposés on factory farming and articles divulging exactly what goes in to all of that red food dye, I for one have found myself unable to forget exactly what lines (and beaver glands) the commercial food industry is trying to feed me.

My eating habits have been in flux since I saw the documentary "Food Inc." at 16; I stopped eating red meat, then white meat, started eating seafood and finally just settled on a vegetarian lifestyle. I started frequenting farmer's markets in the summer and co-ops in the winter, eating organic and local. I also recently planted my first vegetable garden using seeds that have not been genetically modified. My parents think I'm crazy, and you might think so too. I would say I'm just hyper-aware of what I put in my body.

But this column really isn't a vegan manifesto or even an indictment of all foods conventional. It's simply a reminder of what you're actually eating on a day-to-day basis. It's also my way of pressuring the FDA for stricter food labeling practices.

Here's where my most recent adventure in food industry criticism began: I was sent a link, via one social

networking site or another, to an online petition urging Starbucks to stop using cochineal extract as a red pigment in their strawberry flavored drinks. Curious about why it mattered, I followed the link. And then I nearly vomited. As it turns out, cochineal extract is made of crushed cochineal beetles. The dye can also be found in certain red and pink yogurts, jams and tomato products, to name a few.

I was disgusted, but my curiosity wasn't quite satiated so I Googled "cochineal extract" and found a recent article that cited the same petition and added a few facts that I almost regret reading. It's estimated that with the amount of red dye that the average person consumes in their lifetime, they will have eaten at least 70,000 beetles in food pigment alone. And you know that friend in middle school that was allergic to red food dye? It's not actually a chemical she was allergic to — it's the bugs.

Despite feeling a little overwhelmed with this knowledge, I read a little further. Most people who are allergic to chocolate? This is also due to bug parts. The FDA contends that up to 60 insect parts per 100 grams of chocolate is safe. Certain ice cream flavors are enhanced with castoreum, a mixture of beaver anal secretions. More often than not there are maggots in your canned mushrooms. Isinglass, used to make some beers golden in color, is made from dried fish bladders. The same chemicals put in toilet bowl cleaner are also used to extend the shelf life of foods like potato chips.

And let's not forget some of the gross food facts that are common knowledge: Cheese is injected with bacteria that naturally thrive in the stomach lining of milk producing animals, and gelatin, the gooey stuff in our marshmallows and gummy candies, is made of mammalian connective tissue.

What's worse is that most of these ingredients go unlabeled or undisclosed, so you can't always avoid them. Bugs bugging you too? Tell it to the FDA.

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primal instinct we all have. to partner and not care one way or the

with until he or she decides to commit. Understandably so. It's incredibly annoying when you've decided you're marrying someone and he refuses to

the crazy coin, there are a few things I

complicates things.

and succumbed to the bump n' grind.

Some people can go from partner

the hell out of whomever they sleep

So, for those of you on this side of

Regardless of what anyone says, sex

Recently, a friend of mine who was

turn, there was no commitment.

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Society of Women Engineers offers good opportunities for men, women

By PAIGE SKINNER STAFF WRITER

In a Texas Tech engineering classroom, women usually make up a small portion of the students.

Because women are a minority in the Edward E. Whitacre College of Engineering, minority organizations are that much more important.

Tech's Society of Women Engineers is a student organization that allows both men and women to participate in outreach programs, meet with industry professionals and network with each other within the organization.

Becky Heinen, president of SWE, said the organization has been at Tech for at least 20 years and said SWE does a little bit of everything.

"We do a lot of outreach events," said the senior industrial engineering major from Leavenworth, Kan. "It's a professional organization for companies who want to promote diversity in their hiring process because females are a minority group in engineering. So, every meeting we'll have a company representative come speak and they're interested in talking to the girls.'

Heinen said, "It's safe to say you're one in 10," about women in an engineering classroom.

And while being a female makes the engineering student stand out, Heinen said, it's sometimes tough to prove her intelligence and work ethic.

"Sometimes teachers give you a little extra help and sometimes they don't help you enough," she said. "I mean, you're sitting by yourself until you show you can hang out with the guys. If you can prove yourself and show that you're there to learn, you're not just trying to get by, then anyone takes you in once you show an interest."

When women transfer to the College of Engineering, many times they immediately look for a female organization to get involved in.

I here are 40 to 60 active members in SWE, Heinen said, with an average of 10 men at every meeting.

One of the active male members, John Gomez, said he enjoys SWE because of the outreach and the involvement it offers.

The senior chemical engineering major from Houston said he thinks SWE is a good organization to reach out to women about considering engineering as a major.

He said he prefers working with women in the classroom setting.

"I prefer working with women," he said. "I don't mind, not a burden or anything."

SWE has an outreach event almost every month where they will either host elementary school, middle school or high school girls and have them participate in "engineering fun activities," Heinen said.

"The girls get really excited about it, so it's pretty fun," she said. "Either we'll be hosting or we'll just volunteer for those.'

Tanja Karp, an associate professor of electrical and computer engineering and SWE's adviser, said her main role with the organization is to assist them in meeting their goals.

"They don't really need one," said Karp about the organization having an adviser. "They're so self-motivated, well-organized, running their own show that my part as an adviser, I would say, is just to listen to what they're doing, stay in the background and facilitate whatever they want

Currently, Karp is teaching a class of 35 students and there are no females in the class. But, she said, the females in the College of Engineering are very welcomed.

'Well, I wish we would get more female students in engineering," she said. "The moment they're here, everybody loves having them here and I haven't heard about any genderrelated issues they face. They're really very welcomed in the college. Since they are minorities, professors know their name more easily. It's kind of like you're more visible, which is a good thing if you're a good student and not that much of a good thing if you miss class regularly. There's some more visibility just by sticking out. They play a great role here in college.'

Karp said most of the SWE mem-



PHOTO COURTESY OF BECKY HEINEN

DURING ONE OF the Society of Women Engineers' outreach events, Catch the Engineering Bug, middle school girls work on building an arch tall enough for every girl to walk under it.

bers are offered a job as soon as they graduate or they decide to enter gradu-

When female industry professionals come to speak to SWE, Heinen said, they speak about it being harder to be a woman in the engineering field.

"I've read studies on how females actually bring more to a group of interns, maybe, or a managerial group because they bring that motherly aspect of wanting everyone to get along and kind of nurturing," she said.

In the studies Heinen reads, she said, in a group of guys, they typically want to man-up when they are around each other; but when a female enters fun," she said. "I enjoy it a lot. They the group, they then become more understanding.

"It's just a female being in the

ways and it definitely depends on what industry you're working in," she said. "If you're working in a manufacturing plant where it's male dominated and they've been there for 50 years and there's this little female straight out of college, I mean, they're going to be a little hesitant to just take on your word. But, I think in a more open-atmosphere, in a group setting, I think men are more prone to accepting women. Oil is definitely a hard industry for females, I've heard."

Karp said working with SWE has been "delightful."

"I didn't expect it to be so much are so well organized. Just delightful to see, wish everyone was that organized."

In Sudoku, all the numbers 1 to 9 must column and 3 x 3 box. Use logic to define the answers.

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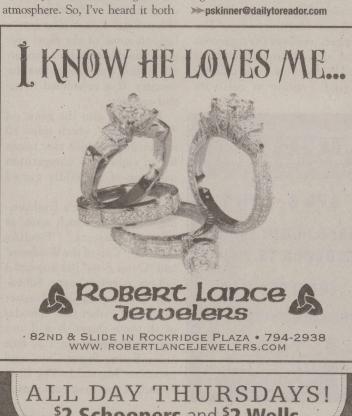
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RHA, Red Cross raise money for victims Bruce Willis offers to

By HALLIE DAVIS STAFF WRITER

It may seem illogical to give a child a pet when he or she has lost their home, but that is the aim of a new Red Cross initiative.

Luckily, it's a pet that requires no food or water.

The South Plains chapter of the American Red Cross — North Texas Region is partnering with the Residence Halls Association to raise money for the new Piper the Puppy program through a campuswide penny war.

Piper the Puppy is a stuffed animal the Red Cross provides to a child who has been affected by disaster. Along with the puppy, the family receives basic necessities to help them for a few days while they are displaced.

"The actual stuffed animal probably provides a lot of happiness," said Nick Lamy, the RHA president.

Each puppy has an inscription on its foot, usually the name of the donor, or in the case of the competition, the name of the winning residence hall.

Texas Tech will serve as the West Texas launch for the initiative. Molly Mabery, the volunteer specialist for West Texas, said Piper is already familiar to other places in the U.S.

Lamy, a junior accounting major from Dallas, said it was a great partnership for RHA to work with the Red Cross.

said. "It's kind of a national thing we are trying to bring local."

The nearest Piper project is in Dallas, Mabery said, where she was sure many of the puppies were given out in the wake of Tuesday's tornadoes.

In Lubbock, though, the focus is mainly on fire victims.

"It's for any displaced children," she said, "but in our area, especially

Next, the chapter wants to have the fundraiser in local elementary schools and other places, Mabery said, but the decision was made to begin at Tech.

"It's important for Tech to be involved," she said. "It's such a big part of the community.'

The Red Cross has helped many students after a dorm or apartment emergency, said senior Rex Anne Waggoner, from Houston; but many other students do not realize the positive impact the Red Cross is constantly providing.

Still, the public relations and French major said, students were very willing to support the fund-

The way it works is this: each hall has a collection container and the goal is to have the most pennies. Any other form of currency subtracts from the group's 'total. Lamy said this encourages people to put more money in, but into the collections in other halls, which makes for an intense competition.

"(The Penny War) gives students a way to give back when they "It's a bigger project," Mabery might not have time to volunteer,"



LA VIDA

PHOTO COURTESY OF MOLLY MABERY

THE PIPER THE Puppy program is designed to provide a stuffed dog to a child affected by a disaster, which comes with a few basic necessities for the family.

Mabery said.

As an intern for the Red Cross, Waggoner said, she was excited to be able to bring it to campus.

Waggoner said one puppy can each residence hall. be sponsored for \$100, but since >>> hdavis@dailytoreador.com

the project is so new, there are no set goals for the fundraiser.

Pennies, and any other money, will be collected until April 21 in

donate Idaho ski area

KETCHUM, Idaho (AP) — Bruce Willis says he's willing to give away his central Idaho ski resort to a nonprofit.

The action star has already put his lavish home in nearby Hailey, Idaho, on the market — it's listed at \$15 million along with his local bar and nightclub, The Mint — listed at about \$4 million.

Now the Idaho Mountain Express (http://bit.ly/Hg4qN7) reports Willis may be severing another real estate tie to Idaho. The actor told Camas County leaders he is willing to give the Soldier Mountain ski area in Fairfield to the right nonprofit.

Willis, best known for the "Die Hard" series and "Sixth Sense," has owned the ski area since the late 1990s. It boasts 1,150 acres of in-bounds terrain, and its three lifts give access to a vertical rise of 1,425

Soldier Mountain is popular with families, serving as a laidback alternative to the swanky Sun Valley ski resort about 65 miles away.

Willis' Soldier Mountain Development owns and operates the ski hill on public land under a U.S. Forest Service special-use permit.

At least one nonprofit has expressed interest in his offer.

Soldier Mountain Recreation Association, says his group is hoping to get enough help from donors to take over the ski area's operations.

"If we can get our ducks in a row, seek sponsors and new members, we would like to transfer the Forest Service permit and continue operations," said Palan, who also is a longtime Soldier Mountain employee.

The ski area has been operating at a loss for several years, Palan said. He did not elaborate.

There are 30 nonprofit ski areas operating in the United States, said Ted Beeler, president of the ski area planning and design firm SE Group. The company was hired in 2006 to prepare a master development plan for Soldier Mountain.

Beeler said transferring ownership to a nonprofit entity would allow for tax-deductible donations to keep the operation afloat.

Willis and his former wife, Demi Moore, became part of the celebrity scene in Idaho's posh Sun Valley region during the 1990s. Last year, Willis put his home complete with a guesthouse, gym and pool with water slides — on the market for \$15 million. In 2010, he put The Mint bar and nightclub on the market for \$6 million but later dropped the price to \$4 million.

Willis' publicist Paul Bloch said John Palan, with the local he has no comment on the matter.

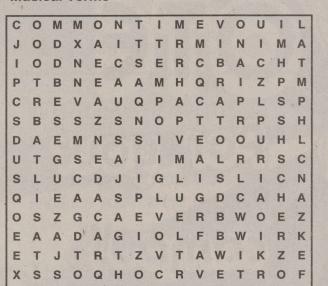
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Animal Planet unleashing a new season of shows

NEW YORK (AP) - Animal Planet has a menagerie of new shows for the season ahead that promise real-life drama, monstrous mystery, unusual human creatures and a new breed

Also look for the network's first competition show, with the provocative title "Top Hookers." (Relax. It deals with fishing.) The slate of new program-

ming, most of which will launch next year, is scheduled for unveiling to advertisers Thursday down gangs of rhino poachers in New York at the upfront in South Africa whose greed presentation of parent company Discovery Communications.

The lineup builds on Animal Planet's brand strategy of "Surprisingly Human," said Marjorie Kaplan, the channel's president and general manager.

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you think we are — but it's bigger, better, funnier and louder,' she explained during an interview last week. Viewers have responded, boosting the channel's average audience in the age 25-54 demographic by 25 percent, to nearly 300,000, in the past year.

Wars," the network plans to introduce "Rhino Wars," which follows a team of former U.S. Special Forces as they hunt threatens to reduce to near extinction the rhino population.

A new adventure series, "The Hunger," explores the ingenious (and often extreme) methods used by disparate world cultures to find, capture or cultivate

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"Animal Planet is still what food. Its host is survivalist Guy Grieve. "Glory Hounds" stars the

military working dogs that serve beside their human partners in Iraq and Afghanistan. From tracking insurgents to sniffing out explosives, these heroic canines are an integral component of the armed forces — and share Building on its hit "Whale deep emotional bonds with their human companions.

Watch anglers corral 300-pound sharks using only women's pantyhose. Watch them hunt for massive bass from a speeding kayak in whitewater rapids. On "Fish America," outdoorsman and pro wrestler "Showtime" Eric Young gets a line on some of the most creative, unexpected and dangerous fishing practices across the country. It is scheduled to air this summer.

Fishing is also the game on "Top Hooker," which splits 10 expert anglers into two teams for an eight-week competition made up of 24 wildly varied challenges.

Animal Planet's frightening success with such series as "River Monsters," "Finding Bigfoot," "Call of the Wildman" and "Gator Boys" has inspired a full-out network event. Scheduled for May 21-28, Monster Week will gather new episodes of all these shows. It will also present the hunt for a 20-foot "Man-Eating Super Croc" and premiere "Mermaids: The Body Found," a two-hour exploration

\$1.50

COORS LIGHT

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that supports the existence of mermaids and even display (with the help of CGI) how they might really appear.

On Super Bowl Sunday, some viewers have a demonstrated preference for puppies over pigskin, so Animal Planet's "Puppy Bowl" will be back for its ninth year next February on the grand gridiron of Animal Planet Stadium. It will feature fan favorites like the water bowl cam, kiss cam and the annual Kitty Halftime Show.

But, for the first time, it will be more than a TV show, with plans afoot (a-paw?) for puppy fantasy football leagues, mobile apps and even live tailgate adoption parties across America.

"We're taking Puppy Bowl from being just one day to being an event," said Kaplan, who's aiming for a Puppy Bowl more suited to the grand scale of its rival Super Bowl. "After all, we're like football," she reasons — "only cuter."

Also among the new offerings, don't forget "Treehouse Men," a specialized group of builders and dreamers who earn their living in the treetops. Their goal: to create for their clients the most magnificent, whimsical and amazing treehouses in forests and backyards across America and around the

This series sheds light on the expanding Animal Planet mission since, after all, trees aren't animals.

In Kaplan's words, the channel aims to deliver TV "that impacts how we view and interact with the natural world around us.'

Or, with "Treehouse Men," in particular, she explained: "When you're in a treehouse, you feel like you're living like a bird."

In the season ahead, Animal Planet will roll out a number of additional new series, with 13 of its current shows returning.

But what about subsequent seasons as the channel explores further broadening the brand? Could scripted drama be on the horizon?

"The bar is very high for scripted drama on other networks, and we want to be competitive," Kaplan replied. "Besides, the real world is really fascinating, so you don't want to do a scripted drama that you could do just as well as a reality show. I don't think we have the right idea yet for a scripted show."

But might it be in Animal Planet's future?

"I can totally imagine us doing it," said Kaplan.

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Randy

Rangers have question marks to start season

The Texas Rangers enter this season with the same concerns as last season, but with familiar faces playing new roles. As the Rangers open their season Friday against the Chicago White Sox, it is clear it will be no easy task for the Rangers to get to their third straight World Series.

The Rangers still have questions on the mound. Colby Lewis is not a number-one starter, but he is the veteran arm in this rotation. He will need to be better than last year, especially if he is expected to fill the top of the rotation role. He will be joined by the real ace of the staff — Derek Holland.

Holland will need to showcase his playoff form from last year more often this season. Fans will remember his amazing playoff performances,

Stoots but he will need to turn those into regular season performances for the Rangers to make another deep run in the playoffs. The other lefty in the

rotation is Matt Harrison. Anything

but a step back from Harrison would

be huge for the Rangers.

Cody

Yu Darvish and Neftali Feliz are the new additions to the Rangers rotation. As the fourth and fifth starters, less should be expected from these two, but they both carry immense pressure. Feliz has always wanted to be a starter and he is getting his chance — leaving behind success as a closer.

Darvish will need to make the Rangers look good, showing flashes of brilliance to make up for his massive price tag. He has impressed in ability to reconnect with fans. Recent the back part of spring training, but durability will be the concern for Darvish. He will need to prove he can pitch in Texas in the middle of the summer.

The biggest pitching concern at the beginning of the season is Joe Nathan as the closer. Nathan has not looked spectacular this spring and is still not that far removed from a surgery on his throwing arm. But there is no one else to fulfill this role, as Feliz is a starter and Mike Adams is too good in the set-up and stopper role. If Nathan fails to impress, the bullpen could be shifting all season.

Josh Hamilton. The former AL MVP will need to prove many things this season. Hamilton will need to showcase his health, sobriety and the comments in the media have almost alienated Hamilton. He is playing for a new contract, be it with the Rangers or another team. The last time he fell off the wagon, in the offseason in 2010, he won an MVP award. With Nelson Cruz and Ian Kinsler lacking durability, Hamilton will need to stay on the field and off the DL.

Mike Napoli is a candidate to be the best player on the Rangers. He was absolutely on fire for the Rangers last postseason and with it being a contract year for him, Napoli will be looking to impress. He has power and hits for average and he can play

The offense starts and ends with another position so he doesn't have to occupy the designated hitter spot. Napoli taking a step forward would be enormous for Texas.

> There are plenty of other smaller questions. The left field spot is not hammered down and Adrian Beltre is not as much a question as sometimes an afterthought. Is this the year Mike Young starts a rapid decline? Will the Rangers stay healthy? The Rangers finished 10 games

ahead of the Angels last year. It is silly to think the additions of Albert Pujols and C.J. Wilson, along with a healthy Dan Haren and Ervin Santana, don't close that 10 game gap alone. The Angels will enter this season a chic pick and essentially a better team on paper than the Rangers. The Athletics aren't terrible either and a healthy Mariners team could trip up the rest of the AL West.

The Rangers are not the clear-cut favorites in the West and I think they like it that way. It was a surprise two years ago how well they played and went, and again last year was full of pleasant surprises. This year contains more known quantities and the possibility of surprises is slim.

Repeat success is never guaranteed in MLB, but if the Rangers can have key players repeat, or even improve on, last year's performance, they can be competitive from start to finish. It will require some players to play above previous or expected performances for the Rangers to avoid sitting at home during the postseason.

Stoots is a senior broadcast journalism major from Houston. » cody.stoots@ttu.edu

Darvish strikes out five in final tuneup before Rangers debut

FRISCO (AP) — Yu Darvish has finally pitched in Texas.

Next time it counts. Darvish struck out five over four scoreless innings in his final tuneup before his anticipated major league debut, helping the Rangers beat

Double-A Frisco 6-1 on Wednesday. "I was able to accomplish everything," Darvish said about his first spring training with Texas. "I feel very good about where I am right now."

After going 1-0 with a 3.60 ERA in four Cactus League starts in Arizona, Darvish walked two and allowed a pair of singles against the RoughRiders. One hit was a broken-bat blooper and the other a slow roller up the middle just out of the reach of shortstop Elvis Andrus.

The Rangers committed more than \$107 million over the winter to sign the 25-year-old Darvish, who was 93-38 with a 1.99 ERA in 167 games the past seven seasons in Japan's Pacific League.

Next up for Darvish is his scheduled start Monday night at Rangers Ballpark, about 40 miles from Frisco. said through his translator. "The way The right-hander will face the Seattle regular season for the two-time defending American League champions.

"I think I just want to stay where I am. Even opening day in Japan, I try not to get overly excited," Darvish

I feel right now, I'm going to prepare pitches in his final spring start, the Mariners in the fourth game of the the next four days like I've been preparing for another start. I try not to get too overly excited."

Texas opens the season at home Friday against the Chicago White

The Rangers held Darvish to 60 same range as the rest of their starters. He got close to 100 pitches in a sixinning stint with 11 strikeouts against Colorado on Friday night, and said the number of pitches he's thrown this spring is "adequate" for him.

batters he faced Wednesday, even after going to a 3-0 count on leadoff hitter Jurickson Profar, one of the Rangers' top prospects. The two singles came from consecutive batters with two outs in the second inning.

"I saw five pitches for strikes, I

Darvish struck out the first two saw changing speeds, locating that fastball effectively," pitching coach Mike Maddux said. "He had some guys, sequenced them where it was just more than they could handle. I don't think it's because of the level. I think that will play at any level, the stuff he throws up there."





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