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Apartments damaged after gas-utility explosion, ignition source unknown

Lubbock Salvation Army assisting victims

By CAITLAN OSBORN
NEWS EDITOR

An explosion at Briercroft Manor Apartments on Tuesday morning resulted in the demolition of the buildings and relocation of its Lubbock residents.

Robert Loveless, deputy fire marshal and public information officer in the Lubbock Fire Marshal's Office, released a statement Tuesday evening regarding the fire.

He said a gas utility-fueled explosion started the fire and the ignition source is still unknown. An exact cause determination is pending completion of the investigation, Loveless said.

"One resident called in a service order this morning, complaining of a strong odor of gas," the fire marshals' statement said. "Structural damage is consistent with that of low pressure gas (LPG) explosions. Multiple witness statements reinforce those findings."

Pete Escamilla, husband of the manager of Briercroft Manor Apartments, said most people in the affected apartments were not home, but the rest had been evacuated shortly after the fire began.

The apartments in the complex, located at 1321 65th Dr., are in the process of being demolished for safety reasons, he said.

"They're not going to be able to be re-occupied," Escamilla said. "They're completely destroyed."

A health supervisor for the Burn Center at University Medical Center, who did not release her name, said four residents of the apartment complex were treated at the hospital.

An EMS worker was admitted into the hospital Tuesday afternoon for treatment, she said.

"We had a total of five people from the explosion come in," the health supervisor said. "Four were treated and one was admitted. Everyone else was treated and released and then we had one come in later

(yesterday) afternoon from smoke inhalation and he was admitted."

The UMC representative said one person entered the Burn Center with burns on his feet, but she did not know the degree of the damage. No one else had burns, she said.

Melody Paton, of the Salvation Army of Lubbock, said the apartment fire affected at least 38 individuals.

"Tonight, The Salvation Army is preparing to provide shelter to an estimated 20 individuals affected by the fire," Paton said in a statement Tuesday afternoon. "The Salvation Army will also provide survivors with clothing vouchers redeemable at The Salvation Army Family Thrift Store."

The Salvation Army's Disaster Alert Response Team arrived at the fire around 10 a.m., where members provided at least 240 meals and 200 drinks to first responders and survivors.

The Salvation Army is also working with local businesses to provide survivors with furniture vouchers. It will continue to offer long-term sustainable care to survivors on a case-by-case basis, as necessary, Paton said.

Mike Morton, corps officer for The Salvation Army of Lubbock, said it is the job of the organization to provide aid for those in need, for as long as possible.

"We see emergency response as a crucial component of our ministry here in Lubbock," said Morton in a statement. "We are able to provide not just for the physical needs of the first responders and survivors, but also care for their emotional and spiritual needs. We will continue working with survivors long beyond the disaster to help them rebuild their lives."

Anyone who would like to support The Salvation Army's relief efforts, can make a monetary donation by going to their website, mailing a check to P.O. Box 2785 Lubbock, TX 79408 or in person at 1111 16th Street.

cosborn@dailytoreador.com

Executive Substitute



PHOTO ILLUSTRATION BY LAUREN PAPE/The Daily Toreador
CALEB MCLELLAND, A junior nutrition major from Tyler, won a raffle drawing for the chance to spend the day as the president of Texas Tech.

Student switches roles with President Bailey for day

By ASHLYN TUBBS
STAFF WRITER

Caleb McLelland knows an opportunity of a lifetime when he sees it.

When the junior nutrition major from Tyler checked TechAnnounce and saw the chance to become President for a Day, he decided to take a chance.

He said he spent a lot of money when he visited the Tech Mortar Board's booth to buy tickets, in which he took the lead on number of tickets sold to an individual.

It paid off, though. McLelland got an email April 4 confirming what he greatly anticipated — a day in the life of Tech president Guy Bailey.

"In a way, I wasn't surprised," he said, "but I was excited I got chosen."

McLelland woke up early to find Bailey's parking spot at 7:20 a.m. He then headed to his office for the day, which, he said, was much nicer than a classroom.

Unfortunately, McLelland said, he did not get the chance to be excused from any classes, as he had no classes until later that night.

This year, Bailey did not have to attend any of McLelland's classes in exchange for a student's title.

"Since I don't have any classes during the day, he didn't have to sit through that torture," McLelland said. "He got lucky, I guess."

McLelland said he didn't know if he should expect to shred papers and be put to work as the president; instead, he got to socialize. He met the heads of many departments as well as other people of high status and had lunch with the president's office staff.

"There's thousands of people who walk the university every day and very few of them even get to meet the office staff," McLelland said. "Getting to meet Dr. Bailey and some of the people that I've gotten to meet so far, has been great."

One of the individuals McLelland met was Lou Ortiz, a special assistant to the president, as well as the assistant vice president for research.

Ortiz said McLelland was an outstanding president of the day and he enjoyed discussing McLelland's plans at Tech, as well as a congressional internship and law school as future options after graduation.

McLelland and Ortiz both have military background in the Air Force — McLelland serving as a member of the security forces and Ortiz serving for 30 years.

MCLELLAND continued on Page 5

TechBriefly

Texas Tech debate team makes history

The Texas Tech debate team received high marks during two tournaments hosted March 17-24 in Bellingham, Wash., though it was not enough to secure a national championship.

The team placed second at the National Parliamentary Tournament of Excellence and third at the National Parliamentary Debate Association's championship tournament.

Both of these titles were the best in the program's history at Tech.

Joey Donaghy, a sophomore communication studies major from Coppel, and Adam Testerman, a senior communication studies major from Springfield, Mo., entered as Tech's team at NPTE, which is only open to the top 64 teams in the United States. They lost to Washburn University in the final round.

Individual awards at the NPDA Championships included fifth place for Donaghy and Testerman; ninth place for Sean Riegert, a senior political science major from Clear Lake, and Lauran Schaefer, a senior communications studies major from Sonora; 17th place for Laci Kennedy, a junior political science major from Bozeman, Mont., and JT Seymore, a junior communications studies major from Holliday; and 33rd place for Tyler Cashiola, a junior communication studies major from Deer Park, and Kevin Thompson, a freshman political science major from Rising Star.

Tech vice provost chosen as Education Fellow

Valerie Paton, Texas Tech's vice provost for planning and assessment, was selected as one of 57 faculty and administration members to join the American Council on Education Fellows program for the 2012-2013 year.

Tech president Guy Bailey said he nominated Paton for the chance to conduct research in an Association of American Universities institution.

"Valerie has been a valuable asset among our leadership and has accepted many additional responsibilities, in addition to her duties as vice provost," Bailey said in a news release. "Her commitment to the university and selfless attitude make her a logical selection for this program, as other universities will benefit from her experiences."

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Tech Law students debate Trayvon Martin case, issues on gun control

Tech community weighs in on Stand Your Ground Laws

By NICOLE MOLTER
STAFF WRITER

Texas Tech law students Robert Sullivan and Matthew Manning debated the Stand Your Ground laws Tuesday afternoon in the School of Law's Lanier Auditorium.

The law has recently come under scrutiny with the Feb. 26 shooting of Florida teen Trayvon Martin by neighborhood watchman George Zimmerman.

Some of the questions they discussed were whether Zimmerman appropriately decided between fight or flight when encountering Martin and if Zimmerman was simply exercising his right to bear arms.

Sullivan, a third-year law student from Lubbock, described the Florida Stand Your Ground law.

"It's, basically, that you can stand your ground and use deadly force in a public place if you believe, reasonably, that there is im-

minent death or grave bodily injury going to be committed to you or third persons around you," he said, "or you see someone committing a forcible felony, which are the big felonies — murder, rape, burglary, things like that."

The debate was more focused on whether to retreat or stand your ground, rather than the controversy of the Martin and Zimmerman case, said Jennie Radulescu, a first-year law student from Longview.

"The legal arguments are more interesting because we don't know the facts of the case," she said, "so we can kind of hypothesize, 'Well if this happens, then what about this?' I don't think that debate was centered on the case as much as I thought it would."

Sullivan argued the Stand Your Ground law is a fair law, as it is currently enacted in Florida. Manning argued that a duty to retreat should be into the law.

"It really came down to an issue of public policy," Sullivan

said. "I argued that duty to retreat is a bad thing, that stand your ground alone is good. When it comes to the use of deadly force, you can only use it if you reasonably believe that somebody is imminently using death or going to cause great bodily injury against you."

Manning supported his argument with natural law right, a natural right for individuals to defend themselves.

DEBATE continued on Page 2

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WEATHER

Today 	PM T-Storms 80/58	Thursday 	Partly Cloudy 83/56
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Maggio: Holiday origins becoming irrelevant
OPINIONS, Pg. 4



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Community Calendar

TODAY

Texas Tech Baseball vs. Dallas Baptist

Time: 3 p.m.
Where: Rip Griffin Park
So, what is it?
Support the Red Raiders as they compete against Dallas Baptist.

Night of Financial Literacy

Time: 5:30 p.m. to 7 p.m.
Where: Student Union Building, Ballroom
So, what is it?
Join Rachel Ramsey Cruz as she shares information regarding budgeting, eliminating credit card debt and more.

Texas Tech Softball vs. Texas

Time: 6 p.m.
Where: Rocky Johnson Field
So, what is it?
Support the Red Raiders as they compete against the Longhorns.

THURSDAY

Art and Business Lecture: Real and Muff Musgrave

Time: 5 p.m.
Where: School of Art, B01
So, what is it?

Enjoy a lecture on business and art led by Real and Muff Musgrave, the pair behind Pocket Dragon figurines.

Pray the Devil Back to Hell: Pre-Conference Film Viewing

Time: 6 p.m. to 8 p.m.
Where: International Cultural Center, Hall of Nations
So, what is it?

The Women's Studies Program will host a showcasing of the documentary, "Pray the Devil Back to Hell," which tells the story of Liberian women who came together to end a civil war and bring peace to their country.

Late Night Dive-In Movie

Time: 10 p.m. to midnight
Where: Leisure Pool
So, what is it?
Enjoy a late night screening of "The Grey" hosted by Guns Up All Night.

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.

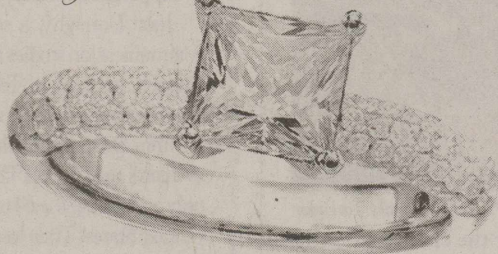
VOLLEY VAULT



JACOB LUNA, A freshman wind energy major from Pflugerville, spikes the ball past Ryan Gallegos, a freshman architecture major from Lubbock, and William White, a freshman business undecided major from Shady Shores, on Monday during a volleyball game outside the Robert H. Ewalt Student Recreation Center.

PHOTO BY EMILY DE SANTOS/The Daily Toreador

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Debate

CONTINUED FROM PAGE 1

"I said — it actually goes along with the natural right, self-preservation — basically, you either choose to fight or you choose to flee," he said. "Animals in the animal kingdom do that. Human beings do it all the time. Everybody doesn't choose to fight every fight. My argument is, if you think deadly force is being used against you and you have the ability to escape completely, you shouldn't stand and fight if you can get away from the situation without having to kill another person."

Sullivan said he differs with Manning on duty to retreat.

"I disagree with that," he said, "because I think in some ways the law already factors in that, regarding the

reasonableness of the force that you use against the deadly force. I also think it can cause a host of public policy concerns. If people are afraid that they have to be looking for an exit if a situation arises and can't necessarily deal with it head on."

Manning explained duty to retreat is a part of self-defense. A person should try to walk away from the situation, if given the opportunity. When walking away is no longer an option, that person can vehemently defend his or herself.

"Not to have a duty to retreat is rooted in pride," he said. "It's rooted in just being able to say 'Uh oh. I didn't run from the situation,' but at the end of the day, is your pride worth your life? I'm not going to die, because I want to be proud. I'd rather be alive and ashamed of the fact that I ran away."

There are certain situations where a

person cannot apply the duty to retreat, Manning said.

If a burglar comes into a home, the homeowner should be able to shoot them, he said. In a public place, bystanders and other people who might be harmed have to be taken into consideration before using deadly force.

"I have no problem with responsible gun ownership, no issue whatsoever," Manning said. "I think the second amendment gives you the right to own guns. I don't own any guns personally, but I know a lot of people who own them and would never hurt someone unless they truly felt they needed to."

Part of the belief is the proliferation of guns and lessening of gun control laws allows people to become easily engaged in deadly conduct, Sullivan said.

"You truly have to be an innocent victim where such criminality comes

and meets you out," he said. "So, if the issue is a fight that escalates, or something like that, or you're initiating the conduct, you're not going to be allowed the defense of saying 'I was standing my ground. Under the laws of Florida it's written.'"

The facts indicate the situation between Martin and Zimmerman would not change with or without a duty to retreat, Manning said.

"My argument here is that this Stand Your Ground Law allows you to create the ground and then take it to your victim," he said, "because, basically, what you can do is you can start an argument, you can be the initial aggressor. If you try to walk away and then the other person uses deadly force against you or you feel is threatened and against you, then you can shoot them in cold blood."

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Santorum drops out, clears way for Romney

GETTYSBURG, Pa. (AP) — Rick Santorum cleared the way for Mitt Romney to claim victory in the long and hard-fought battle for the

Republican presidential nomination Tuesday, giving up his "against all odds" campaign as Romney's tenacious conservative rival.

Santorum's withdrawal sets up what is sure to be an acrimonious seven-month fight for the presidency between Romney, the former Massachusetts governor, and Democratic President Barack Obama, with the certain focus on

the still-troubled economy.

In a preview of the personal attacks that lie ahead, Obama's campaign manager declared that Americans neither like nor trust Romney, and the Romney camp said the fight had always been about defeating Obama, not GOP rivals.

"This game is a long, long, long way from over," Santorum said as he bowed out of the contest with Romney. "We are going to continue to go out there and fight to make sure that we defeat President Barack Obama."

Santorum had been facing a loss in the April 24 primary in Pennsylvania, the state he represented in Congress for 16 years, and where the Romney campaign planned nearly \$3 million in ads against him.

Whether or not there are lingering hard feelings, Santorum didn't mention Romney, who has been the front-runner for months and was far ahead in the race for the 1,144 delegates needed to clinch the nomination at the party's convention in August.

Romney has tried to ignore his GOP rivals and campaign against the president since he first entered the race last year with a pitch focused on the recovering but still frail economy. But Romney was forced to go after Santorum and former house Speaker Newt Gingrich after Santorum showed strength in Iowa and Gingrich in South Carolina early this year. Then Santorum kept on, memorably winning three Southern primaries.

Romney's campaign has long been the best funded, the best organized, and the most professionally run of the GOP contenders.

Despite Santorum's refusal to get out of the race earlier — and Gingrich hasn't officially dropped out yet — Romney had already begun looking ahead with a unifying message. He told Pennsylvania supporters last week that "we're Republicans and Democrats in this campaign, but we're all connected with one destiny for America."

And Obama has turned squarely to face Romney, recently assailing him by name, as his campaign has worked to paint Romney as a rich elitist who will win the nomination only because he buried his opponents under millions of dollars in negative advertising.

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Puzzles by PageFiller

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

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

Solution to yesterday's puzzle

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Holiday origins becoming irrelevant

Bunnies — Easter. Presents — Christmas. Beer — St. Patrick's Day. Affection — Valentine's Day. What is going on?

Well, if you haven't noticed, the United States is becoming very good at "selling" holidays that hold religious meaning. More specifically, more people are beginning to buy into certain marketing campaigns that businesses are using to enhance holiday experiences.

But, how far off the map must we travel until we begin to completely lose sight of the true meanings behind these holidays? Or, are our lives so boring that we need an excuse to interrupt our dullness with another reason to throw a party?

Let's take a look at some of our culture's most celebrated holidays and see how far off we find ourselves.

Nick Maggio



Recently, Easter Sunday and the Resurrection of Jesus Christ were celebrated. Most everyone knows the story behind this holy day two millennia ago, yet we find ourselves in quite a predicament. When a young child finally musters up enough curiosity to ask, "Why do we get chocolate bunnies and eggs on Easter," we fail to have a legitimate answer. After all, bunnies don't lay eggs and the Easter bunny was not present at the crucifixion. So what gives?

Parallel to the Easter bunny is obviously the big man himself, Santa Claus. This man travels

the globe in one night, giving a bunch of spoiled kids presents they didn't ask for. The only night longer than this one has to be Mary's delivery in a barn that would make a Motel 8 seem like a Four Seasons, with

Probably my most favorite misconception of a holiday is St. Patrick's Day. I'm sure St. Patrick's dying wish was that on his day of remembrance, young people all over the world would be in a drunken coma. Af-

"An easy explanation for all of these misconceptions is the drive of commercialism..."

ter a lifetime of evangelism, I think the man deserves better. Many are not even aware that Patrick was not even Irish (he was born in Wales). Go figure.

A lesser-known, but highly celebrated, figure is St. Valentine. His day of festivities usually includes some candy hearts, flowers and a nice

evening with a loved one. However, hardly anything is known about St. Valentine except the days of his birth and death. There is nothing historically to connect him to the theme of love, apart from the Roman Catholic Church's desire to create a feast day that fell on the pagan holiday in which gods were begged for fertility and peace. The only contestable evidence concerning St. Valentine's evangelism was his assistance to the plagued and the epileptic. I'm not sure cupid's arrow would do much good in either of those circumstances.

An easy explanation for all of these misconceptions is the drive of commercialism and the power of good marketing. I'm not sure Hallmark would be the same company if it wasn't for all of these holidays becoming nation-wide fiestas.

While I am not immune to such festivities, having a minor in history has helped me evaluate these celebrations and find the real meaning behind these "holy" days. Our generation's ignorance is the main reason why these mixed obscurities have taken over our society and why department stores have become successful in brainwashing the feeble mind.

So, before you reach for that Reese's stuffed bunny or pick out the perfect bow to put on a Christmas present, know the real reason for the season. Hopefully we can teach the next generation of young people not to be as blind to history as we have been.

Maggio is a senior English major from Austin.
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Environment important, neglected

In all the clamor between the conservative presidential candidates' various and increasingly ridiculous statements, and President Barack Obama's replies to these attacks, it seems the only thing anybody wants to talk about these days is what's being done about the "big E" issue: the economy.

Now, although this is a very interesting and important topic to discuss, there is one other "big E" issue that everyone seems to have forgotten about: the environment.

In fact, one might be led to think President Obama, in getting prepped to switch his administration into campaign mode, had forgotten about the several pieces of environmental legislation collecting dust on his desk — that is, if it wasn't obvious he was dragging his feet for political reasons.

These pieces of legislation cover a broad range of issues. According to an article in the *Washington Post*, one proposal would give the Environmental Protection Agency authority to define what constitutes a wetland. Another, drafted by the EPA, would require new power plants that emit mercury and other toxic greenhouse gases to install scrubbers by 2016, which would limit those emissions.

Of particular interest, however, is a bill proposed in late January that would require oil refineries to further lower the content of sulfur

Jakob Reynolds



in gasoline used by cars and light-duty trucks from 30 parts per million to 10 parts per million. Such a move would enhance the effective-

ness of the catalytic converters in old and new cars while curbing air pollution and lowering emissions. A report issued by the National Association of Clean Air Agencies estimates the cost of these new rules would not exceed more than a penny per gallon.

Furthermore, the proposal puts a limit on the emissions of the 2012 through 2016 passenger car and light-duty truck model years, eventually cutting emissions by the equivalent of 307 million metric tons of carbon dioxide and reducing national oil consumption by 1.8 million barrels per day by 2030. When combined with the ad-

ditional greenhouse gas standards set for heavy-duty trucks, these proposed cuts will amount to 725 million metric tons.

The proposal was supported by several GOP and Democrat lawmakers alike — as well as leaders in the American auto industry — who said it would be much easier to manufacture cleaner and more efficient cars if they had cleaner fuel to work with. It is similar to a bill unanimously passed by the California Air Resources Board near the end of last January, which will result in an additional 1.4 million zero- and near-zero-emission vehicles on the state's roads by 2025.

What's the holdup, then? The oil industry says these new

sulfur rules will increase refinery costs and the price of gasoline, which Republicans have used as a political weapon against Obama for years and will definitely wield incessantly on the campaign trail.

However, seeing as the lower sulfur gasoline would make all cars more efficient and the cost of gasoline with these rules would only increase by one cent per gallon, consumers only stand to save money at the pump should this proposal go into effect — especially considering standards have been proposed for all passenger cars on the road in 2025 to get 56.2 miles to the gallon.

Moreover, Obama could use this proposal to show that the benefits outweigh the costs, especially considering the emissions standards to be lowered are equivalent to taking around 33 million cars off the road and would result in the prevention of thousands of premature deaths from lung disease, cancer, heart attacks and other ailments attributed to greenhouse gas pollution.

President Obama should not be so timid in taking action on legislation that has been on his desk for months that could help America set the world standard on combating greenhouse gas emissions and, to that extent, his campaign in November.

Reynolds is a sophomore history and music major from Lubbock.
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"... the emissions standards to be lowered are equivalent to taking around 33 millions cars off the road ..."

For policy: rules exceed discretion

By JONATHAN PEDDE
THE DARTMOUTH (DARTMOUTH COLLEGE)

Many people seem to assume that placing intelligent people in positions of power and then granting these individuals broad discretionary powers to do as they see fit is the best way to go about solving the world's many problems.

However, this idea is often an illusion. In many cases, simple policy rules would produce far better outcomes than affording wise individuals substantial influence.

Over the last few years, the most severe public policy problem in the developed world has undoubtedly been persistently high unemployment. Especially here in the United States, it is very difficult to argue that discretionary fiscal policies have satisfactorily dealt with this most pressing issue.

The difference between rules-based policies and discretionary policies is subtle yet important. "Discretionary policy" refers to a situation in which a group of people is given the power to determine and change government policies as it sees fit. This contrasts with a "rules-based policy," whereby government policies are set by a fixed rule, and government officials' sole job is to conduct policy in accordance with that rule.

The period from 1985 to 2007 is often referred to as "the Great Moderation" due to the relative macroeconomic stability of these years. This stability was arguably due, in large part, to the fact that the federal government's macroeconomic policies were determined by relatively fixed rules — the Federal Reserve essentially followed an interest-rate rule and Congress largely abstained from discretionary fiscal policy.

By early 2008, though, discretionary macroeconomic policies were back in favor, largely because the Federal Reserve's policy rule seemed incapable of dealing with the recession. Since then, Congress has adopted several short-term, discretionary stimulus packages, and the Fed has sporadically increased the quantity of bank reserves. Despite these largely unprecedented discretionary policy actions, unemployment

has now been above 8 percent for over three years. This recent experiment with discretionary macroeconomic policies has failed.

Contrary to popular belief, it is very difficult to make a convincing empirical case that the discretionary fiscal stimulus policies of the last four years have been successful. Yes, states that received more in federal stimulus money have had less severe downturns than states that received less. If Congress passed a stimulus bill that gave \$1 million to each Dartmouth Gavek organization, I'm pretty sure that this would cause a statistically significant increase in alcohol sales in the Hanover area. But that does not necessarily prove that this policy increased overall employment or gross domestic product for the entire country.

Instead of relying on wise government officials to use their discretionary powers to solve future macroeconomic problems, it would be far better to adopt simple and straightforward policy rules. Yes, it is not hard to come up with theoretical arguments against any given policy rule. But I find it hard to believe that a decent monetary policy rule — an NGDP level target, for instance — would have performed as poorly as the discretionary policies of the last four years.

One of the key problems with discretionary policy is that no single individual can truly understand the entire economy and all of its complex inter-linkages. Furthermore, given that government officials' interests may not be entirely in line with the interest of the general public, it is important that the general public be able to easily judge policymakers' actions. As a result, it would be far better for policymakers to be bound by policy rules than given discretionary authority.

However, even if policymakers were perfectly omniscient and altruistic, rules would still be preferable to discretion. The reasons relate to "dynamic inconsistency" and are beyond the scope of this column.

In short, it is wrong to think that we will solve the world's troubles by giving government officials ever more discretionary powers. In many cases, especially those relating to macroeconomic stabilization, it would be far better to adopt simple policy rules.

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Guest Columns
The Daily Toreador accepts submissions of unsolicited guest columns. While we cannot acknowledge receipt of all columns, the authors of those selected for publication will be notified. Guest columns should be no longer than 650 words in length and on a topic of relevance to the university community. Guest columns are also edited and follow the same guidelines for letters as far as identification and submittal.

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Organization to host happy hour for food bank

By HALLIE DAVIS
STAFF WRITER

Even though most people do not think college students need a reason to go to the bar, the *Texas Tech Estate Planning and Community Property Law Journal* will be giving them one.

The organization will host a happy hour to benefit the South Plains Food Bank.

"We know students like so-

cializing," said group member Brittany Taylor, a second year law student from Amarillo. "This is a good way to get them to get out and help out."

The organization is a specialty group for law students in the top 15 percent of their class, she said. The group works together to publish a journal regarding special topics in the law.

It is a relatively new journal,

having only been around for four years, said Torrie Taylor, the journal's incoming editor-in-chief.

Each year, the group does a philanthropy event and this is the second year the event will be benefitting the food bank, said Torrie Taylor, a second year law student from Glen Rose.

This year, the fundraiser will be hosted at Cricket's Grill and Draft House because they are

accommodating to law school events, Torrie Taylor said.

The bar and grill will reserve a room for the event and will offer drink specials throughout the night. Torrie Taylor said the organization will provide appetizers for free for as long as possible on their budget.

Entry will be either \$5 at the door or a donation of two canned goods. All of the proceeds raised will go directly to

the food bank.

This year, the event should be bigger than ever, she said.

"We always have a great turnout at Cricket's," Torrie Taylor said.

The group has been preparing for a while, she said, and started a social media campaign to recruit law students as well as anyone interested in helping out the food bank.

"We have a lot of great mem-

bers," she said, "and it's for a great cause."

Attendees will be able to feel good about their donation while playing pool and just hanging out, Brittany Taylor said.

"It's definitely going to be a good time," she said.

The happy hour will be from 5-8 p.m. Thursday at Cricket's on Broadway.

»hdavis@dailytoreador.com

CHIME TIME



PHOTO BY EMILY DE SANTOS/The Daily Toreador

NICK COREY, A freshman music education major from Canton, practices "Gainsborough" on the chimes inside the Music building Tuesday.

McLelland

CONTINUED FROM PAGE 1

Ortiz said it was good to discuss and share that common experience with McLelland.

"My personal impression was he is a very astute, stellar student and an outstanding man with a bright future," he said. "It was a pleasure meeting him."

Chris Cook, managing director of communications and marketing, said McLelland appeared to be very natural in a president's setting.

Cook said he explained his position and background to McLelland, who in return asked questions Cook said were very good especially for his position.

"He is a natural leader," Cook said. "I was impressed with him and I think whatever he chooses to do with his education, he'll be successful."

McLelland said he also got to tour the suites that overlook Jones AT&T Stadium, as well as other places on campus to which the president has exclusive access.

"Wow" is about the only word I can use to describe the suites," he

said. "They're really clean, really neat; you can tell they're still pretty brand new and they have an amazing view. The stadium as a whole was pretty immaculate."

Overall, McLelland said the day gave him a great perspective and outlook on the chain of command, as well as being a great networking opportunity. He hopes to sit back at a desk such as Bailey's in his future.

"One day, I would like to be in a position like Dr. Bailey," he said, "to where I can do what he's done for a place like this."

»atubbs@dailytoreador.com

Cracker Barrel adopts a new 'poison pill'

LEBANON, Tenn. (AP) — Cracker Barrel Old Country Store Inc. has adopted a new shareholder rights plan, or "poison pill," in an attempt to ward off investment firm Biglari Holdings Inc. or anyone else from acquiring control of the restaurant chain without offering a premium to all its shareholders.

Cracker Barrel said Biglari Holdings, which owns the Steak 'n Shake and Western Sizzlin restaurant chains, currently owns a stake of more than 16 percent in the company and obtained clearance in September to buy up to just under

50 percent of Cracker Barrel's stock.

"The shareholder rights plan is designed to assure that all of Cracker Barrel's shareholders receive fair and equal treatment in the event of any proposed takeover of the company and to guard against any attempt to gain control of Cracker Barrel without paying all shareholders a premium for that control," President and CEO Sandra Cochran said Tuesday in a statement.

San Antonio, Texas-based Biglari began buying Cracker Barrel shares in June 2011. In December,

its chairman and CEO, Sardar Biglari, tried to join Cracker Barrel's board, but was defeated in an election at the annual shareholders meeting.

Biglari Holdings has complained that Cracker Barrel isn't living up to its potential. It also has said that the restaurant chain, which also operates retail stores that sell a variety of items including gifts and souvenirs, should provide more detailed disclosures about its individual business units and that the directors should invest more of their own money in the company.

Spears asks judge to add fiancée to conservatorship

LOS ANGELES (AP) — Britney Spears has requested that her fiancée join her father in decision-making duties involving the pop superstar's conservatorship, court filings show.

The request was made by Spears' court-appointed attorney on Friday and will be considered by a judge later this month.

If approved, Jason Trawick would join Jamie Spears in having control over the singer's major personal decisions, including medical care.

Trawick has served as an agent for Spears, 30, and appeared in court with his future wife last month.

Superior Court Judge Reva Goetz closed the proceedings after attorneys handling the conservatorship said they intended to discuss the singer's medical care and trade secrets.

Jamie Spears also attended the hour-long hearing and hugged his daughter in the courtroom after it concluded.

The filing by Spears' court-appointed attorney, Samuel Ingham III, offers few details. According to the petition, Spears will attend the April 25 hearing during which the request to appoint Trawick as co-conservator will be considered.

Spears has been under court supervision since February 2008 after Jamie Spears stepped in after months of erratic behavior by his daughter.

Los Angeles Times Daily Crossword Puzzle

Edited by Rich Norris and Joyce Lewis

ACROSS

- Great, in slang
- Take as one's own
- Scenic view
- Fifth in NYC, e.g.
- Indian prince
- Indian, e.g.
- [Quoted verbatim]
- Porterhouse relatives
- Trading center
- Without __, pro bono
- Chop
- Hannibal Smith underling
- Dined
- Polish place
- MetLife, for one
- Org. concerned with the word spelled by the starts of 18-, 24-, 36-, 54- and 59-Across
- Muslim leader
- Popular dolls
- Any of five Wolverine films
- Jeer
- Geraldine's lady
- Cookbook abbr.
- Elite athlete
- Urban skyline stand-out
- Actress Peeples
- Some online shoppers
- Receive
- Talker on a perch
- Aid companion
- Pot holder, perhaps
- Reason for gasping
- Immunity agent
- Porter's __ the Top
- Dastard
- Halos
- Board game with an exclamation point in its name
- Mil. spud duties

DOWN

- Long-grained Asian rice

By Jack McInturff 4/11/12

Tuesday's Puzzle Solved

E	B	O	N	D	A	N	Z	A	T	O	T	S
S	A	R	A	A	L	B	E	N	O	R	I	N
C	A	B	C	O	M	P	A	N	Y	M	I	D
H	U	S	H	E	D	T	G	I	F			
H	O	B	O	S	A	R	A	B	C	H	I	E
E	R	E	S	T						R	O	U
E	E	L		S	I	D	E	A	R	M		
A	S	E	A	S	Y	A	S	A	B	C		
N	E	U	T	E	R	S				H	S	T
A	C	H	O	O	S		Y	A	M	A	H	A
C	R	A	B	C	A	K	E	S		L	I	N
C	U	R	B		A	X	E	M	A	N		
E	S	M	E		A	B	C	R	U	N	C	H
D	O	O	R		D	U	E	T	S		E	A
E	E	N	Y		A	L	L	A	H		D	D

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Congratulations Class of 2012

Let your favorite Red Raider Senior know how proud you are with a newspaper ad.

Hurry before it's too late! Deadline May 1st!

As graduation approaches, let your senior know how you feel by publishing a favorite photo and message in the *Daily Toreador* Finals Frenzy/Graduation issue.

For more info or to schedule your recognition ad visit www.dailytoreador.com

TEXAS TECH UNIVERSITY
Recreational Sports
 Phone: 806.742.3351
 Website: www.recsports.ttu.edu



WE NEED SUMMER CAMP COUNSELORS!
 We are looking for some great people to be Summer Camp Counselors at the Rec Sports Youth Summer Sports Camp! Camp is from 8:00am - Noon every day. Learn more at the info session TONIGHT!



Info Session: TODAY at 6:00pm in Rm. 201 of the Rec

Heartbeats

A quick look at what is going on in the Rec Sports world

INTRAMURAL MAKE-UPS

Women's softball games from March 21 rescheduled for Wednesday, April 18 same time, same field.

WELLNESS BLOOD SCREENINGS

Wellness Blood Screenings will take place on Thursday, April 26 starting at 6:30am. This is a great opportunity to check out your blood levels as get ready for summer. For more information, go to bit.ly/pCOUGv.

CPR CERTIFICATION

Become certified in American Red Cross Adult CPR. The cost is \$45 for all participants. Class is April 30 at 6:00pm. Register by Wednesday, April 25.

Intramurals

2 PERSON GOLF SCRAMBLE

Register by Friday, April 20th for this great chance to play on the 5th best golf course in all of Texas! The Scramble will be held on Sunday, April 22 with check in starting at 10:00am and a shotgun start at 11:00am. The Scramble is only \$44 per person and includes 1/2 of the cart, green fees, lunch, and a bucket of range balls. Registration is limited to the first 16 teams, so get over to the Rec Center and register today!

4 ON 4 FLAG FOOTBALL

To register for 4 on 4 Flag Football, the team captain MUST attend the 4 on 4 captains meeting/registration. This is the only time teams will be registered for 4 on 4 Flag Football! The meeting will be Wednesday, April 18 at 7:00pm in Rm. 201 of the Rec Center. For rules, please go to http://bit.ly/4on4flag.

FRIDAY NIGHT SOFTBALL

TODAY IS THE LAST DAY TO REGISTER! This four week league will only be on Friday Nights, and is a separate league than the normal spring softball season. So get some friends together, make a team, and get registered in the Intramural Office! Games start on Friday, April 13th.

SAND VOLLEYBALL LEAGUE

Bump, Set Spike! Register NOW! for the Sand Volleyball Intramural League. Register by TOMORROW in the IM Office, Rm. 203 of the Rec Center. This is a free event, and we can't wait to get out and hit the ball around!

Dive In Movie

LIAM NEESON
GUNS UP ALL NIGHT presents
THE GREY
 LIVE OR DIE ON THIS DAY
 Thursday, April 12 | 10:00 PM
 Texas Tech Student Leisure Pool
 Free food, prizes and fun!

Outdoor Pursuits Center

WICHITA MOUNTAIN ROCK CLIMBING

Trip Dates: APRIL 20 - 22
 Deadline: TODAY!

We're headed to Oklahoma's Wichita Wildlife Refuge for a weekend of great climbing, great food, and nights under the stars. All climbing levels are welcome, as this trip will be tailored specifically for those who sign up.

BUCK CREEK MOUNTAIN BIKING

Trip Dates: APRIL 14
 Late Deadline: TODAY

Don't miss out on joining us for a new mountain biking venue! We're headed to Abilene, TX to ride the local Buck Creek Mountain Biking Trails. With a 13 mile loop of single track, this will be a fantastic opportunity for experienced beginners to be challenged and advance their skills. For competent riders, this trip will give you an opportunity to test your skills, improve technique and try out a new place! We'll ride for most of the day, and be back in the evening.



LOOKING FOR SOME FUN THIS SUMMER? GO RAFTING AND CANOEING WITH THE OPC!

The OPC will have rafting and canoeing trips to the Rio Chama Valley and in Salida, Colorado. These trips will be lots of fun, so register in the OPC today before all of the spots are full! For more information, go to the OPC trip page at bit.ly/opctrips.

Aquatics

BECOME A CERTIFIED LIFEGUARD!

Become a certified American Red Cross Lifeguard. This course includes lifeguard techniques, standard First Aid, and CPR/AED for Lifeguards. The cost is \$140 for Texas Tech students and faculty/staff and \$150 for the community. Fees include course materials, instruction and certifications. Register by TODAY! Class Dates: Saturdays and Sundays, April 14-April 22. Class Times: 8:00am - 5:00pm on class days. For more information, go to bit.ly/wdziXK

Fit/Well

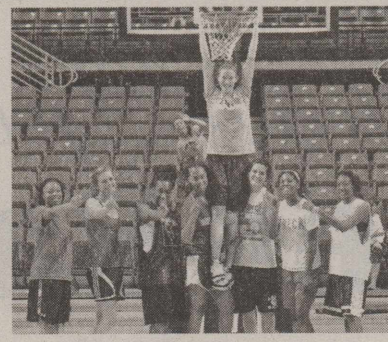
RAIDER X INSTRUCTOR AUDITIONS

Can you teach a Raider X class? Here is your chance to be a Raider X Instructor. Auditions will take place on Sunday, May 6th. Auditions will run from Noon - 4:00pm. All participants will be required to stay the entire time. Please fill out an application and sign up for a time in the Fit/Well prior to May 4.

Intramural Basketball Champions



Greek Red: Theta Xi



Women's Open: Hoopstars



Men's Open: Out of Shape and Overweight



Women's Greek: Theta 2



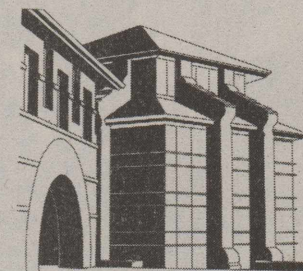
Co-Rec: DA BAMF's



Greek Black: Phi Delta Theta A

Special Events

(Dash and Splash)
 4-Mile Run and 400-Yard Swim
Saturday, April 28
8:00 am
TTU Rec Center
 A 4 mile run through campus followed by a 400-yard swim in the lap lanes and lazy river of the Leisure Pool.
EARLY REGISTRATION DUE APRIL 26 IN THE FIT/WEELL OR ON ACTIVE.COM
 TTU (Rec Center membership required)
 Individual: \$15 if received by April 26, \$20 after April 26
 Team: \$25 if received by April 26, \$30 after April 26
 Community
 Individual: \$25 if received by April 26, \$30 after April 26
 Team: \$40 if received by April 26, \$45 after April 26



TEXAS TECH UNIVERSITY
STUDENT UNION AND ACTIVITIES

EVENT CALENDAR
 APRIL 11-17, 2012



TODAY, 4.11.12	THURSDAY, 4.12.12	FRIDAY, 4.13.12	SATURDAY, 4.14.12	SUNDAY, 4.15.12	MONDAY, 4.16.12	TUESDAY, 4.17.12	COMING UP:
<p>BOBBLE HEADS Student Union West Basement 11am-2pm</p> <p>FREE MOVIE NIGHT: NEW YEAR'S EVE Student Union Allen Theatre 7pm</p>	<p>FREE MOVIE MATINEE: NEW YEAR'S EVE Student Union Allen Theatre 3pm</p>	<p>RAIDER FEST Urbanovsky Park 5pm featuring Jonathan Tyler & The Northern Lights FREE for TTU Students! Food Music Inflatable Games T-shirts & more while supplies last sponsored by TAB & RHA</p>		<p>CELL PHONES FOR SOLDIERS Cell Phone Recycling OUR MISSION: HELP OUR TROOPS CALL HOME WATCH FOR THE CELL PHONES FOR SOLDIERS TABLE AT SELECT TAB EVENTS & IN THE SUB WEST PLAZA</p>			<p>4.23.12-4.27.12 STRIVE FOR HONOR WEEK</p> <p>4.24.12 TAB SPEAKER SERIES: SHANE WINDMEYER</p> <p>4.25.12-4.26.12 TAB FREE MOVIE: SPACEBALLS</p> <p>4.25.12 TAB SPEAKER SERIES: KROCHET KIDS INTL.</p> <p>4.26.12 CLOTHING COLLECTION DRIVE</p> <p>4.27.12 ARBOR DAY</p>

Red Raiders look to rebound against Texas after series loss to OU

By **MATT VILLANUEVA**
STAFF WRITER

The No. 5 ranked Oklahoma Sooners spoiled the Red Raiders' hopes of extending their 13-game win streak by taking the series, 2-1.

Tech's bats couldn't get going Friday night, and OU got the better of the Red Raiders, routing Tech 3-1.

The only hit Tech could muster was a solo home run in the first inning by Sandy James, giving Tech the early lead. However, Oklahoma's Keilani Ricketts, a 2011 member of Team USA, got the better of the Red Raiders in the long run, retiring 16-straight after getting out of a bases loaded jam in the second inning.

Head coach Shanon Hays started Cara Custer, but opted to go with Kelsey Dennis in the top of the fifth in order to take advantage of Dennis's left hand and play the current advantage of two-straight left-handed hitters.

Dennis recorded the loss for the Red Raiders despite the fact that none of the three runs scored by OU were the result of a hit.

Saturday night, Tech fought off a late OU rally to tie the series with

a 5-4 victory. With the win, Tech recorded its first win against a top-five ranked opponent since defeating Texas A&M on April 29, 2007.

The Red Raiders gained an early lead thanks to an Adriana Perez RBI single to bring in Logan Hall.

Emily Bledsoe then got a knock down the right field line for a triple, which allowed pinch runner Kermirria Ward to come in to score.

Oklahoma would score one in the third to bring it closer, but Hall would put Tech back on the board with an RBI single past third base. Perez would record her second RBI of the game off a sacrifice fly to right field, giving Mikey Kenney just enough time to score from third.

Custer recorded the win for the Red Raiders, relieving Brittany Talley in the fourth inning.

Ashley Hamada scored the winning run off what was a stolen base attempt to third, but a wild throw down to third allowed her to come all the way around to score.

The final game Sunday belonged to Oklahoma — particularly freshman Lauren Chamberlain, who helped lead the Sooners to a 4-1 victory.

Chamberlain powered two early two-run home runs bringing her total to a Big 12 Conference leading 19 homers.

Tech had a hard time figuring out OU starting pitcher Michelle Gascoigne, who took the loss for the Sooners in the previous game. Gascoigne struck out eight Red Raiders in her entire seven innings pitched.

The lone run for Tech came from a James RBI double in the sixth.

The Red Raiders must put the loss behind them if they intend to survive the remaining week ahead.

Tech finishes its series against No. 5 ranked Texas today and then heads to Columbia, Mo., on Friday to face the No. 9 Tigers for a weekend series.

Texas and Missouri both boast top ranked pitchers in Blaire Luna and Chelsea Thomas, respectively, who have both played for the USA National Team.

While Hays praised the conference's elite pitching, he said there were ways Tech could break through against the quality pitching.

"When you play against the Big 12, you're going to see the best," he said. "It's not like you're going to go and dominate those people with your



FILE PHOTO/The Daily Toreador

TEXAS TECH FIRST baseman Sandy James gets ready to catch the ball against Iowa State during the Red Raiders' 5-3 victory against the Cyclones on April 1. After playing two games earlier in Austin this season against the Longhorns, the two teams will complete their series against one another today at 6 p.m. at Rocky Johnson Field.

bats — you gotta go and do the small things right. You gotta bunt well, you gotta hit and run, you gotta put the ball in play and put pressure on the defense to have a chance to win." Although Texas is assured the

series win against Tech with its two victories in March in Austin, Hays said he is not concerned the win-loss result, but sees the way the team played against top competition as a plus as conference play progresses.

"The one thing you see after playing Oklahoma and Texas is that we've got a ball club that can beat anybody," he said. "If we play well, then we've got a chance to beat anyone." mvillanueva@dailytoreador.com

Ian Kinsler says he's agreed with Rangers on new 5-year deal

ARLINGTON (AP) — Ian Kinsler has agreed on a new \$75 million, five-year contract with the Texas Rangers.

The two-time All-Star second baseman said he had the new deal after he hit a three-run homer in the Rangers' 11-5 victory Monday night over Seattle.

Kinsler's new deal, which is pending a physical that could happen Tuesday, would start next season and replace a \$10 million option the team had for 2013. The new deal would go through 2017, and includes an option after that.

The Rangers and Kinsler had talked several weeks about a new deal this spring, but Kinsler had insisted on a self-imposed deadline of opening day to negotiate.

Before Friday's season opener, Kinsler indicated the two sides were close enough to be disappointed about a deal not being completed. He said he was focused on playing, but left open the possibility of his agent and the Rangers talking more.

What's the best way to promote your organization to every new student?

The freshmen & transfers are coming!

Deadline: April 13, 4 p.m.
Red Raider Orientation begins June 7

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All Races. N/Smokers, ages 19-27, SAT-11/AC-T-24/GPA>3.0 Reply to: info@eggoncenter.com

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Opportunity!! Carwash Attendant to work evenings & weekends. Must be self-motivated, able to perform light, general indoor & outdoor janitorial duties. Must have your own transportation to possibly travel between locations daily. **GREAT PAY!** Drug test may be required. Please call 771-4840; leave your name and call back number. Someone will return your call to schedule an interview.

HELP WANTED

HILLCREST GOLF and country club is now hiring lifeguards and wait staff. Apply in person at 4011 N. Boston.

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LOOKING FOR Motivated, Energetic, and outgoing individuals between the ages of 21 and 27 for part time ambassador position. Please apply in person at 408 East Hunter Street, Lubbock TX 79403.

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MR. AQUARIUM accepting applications. All positions. 2523 34th.

NEED SUMMER Cash? Genghis Grill looking for wait staff. Flexible Hours. Apply in store 3pm-5pm

OAKWOOD UNITED methodist preschool has part-time and full-time openings for extended care teachers, morning and afternoon positions available. Must be able to start in April or May and work during the summer for summer camp. Related education or experience preferred. Age groups are from infant to school age. Contact Fara 792-1220.

OFFICE IN need of Office Assistant to run errands. Light maintenance. Job entails physical labor. Must have a clean driving record. P/T flexible hours will work with school schedule. DOE Send resume to lynette@genhancemtg.com

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Tech begins streak of six straight nonconference games

By **BRETT WINEGARNER**
MANAGING EDITOR

For the fourth week in a row, the Texas Tech baseball team will look to erase its memory of losing a weekend series, heading into midweek action.

After dropping two out of three against Texas this past weekend, the Red Raiders (18-15, 3-9 in Big 12 Conference play) look to get a win streak started against Dallas Baptist at 3 p.m. Wednesday at Rip Griffin Park.

This will be the first of six-straight nonconference games for Tech, but Red Raider outfielder Brennan Moore said the team will approach these games just as it would if they were conference games.

"We've always been taught that no matter who you're playing, you need to show up and play the game the same way," he said. "So, absolutely, we'll treat it as a conference series and just try to get things rolling."

Looking at Dallas Baptist's schedule also shows that Tech shouldn't overlook the Patriots, despite their 1-2 record against Big 12 foes. Ear-

lier in the season, DBU (21-9) beat Oklahoma and lost by a combined total of three runs against Oklahoma State and Texas. The Patriots also beat a team that Tech couldn't win either game against — TCU — and have won 15 of their last 18 games.

Making his fifth start of the season for Tech will be Rusty Shellhorn, who said the pitching staff needs to make improvements, and the rotation and bullpen have the ability to do so.

"Obviously, some guys need to step up and some guys are underperforming a little bit," he said, "but we have a lot of guys and a lot of quality arms, and I think we're going to be all right."

In his 10 appearances this season, Shellhorn has accumulated a 4.30 ERA, as he has given up 14 earned runs during 29.1 innings of work, while striking out 31 batters.

Shellhorn has been coming out of the bullpen lately, with this being his first start since March 13, but Tech coach Dan Spencer said he will keep Shellhorn, and any other pitcher, out there as long as he feels he needs to since there will not be

a conference series to save them for.

"As far as the games themselves," he said, "and, again, I don't want to say we don't play to win in the midweeks, we always play to win in the midweeks — but you're less likely to blow a guy up out of your bullpen on Wednesday if you had a conference series on Friday."

The break in conference play might be a good thing for the team, Moore said, as it has struggled since Big 12 play started, winning just three of 12 games against conference foes. Moore said he thinks the team's biggest struggles have come from its inability to finish games.

"I'd say just closing, man," he said. "Every weekend, I believe, we've had at least two games that we were in a position to win either early or late in the game, and it's just a matter of cutting out those mistakes and being able to close those games."

The Red Raiders will finish off their nonconference stretch of games with a three game series this weekend at home against Houston and then a two-game series in Albuquerque against New Mexico.

» bwinegarner@dailytoreador.com



FILE PHOTO/The Daily Toreador

TEXAS TECH PITCHER Rusty Shellhorn pitches during a 7-6 loss against New Mexico State on March 27 at Rip Griffin Park. Shellhorn will make his fifth start for the Red Raiders this season, as Tech takes on Dallas Baptist today.

Odom's time in Dallas ending after exchange with Cuban

DALLAS (AP) — Dallas Mavericks owner Mark Cuban had noticed Lamar Odom's uninspired play numerous times before, and kept hoping things would change.

It took one reply by Odom during a heated halftime exchange in his last game, when Cuban questioned the player's commitment to the team and Odom told him to quit playing games, to realize it was time for the two sides to part ways.

"Just his response to it. Everybody goes through ups and downs. Every

player does. We tried to put him in a position to succeed. ... It didn't work," Cuban said Tuesday night, his first public comments since the team confirmed a day earlier that Odom was done in Dallas.

Their halftime exchange came after Odom played an uninspired four minutes Saturday night at Memphis.

"I just asked him, does he want to go for it or not. Is he in or is he out? I think he thought we were playing poker. I just didn't get a commitment. And that was the end," Cuban said.

"This was a big game for us, and he wasn't connecting to that. And if you're not positive energy, you're negative energy."

When asked if that was the first time he noticed Odom having such a demeanor, Cuban responded, "No, but the first 17 times, I decided to try to help him and turn it into a positive." That never happened.

Odom's averages of 6.6 points, 4.2 rebounds and 20.5 minutes in his underwhelming 50-game stint in Dallas were career lows. He was also often

late for team activities such as practices and meetings.

The Mavericks didn't release him and instead said Odom would be listed inactive for their remaining nine games. That started with Tuesday night's game against Sacramento.

"He didn't want to play. He decided to go elsewhere or do something else. Now we regroup and go forward," Cuban said. "We kept on hoping things would turn out right. It just got to the point where there weren't enough games in the season to try to find out."

The defending NBA champion Mavericks were only one game ahead of ninth place in the Western Conference standings going into the game against the Kings.

Dallas acquired the NBA's reigning Sixth Man of the Year from the Los Angeles Lakers just before the lockout-shortened season. It was a low-risk deal for the Mavericks, who gave up a first-round pick and the trade exception from a deal that sent Tyson Chandler to the New York Knicks.

The Lakers seemed compelled to

move the 6-foot-10 forward, who made \$8.9 million this season, after trying to send him to New Orleans in a Chris Paul deal that was nixed by the league. There were also the personal issues for Odom, whose 24-year-old cousin was murdered last summer only days before the player was involved in a fatal car accident that killed a teen pedestrian after the car he was riding in as a passenger collided with a motorcycle.

Cuban said the Mavericks knew about Odom's fragile emotional state when they got him.

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