

## New Home Shows Progress In Pilger

PILGER, Neb. (AP) — A tornado that ripped through the small northeast Nebraska city of Pilger damaged or destroyed many of the community's houses, but now the first new home has gone up.

KETV-TV reports that after focusing most its attention on tearing down and hauling away damaged structures, Pilger residents were relieved to see the first new home since the June 16 tornado.

The house is owned by Pilger Village clerk treasurer Kimberly Neiman and her husband.

She says the home shows "something positive going on. Not anything negative. Not destruction."

Neiman says other homes will be going up soon.

She notes her new home will have an above-ground storm shelter.

The Neimans plan to move into their home in a couple weeks.

## Crop Duster Pilot Injured In Neb. Crash

ALLEN, Neb. (AP) — A crop-duster pilot has been injured when his helicopter crashed in a field in northeast Nebraska.

The *Sioux City Journal* reports the helicopter commissioned by Crop Production Services of South Sioux City crashed Thursday afternoon near Allen, in Dixon County.

Tom McBride, a sales representative for the company, says the pilot was able to walk away from the crash.

The Dixon County Sheriff's Office says the pilot was taken by ambulance to Mercy Medical Center in Sioux City. His name wasn't released.

Marty Vohs, a manager with Crop Production Services, says it appears the helicopter clipped power lines.

## Man Sentenced For Child Sexual Abuse

WATERTOWN (AP) — A Watertown man has been sentenced to 15 years in prison for sexually abusing a 5-year-old girl.

KWAT radio reports 62-year-old Charles Dammin pleaded guilty to rape in May. He was sentenced on Wednesday and faced up to life in prison.

Authorities say the crime occurred at Dammin's wife's daycare in May 2013.

## 7 Neb. Counties Approved For Storm Aid

LINCOLN, Neb. (AP) — The U.S. Small Business Administration has approved federal disaster assistance for seven Nebraska counties struck by severe weather, including the tornado-ravaged town of Pilger.

SBA spokesman Rick Jenkins said Thursday that residents of those counties may be eligible for low-interest, fixed-rate federal loans to help them rebuild. The agency will have staff members on-site to work with residents.

The approved counties are Stanton, Colfax, Cuming, Madison, Pierce, Platte and Wayne.

Gov. Dave Heineman submitted the request after the Federal Emergency Management Agency announced this week that five Nebraska counties weren't eligible for individual home and business assistance. The aid was denied in part because of the amount of privately insured property in the area.

The Pilger tornado was one of four that touched down in northeast Nebraska on June 16.

## Delegation Attempts To Halt VA Closure

SIOUX FALLS (AP) — South Dakota's congressional delegation is inviting the new Veterans Affairs secretary to the state.

The invitation to Robert McDonald is intended to prevent the closure of Veterans Affairs medical facilities in the western part of the state.

Sens. Tim Johnson, John Thune and Rep. Kristi Noem say they want McDonald to visit the VA hospital in Hot Springs.

The VA has served veterans in Hot Springs for more than a century but now wants to move some services to Rapid City. The Hot Springs VA hospital that is listed on the National Register of Historic Places would be shuttered, and an outpatient clinic would be opened.

The state's congressional delegation opposes the plan.

## SD Man Sentenced For Scissor Attack

WAHPETON, N.D. (AP) — A South Dakota man has been sentenced to six years in prison for attacking a female store clerk with a pair of scissors in the southeastern North Dakota city of Wahpeton.

KFGO radio reports that Judge Brad Cruff called 21-year-old Christopher Yellow Earrings a "time bomb" as he imposed the sentence on Wednesday.

Authorities say they think the Peever, South Dakota, resident was high on drugs when he attacked the employee at a Family Dollar store in Wahpeton in May 2013. The clerk suffered a wound that required stitches and a police officer suffered a cut hand in the incident.

Yellow Earrings said in court that he does not remember what happened. He pleaded guilty to terrorizing, reckless endangerment and preventing arrest in a deal with prosecutors.

## Inmates Donate \$3,400 For Storm Relief

CANTON (AP) — South Dakota inmates donating more than \$3,440 to people affected by severe weather in the state this summer.

KELO-TV reports that state penitentiary inmates raised more than \$1,700 for the Lincoln and Union County Relief Fund, which was started following heavy rains and flooding in June.

In addition to raising money, the inmates also helped with cleanup efforts in Canton after the flooding.

The South Dakota Department of Corrections says inmates also are donating more than \$1,740 to the Wessington Springs tornado recovery fund.

## Neb. Seeks Input On English Standards

LINCOLN, Neb. (AP) — The Nebraska State Board of Education and Education Department are seeking the public's input on newly revised state English language arts standards.

Public comment will be accepted on Tuesday at public sessions at seven sites across the state: Ainsworth, Kearney, Lincoln, North Platte, Omaha, Scottsbluff and Wakefield.

Educators, parents and others are encouraged to weigh in on the draft standards, available at <http://www.education.ne.gov/StandardsSurvey/index.html>.

Comments also may be submitted via email to [nde.standardsinput\(at\)nebraska.gov](mailto:nde.standardsinput(at)nebraska.gov).

The standards are intended meet rigorous K-12 academic standards to prepare Nebraska students for college and careers.

## SD Police Find Suspect In Doghouse

RAPID CITY (AP) — A Rapid City man accused of stealing liquor from a convenience store ended with him being pepper sprayed and dragged out of a doghouse by police.

The *Rapid City Journal* reports that 22-year-old Joseph Decory faces several charges including theft.

Police say the Decory allegedly stole three bottles of liquor Wednesday night from a store. Authorities say once the suspect left the store, he hopped in to a van with three other people.

Police later arrested those people and found a barefoot Decory hiding in a doghouse. When he refused to come out, police used pepper spray on him.

Police say Decory's shoes were found at the store's parking lot

# South Dakota Supreme Court Overturns Man's DUI Charge

BY KEVIN BURBACH

Associated Press

PIERRE — The South Dakota Supreme Court on Thursday overturned a drunken driving conviction for a man who accidentally bumped his parked truck into neutral while reaching for a cigarette almost two years ago.

The state's high court justices ruled 3-2 to reverse a DUI conviction against 54-year-old Donald Nekolite, who was charged in September 2012.

Mike Unke, Nekolite's court-appointed defense attorney, told The Associated Press that his client took the case all the way to state Supreme Court because he felt he was wrongly convicted.

"Nekolite was doing the right thing. He had a designated driver. He had no intention of driving," Unke said.

Nekolite and his girlfriend were out dancing in Canistota at the Battle Creek Bait Shop on Sept. 15, 2012. The Monrose man was drinking heavily, but his girlfriend stayed sober so she could drive them home.

At some point, Nekolite went out to his truck to have a smoke. He opened the passenger door, reached across the seat to get a cigarette that had fallen and accidentally bumped the shifter, causing the truck to roll backward into another car.

Officers arrested Nekolite and charged him with DUI. A magistrate court found him guilty, saying he had "actual physical control" of a working vehicle and was in a position to use the controls.

An appellate court upheld that conviction, taking into account an officer's testimony that Nekolite allegedly told

him he was sitting in the driver's seat.

In the majority opinion released Thursday, Justice Steven Zinter wrote that Nekolite wasn't able to use his truck in the "usual and ordinary manner" because he was "merely standing outside the vehicle, reaching across the passenger seat, attempting to get a cigarette from the driver's area."

Unke said DUI laws have gotten much stricter and far-reaching since he started practicing law in 1976. He said the ruling provides more clarity to when someone can be charged with DUI in South Dakota, adding that the law wasn't intended to penalize these accidental circumstances.

In a statement, the attorney general's office also said the ruling helps shed light on what constitutes drunken driving.

# Neb. Man Sues State Over AA Requirement

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — A Fremont man is suing the state of Nebraska, saying his constitutional rights were violated when he was required to attend Alcoholics Anonymous meetings even though he objected to the organization's religious foundation.

Marvin Sundquist, 43, of Fremont, was issued a probationary massage therapist license in late 2012 based on Sundquist's history of drunken driving and other minor convictions. One of the requirements for him to move off probationary status was to attend weekly AA meetings.

The Nebraska Attorney General's Office moved to revoke his massage therapy license last year when he objected to mandatory attendance of AA, Sundquist said.

"AA is a religious organization," Sundquist said. "I do not believe the state should

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MARVIN SUNDQUIST

be telling anybody to go to them, and it cost me a career as a massage therapist because I didn't go."

Sundquist instead asked to see an alcohol counselor who offers a non-religious program, but was denied that option by the Nebraska Department of Health and Human Services, he said.

"They would not accept my alternative or provide any other alternatives," Sundquist said. "Their only option was to attend AA."

On Thursday, the health department provided documents showing that it had issued Sundquist a license earlier this year, rejecting the attorney general's revocation request because Sundquist had established a sobriety support system and

had proved his sobriety through random testing.

But Sundquist's lawsuit, filed Tuesday, said the revocation action cost him his massage therapist job and caused him to be evicted from him home.

The lawsuit names the state, its Attorney General's Office, the state health department and several individual state employees with those agencies as defendants in the case.

A spokeswoman for the Department of Health and Human Services said her office had not yet seen the lawsuit and declined to comment on it. A spokeswoman with the Nebraska Attorney General's Office said Thursday that she was looking into the lawsuit.

# First Plea Agreements Signed In Case Involving Jamaican Lottery Scam

BY DAVE KOLPACK

Associated Press

FARGO, N.D. — The first plea agreements have been reached in a wide-ranging federal investigation into a Jamaican lottery scam targeting mostly elderly victims in the United States, including one woman from North Dakota who agreed to empty her savings account and then take out a loan on a life insurance policy.

More than two-dozen people have been indicted in the case, including some who will likely go to trial. Prosecutors say the defendants induced people to send millions of dollars to them to cover fees for lottery winnings.

U.S. Attorney Timothy Purdon would not comment specifically on the case, but said people should be on guard and discuss possible scams with elderly family members.

"Again, North Dakotans and others need to understand that if they get a phone call telling them that they won a lottery they didn't enter, hang up. It's a scam," Purdon said.

A spokesman with the federal public defender's office in North and South Dakota was not immediately available for comment.

Jamaican lottery schemes have been happening for many years. The Jamaican and U.S.

governments set up a task force in 2009 to stop the scams, but the problem has gotten worse, prosecutors say. The case being investigated in North Dakota was unsealed in March 2013 with 15 indictments.

Three of the defendants signed plea agreements this week on conspiracy charges. Shannon O'Connor, James Simpson and Mikael Gillette each face a maximum penalty of 40 years in prison and a \$1 million fine. O'Connor and Gillette are from south Florida. Simpson was arrested in Kentucky.

New details from O'Connor's plea agreement show that an 83-year-old widow from Harvey, North Dakota, wrote at least six separate checks to American Cash Awards for nearly \$157,000, all of them payable to O'Connor. The victim was told she needed to pay fees for a \$19 million cash award.

The checks were made out between Oct. 3 and Nov. 14, 2011. Authorities say when the victim told the scammers she was out of money, she was told to take a loan on her life insurance policy and provide her credit card and PIN number, which she did.

Documents show that another victim, a 92-year-old man from Charleston, South Carolina, mailed an \$80,000 cashier's check to O'Connor in May 2012.

# Riverboat Casino Ends Operation In Sioux City

SIOUX CITY, Iowa (AP) — After fighting for months to remain open, Sioux City's floating casino has ended two decades of legalized gambling on the Missouri River.

The Argosy Sioux City closed with little ceremony Wednesday, according to the *Sioux City Journal*.

"Attention, the Argosy Casino is closed," a female voice announced over the public address system. "Please exit the facility at this time."

It was an abrupt end to an operation that began in 2003 when the Argosy opened on Sioux City's riverfront to great fanfare. Previously, the floating casino, Sioux City Sue, had plied the Missouri River until state lawmakers eliminated a provision that required Iowa casinos to cruise regularly.

Wednesday's closure followed an Iowa Racing and Gaming Commission order requiring the Argosy to cease operation because it wasn't partnered with a state-licensed local nonprofit group, as required by state law.

Argosy fought the order, but the Iowa Supreme Court ruled last week that the casino needed to close. At its

height, the Argosy had employed about 325 people, but that number had dwindled to about 240 by Wednesday.

The new Hard Rock Hotel & Casino Sioux City will open Friday in downtown Sioux City.

Some of the Argosy's longtime customers stopped by to play slot machines and place bets on the blackjack tables a final time.

Clarice Henrichs of Le Mars, said she recalls taking her young son, now 33, on the riverboat casino cruises. After those cruises ended, she still often would stop by the floating Argosy.

"I always liked this place," she said. "It's so nice. It's too bad it had to go."

After the casino closed, customers and employees slowly walked down the long gangplank connecting the boat to the parking lot. Many shook hands and hugged before leaving.

Argosy operations manager Zach Rosenbaum called the final day of work "surreal."

"I've known some of these people for 22 years," Rosenbaum said. "There's been a lot of hugs. A lot of the ladies have been crying."

## 50th Anniversary Celebration



### Mr. and Mrs. Halverson

Glenn and Ann Halverson of Yankton will mark their 50th wedding anniversary on Friday, Aug. 8, 2014. Glenn Halverson and Ann Hofmaier were married on Aug. 8, 1964, at St. Rose of Lima Catholic Church in Crofton, NE.

The couple has three children: Lisa Halverson, Yankton; Cindy (Jonathan) Lange, Yankton; and Brenda (Larry) Mudder of Avon, SD. They are blessed with eight grandchildren: Diandra, Karlin, Marissa, Madi, Landon, Alyssa, Adam and Allison; and one great-grandson: Kaelor.

The couple plans to celebrate their anniversary with their children and grandchildren.

Anniversary greetings and well wishes may be sent to them at 4405 Peninah, Yankton, SD 57078.

## 40th Anniversary Celebration



### Mr. and Mrs. Knock

Mr. and Mrs. Rick and Sheila Knock of Yankton, SD, will celebrate their 40th wedding anniversary on August 4, 2014. Rick Knock and Sheila Novak were married on August 4, 1974, at Lake Andes, SD.

They have five children: Sasha Johansen of Brookings, SD; Sonese (Chris) Frantz of Fairfield, IA; Shanelle Knock of Yankton, SD; SiaKayle (Brendan) Dvorak of Chugiak, AK; and Schaelare Knock of Yankton, SD.

The couple has 15 grandchildren.

Their family requests a card shower. Greetings may be sent to: P.O. Box 772, Yankton, SD 57078.