

16-Year-Old To Be Tried As Adult In S.D. Murder

PIERRE (AP) — A 16-year-old girl is being charged as an adult in the 2009 murder of a South Dakota teenager.
South Dakota Attorney General Marty Jackley and Hanson County States Attorney Jim Davies said Wednesday that Maricela N. Diaz, of Ft. Wayne, Ind., and Guanajuato, Mexico, was charged with five counts of murder, kidnapping and arson for the murder of 16-year-old Jasmine Guevara.
Guevara's remains were discovered in the trunk of a vehicle on Nov. 10, 2009. Officials say the Mitchell teenager was lured to the scene under false pretenses, stabbed and left in the vehicle, which was started on fire with lighter fluid.
Twenty-one-year-old Alexander Salgado, of Ft. Wayne, Ind., and Guerrero, Mexico, pleaded guilty to second-degree murder in August 2010 and was sentenced to life without parole.

BNF Wants New Bridge Over Missouri River

LINCOLN, Neb. (AP) — The Burlington Northern Santa Fe Railway wants to build a new bridge over the Missouri River at Plattsmouth.
The *Lincoln Journal Star* says Wednesday that the railroad has applied for a permit from the Army Corps of Engineers for a 1,700-foot single-track span just south of its existing bridge. The permit is required because construction would affect wetlands in the area.
The railroad says in its permit application filed in May that the connection is vital to its coal route in Wyoming to the power plants that use the coal. It also says the line carries freight traffic and Amtrak passenger trains. The railway plans to keep the old bridge open once the new span is built.
A corps spokesman didn't know when the corps would make a decision.

High Court Rules On Justice Residency Req.

PIERRE (AP) — The South Dakota Supreme Court says Gov. Dennis Daugaard can pick a qualified candidate from anywhere in the state to fill a vacancy on the high court left by the retirement of Justice Judith Meierhenry.
But that candidate must establish voting residency in the state's fourth district before taking the oath of office.
Former Gov. Mike Rounds had asked the Supreme Court for an advisory opinion on the issue, but it put off the issue until it was necessary.
Meierhenry's retirement led the high court to take up the case, and it issued its 3-2 decision issued on Wednesday.
The Judicial Qualifications Commission has provided Daugaard with a list of nominees for the vacancy, but some of those nominees are not residents of the fourth district in southeastern South Dakota.

Reward Offered In 2009 Rapid City Murder

RAPID CITY (AP) — The Rapid City Police Department announced Wednesday that a \$5,000 reward for information that leads to an arrest and conviction in the January 2009 murder of a Rapid City man is being offered.
Carl Bordeaux was discovered dead in his apartment on Jan. 30, 2009. The Rapid City Police Department and Pennington County Sheriff's Office opened a joint homicide investigation into the suspicious death, but the departments have not made any arrests in the case.
Police are asking anyone with information on Bordeaux's death to contact Detective Steve Neavill at 394-4134 or Steve.Neavill@rcgov.org. The public may also submit anonymous tips through Tip411, by texting 'RCPD' and the information to 847411.

DNR Flooded With Calls For Park Reservations

ST. PAUL, Minn. (AP) — The Minnesota Department of Natural Resources reports a record day after the state park reservation system reopened following the state's government shutdown.
More than 4,100 camping and lodging reservations were made Tuesday, the first day the reservation system was open after the shutdown.
Reservation system manager Bill Anderson says 162 reservations were made in the first five minutes alone.
Anderson says it was the busiest day in the history of the DNR's reservation system. The previous record was 1,761 reservations on June 2, 2008.
About three-fourths of the reservations made Tuesday were for overnight stays in 2011, the rest were for 2012. Itasca and Lake Carlos had the highest number of reservations.
Camden and St. Croix state parks remain closed due to storm damage.

Funeral Held For Soldier Killed In Afghanistan

RAPID CITY (AP) — Family and friends gathered Wednesday to say goodbye to a Rapid City soldier who died while fighting in Afghanistan.
Army Staff Sgt. Lex Lewis was killed July 15 when insurgents attacked his unit in Farah Province.
Gov. Dennis Daugaard has called for flags to be flown at half-staff until sunset in honor of Lewis.
The *Rapid City Journal* reports that officials have scheduled a military burial at 10 a.m. Thursday at Black Hills National Cemetery near Sturgis.
Forty-year-old Lewis was a cavalry scout with the 1st Squadron, 10th Cavalry Regiment, 2nd Brigade Combat Team, 4th Infantry Division from Fort Carson, Colo., working in support of Operation Enduring Freedom.
Lewis had previously deployed to Iraq twice and had only been in Afghanistan for a month.


Coach Accused Of Firing Rifle During Altercation

JAMESTOWN, N.D. (AP) — Jamestown College's head wrestling coach was arrested Tuesday after he allegedly discharged a firearm during a domestic altercation in his home.
Police Chief Dave Donegan said police responded to the home of 36-year-old Cisco J. Cole around 2 p.m. after he reportedly picked up a .30 caliber rifle and fired it into a ceiling during a domestic altercation with his wife.
The *Jamestown Sun* reports that no one was injured, but two children, ages 1 and 2, were in the living room when the weapon was discharged.
Cole, head coach of the men's wrestling program since 2007, was charged with reckless endangerment, which is punishable by a maximum of five years in prison and a \$5,000 fine.

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Nuclear Plant's Flood Recovery Being Planned

BY JOSH FUNK
Associated Press

OMAHA, Neb. — When the Fort Calhoun nuclear power plant will be able to restart is still not clear, because the utility that operates it won't be able to inspect it for damage until floodwaters from the overflowing Missouri River recede, officials said Wednesday.

The Nuclear Regulatory Commission met with Omaha Public Power District officials to discuss what steps will be needed before the plant can reopen. Utility officials and regulators emphasized safety throughout the public meeting.

"Regardless of the river level, we will not restart the plant until it is safe to do so," said OPPD's Chief Nuclear Officer Dave Bannister.

Much of the nuclear plant about 20 miles north of Omaha has been surrounded by Missouri River floodwaters since at least June, but the plant itself remains dry inside. Fort Calhoun has been shut down since April because it was being refueled before the flooding began.

Utility officials say they have no set timeline for restarting it because they won't know what work is needed until after the water level drops. The plant may reopen this fall, but it could even be delayed until next spring depending upon repairs, inspections and the weather.



Bannister

which remains under a low-level emergency status called a "notification of unusual event" because of the flooding. NRC officials promised to closely monitor the efforts to ensure the plant is safe and doesn't represent a threat to the public.

"We'll do what we need to do to verify the station is ready to return to power," said Elmo Collins, the NRC's regional administrator.

Within the next two weeks, OPPD will submit a detailed recovery plan for Fort Calhoun to the NRC. But that framework will likely be updated and revised once officials get a chance to fully inspect the facility.

Fort Calhoun employees have been using an elevated catwalk more than a quarter-mile-long each day to cross the flooded parking lot. But the utility has been able to keep the inside of its buildings and key equipment mostly dry with a network of flood barriers

and a number of pumps. The main building at Fort Calhoun is at 1,004 feet above sea level, which is about 2 feet below Wednesday's river level of 1,005 feet, 9 inches.

Last month, Nuclear Regulatory Commission Chairman Gregory Jaczko visited Fort Calhoun and the state's other nuclear power plant run by the Nebraska Public Power District. Jaczko said both Fort Calhoun and Cooper were safe, and that the utilities had taken prudent steps to protect the public.

NPPD's Cooper plant in southeast Nebraska is more elevated than Fort Calhoun, so the floodwaters didn't ever get as close to the facility. Cooper was able to continue operating throughout the flooding. NPPD officially lifted the "notification of unusual event" status at Cooper on June 13 after the floodwaters began to recede.

The base of the Cooper plant, which is about 70 miles south of Omaha, sits at 903.5 feet above sea level, nearly three feet above the highest point reached by the Missouri River's floodwaters.

The Missouri River may not return to within its banks until sometime in September because the U.S. Army Corps of Engineers continues to release massive amounts of water from the upstream reservoirs. The corps says the flooding was caused by heavy spring rains in the upper Plains and substantial Rocky Mountain snowpack melting into the river basin.

9 Percent Drop In Neb. Abortions So Far This Year

BY TIMBERLY ROSS
Associated Press

OMAHA, Neb. — The number of abortions performed in Nebraska dropped 9 percent in the first half of the year over the same period in 2010, according to figures available Wednesday from the state Department of Health and Human Services.

Nebraska Right to Life attributed the decline in large part to enactment of a state abortion ban tied to the disputed notion that a fetus can feel pain at 20 weeks. The law that went into effect in October targeted Dr. LeRoy Carhart and his Bellevue clinic.

"Legislation does save lives," said the group's executive director, Julie Schmit-Albin. "Carhart admitted when (the ban) was enacted last fall that he would be

forced by the law to do late-term abortions out of the state."

After the Nebraska law went into effect in October, Carhart opened a clinic in Germantown, Md., and has been pursuing one in Council Bluffs, Iowa. He still offers abortions in Nebraska.

A message left Wednesday for Carhart through the New York City-based Center for Reproductive Rights wasn't immediately returned.

The Nebraska Department of Health and Human Services said preliminary reports show there were 1,153 abortions performed in Nebraska in the first six months of 2011. The figure was 1,288 for the same period last year.

State law requires doctors to file reports with the state Department of Health and

Human Services on each abortion performed. Until this year, the reporting of gestational age was optional and the vast majority of reports didn't include it. So, there was no way for the state to know how many abortions were performed after 20 weeks.

The Nebraska law outlawed abortion after 20 weeks of pregnancy based on the disputed claim that fetuses can feel pain after that point. It is a departure from the standard of viability, established by the 1973 landmark ruling in *Roe v. Wade*, which allows states to limit abortions in cases where there's a viable chance the fetus could survive outside of the womb, generally considered to be between 22 and 24 weeks.

Similar legislation was

introduced this year in 15 states and was enacted in Alabama, Idaho, Indiana, Kansas and Oklahoma, according to the Guttmacher Institute, a reproductive-health research organization that supports abortion rights. A measure passed in Minnesota but was vetoed.

While some doctors contend that fetuses can feel pain after 20 weeks, the American Congress of Obstetricians and Gynecologists says it knows of no legitimate evidence showing a fetus can ever experience pain. It says a fetus' brain begins its final stage of development between the 20th and 40th weeks of pregnancy, and that certain hormones that develop in the final trimester also must be present for it to feel pain. It's not known exactly when those hormones form.

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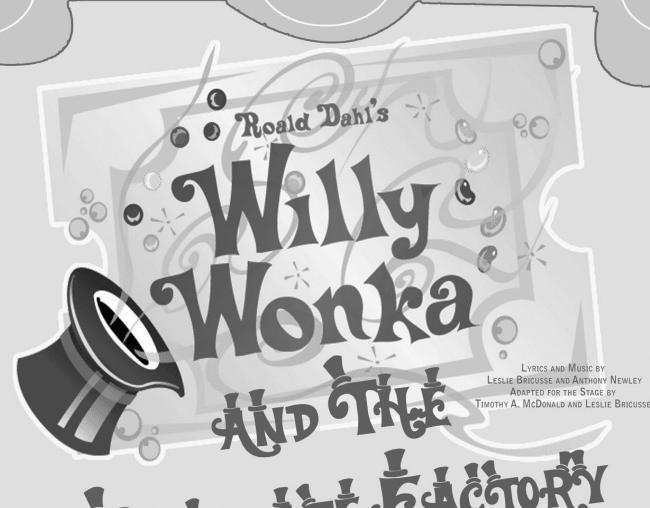
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