

Fed Court Rejects Appeal By Brothers

OMAHA, Neb. (AP) — A federal appeals court has upheld the conspiracy and theft convictions of two Nebraska brothers in a Social Security fraud case. Timothy Shirley was sentenced last year to 21 months for conspiracy, theft and Social Security fraud. His brother, Matthew Shirley, was sentenced to 12 years for conspiracy and theft. Prosecutors said Matthew Shirley employed his brother — paying him in cash — knowing his brother was receiving Social Security disability benefits. The 8th U.S. Circuit Court of Appeals on Thursday rejected Matthew Shirley's argument that he stole nothing, because disability payments come from a trust fund that belongs to the individual who funds it, not the U.S. government. It also rejected Timothy Shirley's claims that there was insufficient evidence to convict him and that his sentence was excessive.

Stained Glass In Capitol To Be Restored

PIERRE (AP) — Work will begin later this month on a \$2.7 million project that will restore the century-old stained glass in South Dakota's Capitol building, a state official said Thursday. The four large skylight installations in the Capitol rotunda dome, above the House and Senate chambers and above the grand marble staircase between the second and third floors will be removed, restored and reinstalled. The project will start July 29 and is to be completed by the fall of 2014. Paul Kinsman, commissioner of the state Bureau of Administration, said a recent assessment found problems caused by age, gravity, original material and design weakness in the stained glass installed in 1909. "The glass is bowing badly enough in spots that it could fail if it's allowed to get much worse," Kinsman said in a written statement. "We've done spot repairs over decades, and even those fixes are now failing. Funding for the project will come from the Bureau of Administration's fund for maintenance and repair. Kinsman said each of the 199 large panels of stained glass will be removed and shipped to Conrad Schmitt Studios near Milwaukee, where they will be dismantled. The glass pieces will be repaired and re-leaded, and the panels will be rebuilt. New structural supports will be added to ensure long-term strength before the panels are reinstalled. Conrad Schmitt Studios, which has done similar restoration projects around the country, joined with Sharpe Enterprises of Pierre to submit the winning proposal for the project. The stained glass in the rotunda dome will be removed this summer, which will cause some of the Capitol's second floor to be closed in July and August. The stained glass over the House and Senate chambers and the vault over the grand staircase will be removed next year. Kinsman said the goal is to complete the project by South Dakota's 125th anniversary of statehood on Nov. 2, 2014.

Man Found Dead In Missouri River

SOUTH SIOUX CITY, Neb. (AP) — Authorities don't suspect foul play in the death of a man in his 80s who was found dead in the Missouri River near a campground in northeast Nebraska. The *Sioux City Journal* reports the man's body was found Wednesday. South Sioux City Police Chief Scot Ford says rescue boats helped recover the man's body near the Scenic Park campground. Ford said Thursday that the family requested that the man's identity not be released. Ford says it doesn't look like the man had been boating or fishing before his death, but there's no indication of criminal activity. South Sioux City Parks Manager Gene Maffit says the man wasn't registered as a guest at the campground.

Winter Wheat Crop Forecast Down

SIOUX FALLS (AP) — The latest forecast for South Dakota's winter wheat crop is down 15 percent from the previous month's forecast. The U.S. Department of Agriculture says in its crop reduction report that the forecast, based on July 1 conditions, stands at 25.4 million bushels. Average yield is forecast at 39 bushels per acre. This up six bushels from last month but down 11 bushels from last year. Acreage to be harvested for grain is estimated at 650,000 acres, down 28 percent from the June 1 forecast and down 46 percent from last year. Other spring wheat production is forecast at 55.4 million bushels, up 32 percent from last year. Oat production is up 161 percent from last year, to 8.88 million bushels.

Neb. Horse 1 Of Many Silvers In 'Ranger'

LINCOLN, Neb. (AP) — A registered quarter horse named Leroy was one of many white horses used to portray the hero's mount in the newly released movie "The Lone Ranger," his owner said. K.C. Peterson runs the 18,000-acre Otter Creek Ranch, which sits north of Lake McConaughy in western Nebraska. Peterson told the *Lincoln Journal Star* that he bought Leroy nine years ago, anticipating that he'd look good in scenes with Tonto and the Lone Ranger for a movie Peterson was sure to be made someday. Peterson said he would frequently tell the horse, "Some day, Leroy, I'm gonna get you in the movies." He knew what he was talking about, given his 35 or so years of providing livestock to Hollywood. His horses were seen in "Cowboys and Aliens." His steers Willie and Waylon appeared in "Far and Away," "Maverick" and a few cigarette ads. Peterson also said he doubled as Robert Redford on "The Horse Whisperer." When he read that filming would finally start on "The Lone Ranger," Peterson contacted Bobby Lovgren, who was to be the head horse trainer for the movie and was a man Peterson knew from other productions. "I sent him pictures," Peterson said. "He said, 'When can you have him here?'"

Proposed Lab Cuts Coming At Bad Time, U.S. Attorney Says

BY DAVE KOLPACK
Associated Press

FARGO, N.D. — The U.S. attorney in North Dakota said Thursday that proposed cuts in a federal drug prevention program that provides money to crime labs would be a blow to the state because law enforcement is trying to beef up prosecutions in the oil patch. The Associated Press obtained letters that the director of the Midwest High Intensity Drug Trafficking Area program sent to nine crime labs in the region warning that funding would likely be trimmed in the next fiscal year and possibly eliminated after that. He said it was because of pressure to reduce the federal budget. Dave Barton, Midwest HIDTA director, said in an interview that total reductions to crime labs in a seven-state area could be as high as \$900,000. The North Dakota lab, which has a yearly budget of about \$4.65 million, is slated to receive about \$78,000 from the program for 2013. Midwest HIDTA typically grants about \$800,000 a year to both North and South Dakota to fund crime labs, numerous drug task forces, special prosecutors and other programs. Liz Brocker, spokeswoman for the North Dakota attorney general's office, which oversees the crime lab, called the letter from Barton a "what if" scenario and had no further comment. U.S. Attorney Timothy Purdon said the projected cuts come at a "particularly bad time here in North Dakota" because of dramatic increases in drug cases tied to increasing population in western counties. The U.S. Department of Justice has recently stationed additional FBI agents in Minot and Bismarck and a Bureau of Alcohol, Tobacco, Firearms and Explo-

"Unpaid furloughs will mean fewer FBI agents, fewer Border Patrol agents, and fewer federal prosecutors at work every day."

TIMOTHY PURDON

sives agent in Bismarck. "If the sequester cuts continue into fiscal year 2014, there will likely be more unpaid employee furloughs, including at the Department of Justice," Purdon said. "Unpaid furloughs will mean fewer FBI agents, fewer Border Patrol agents, and fewer federal prosecutors at work every day." U.S. District Court statistics show that the total number of federal defendants charged in the southwestern and northwestern regions of North Dakota have grown from 144 in 2010 to 172 in 2011 and 256 in 2012. There have been 205 defendants charged in western North Dakota in the first six months of 2013. Purdon cites a number of multi-defendant drug cases as a key reason for this year's increase. A federal judge earlier this month unsealed indictments against 22 people charged with conspiracy to sell heroin and other drugs on a western North Dakota Indian reservation, in an investigation dubbed "Operation Winter's End." State crime statistics for 2012 are due out in the next two weeks, Brocker said. Barton acknowledged that North Dakota stands out in the region because of the changing landscape. Recent U.S. Census Bureau estimates

show that Williston, in the far northwestern corner of the state, is the fastest-growing metropolitan area in the country. "The increased population is the uniqueness of the Bakken oil field issue," Barton said. "But each one of the geographic regions has a pressing issue we have to deal with, which makes budget cuts — meat cleaver budget cuts — very difficult for us." Jeff Zent, spokesman for Republican Gov. Jack Dalrymple, said it's "difficult to comment about something that hasn't happened," but cited the state's commitment of \$2.9 million to fund 17 law enforcement positions, including investigators, forensic scientists and intelligence analysts. Half of those positions were previously funded by the federal government and half are new jobs. The governor's budget also included \$3.8 million for 15 new Highway Patrol troopers. "The state is working to help address the growing law enforcement needs," Zent said. Two South Dakota Division of Criminal Investigation labs are slated to get \$26,200 in 2013 HIDTA funding. Crime labs in other states are at risk of losing money, too, according to the letters from Barton: the Kansas Bureau of Investigation (\$192,303 in funding), Iowa Department of Public Safety (\$140,000), Missouri State Highway Patrol (\$153,574), Kansas City, Mo., Police Department (\$133,667), Nebraska State Patrol (\$81,539), and St. Louis County Police Department (\$70,781). "The letters were just the final steps in all of our discussions in trying to find where we can painlessly cut. And we can't," Barton said. "Every cut we make has some pain attached to it."

Osborn Kicks Off Senate Campaign In Nebraska

GRAND ISLAND, Neb. (AP) — Former Nebraska state Treasurer Shane Osborn was in Grand Island on Thursday to kick off his Republican candidacy for U.S. Senate and a campaign tour of the state. Osborn is seeking to replace GOP Sen. Mike Johanns, who is not running for re-election in 2014. Osborn, who lives just west of Omaha in Waterloo, filed paperwork more than a month ago with the Federal Election Commission to establish his candidacy and has been hitting the parade, pancake breakfast and county fair circuit around the state since. But Thursday's announcement kicked off a defined campaign tour, with the former Navy pilot heading to Columbus after his speech. He was slated to end his day in Norfolk before touring other cities around the state in the coming days. Osborn has also put a campaign team together, tapping longtime political consultant Dave Boomer — who previously ran Rep. Lee Terry's campaigns — as his campaign manager. He's also brought in Dean Dennhardt, who served as Gov. Dave Heineman's campaign finance director. On Thursday, Osborne told a crowd at Veterans Memorial Park in Grand Island that government spending is out of control and that he



Osborn

hopes to take his conservative principles to Washington. "In Nebraska, we believe in a transparent, open, limited government that is responsible to the taxpayer, and Washington needs to follow our lead," he said. Osborn, who was raised in Norfolk, became a national celebrity in 2001 when a Navy surveillance plane he was piloting over the South China Sea collided with a Chinese fighter plane. He successfully landed his crippled plane on a Chinese island, and he and his 23 crew members then spent 11 days in captivity before being released. Osborn was later awarded the Distinguished Flying Cross. Following the 9/11 attacks, he voluntarily extended his tour and served in Afghanistan. He left the Navy in 2005 and was elected state treasurer in 2006. During that time, he was criticized for continuing to work part-time as an aviation insurance broker for the SilverStone Group. He opted not to seek re-election as state treasurer in 2010. He rejoined the private sector, helping start a business that helps create employment opportunities for veterans with disabilities.

Walmart Opponents File Lawsuit In Sioux Falls

SIOUX FALLS (AP) — A group opposed to a new Walmart Supercenter in Sioux Falls is suing the city and its leaders, saying land for the proposed store was illegally annexed into city limits in April. The Save Our Neighborhood group claims the city should have obtained approval from Lincoln County before approving the annexation. Group spokeswoman Dana Palmer also says the City Council has not listened to neighbors of the site who don't want a large-scale retail development. "From the very beginning we've said this isn't about Walmart," Palmer said Wednesday while standing in her neighbor's driveway overlooking the soybean field where the proposed store would be built, according to KELO-TV. "It's about large retail commercial development. We welcome a Walmart, but one that's an appropriate size." City Attorney Dave Pfeifle said he can't comment on pending litigation but that generally, an annexation does not require the approval of the County Commission if the property owner agrees to the move. Lincoln County Commissioner Dale Long agreed, telling the *Argus Leader* newspaper, "I think if the landowner wants to give it to the city, we're out of it." The lawsuit, filed Wednesday in state circuit court, seeks to block any further action on the Walmart proposal by the City Council.

City Councilman Kermit Staggers told the *Argus Leader* that he is unsure how the lawsuit will affect a scheduled City Council vote next month on rezoning the annexed land from agricultural use to commercial use to accommodate the new store. "I'm surprised that they are claiming that we illegally annexed that land into Sioux Falls," he said. "We've annexed other parts of land; it's not uncommon. It's actually fairly common." Walmart declined to comment on Wednesday. The Save Our Neighborhood group has hired a consultant to review Walmart's traffic analysis of the proposed site. The group has gathered enough signatures to put proposed changes to the city's zoning ordinances to a public vote next year. Opponents say the changes will ease requirements for developers and give the public less of a say in what can be built.

Thank You

Thank you for all the best wishes on our 50th wedding anniversary. The beautiful cards and especially your presence. It was a wonderful day and we feel truly blessed.

Dick & Rose Robinson

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Special Thank You!

I would like to thank my family for the wonderful 80th birthday party. Thank you to everyone who helped me celebrate the day with their presence and the many cards and gifts. Special thanks for the wonderful music provided by Jim Lovett, Joanie Olson, Roger Rueb, Rocky Latora, and Roger and Roy Hazuka; to Lawrence, Colleen, and the staff at the Lone Tree Steak House for their great service. Many thanks to Pat and Jodi Huggins for the Hugg Inn accommodations that allowed my family to be together in one fantastic place. Thank you all for a very memorable day!

Charles Slaba

OBITUARIES

Betty Powers
Betty Lou Powers, 98, of Vermillion, died, Tuesday, May 14, 2013, at Sanford Vermillion Hospital. Memorial services are at 2 p.m., Saturday, July 13, 2013, at Grace Baptist Church, Vermillion. Kober Funeral Home, Vermillion, is in charge of arrangements.

Thank You

Thank you to family and friends for the beautiful cards, flowers, calls and memories for our 65th wedding anniversary. We are grateful for these years together.

God Bless
Glenn & Phyllis Grosshuesch

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