

## Neb. Intestinal Illness Cases Reach 62

OMAHA, Neb. (AP) — The number of people reporting a food-borne intestinal illness believed to have come from a contaminated vegetable has climbed to 62 in Nebraska. The cases of cyclosporiasis are confined mostly to Douglas County in eastern Nebraska and are likely linked to Iowa, where 102 people in 29 counties were confirmed sick as of Thursday. Dallas County, Texas, is now reporting 10 cases with others also confirmed elsewhere in the state. Public health officials in all three states say the illness, which causes prolonged diarrhea, is rare. It comes from eating food or drinking water contaminated with feces containing the cyclospora parasite. Officials say the illnesses began in June, leading them to believe whatever produce caused it may have been eaten or thrown away by now.

## Man Drowns Near Lake Vermillion

CANISTOTA (AP) — Rescue crews have pulled the body of a man who drowned from a pond near Lake Vermillion. Local media report that crews were called to the scene about 3 p.m. Thursday. McCook County Emergency Management Director Brad Stiefvater tells *The Argus Leader* that the victim is a man in his 20s. The incident occurred on private property.

## Deadwood Annexes Costner Land

DEADWOOD (AP) — The Old West town of Deadwood is going to be growing by one-third thanks in part to Hollywood actor Kevin Costner. The Deadwood City Commission voted this week to annex 707 acres owned by four landowners, including Costner.

The *Black Hills Pioneer* reports that Costner and the other landowners voluntarily petitioned the city to annex the land earlier this summer. The land is located along Highway 85.

Deadwood Mayor Chuck Turbiville says the new land will increase the city of Deadwood by one-third. The city is currently comprised of 2,114 acres.

Costner recently put up 1,000 acres of land he owns in Deadwood for \$14 million. The property includes the site of the ill-fated Dunbar resort, a \$100 million project that never materialized.

## New Sioux City Casino On Schedule

SIoux CITY, Iowa (AP) — Organizers behind a Hard-Rock themed casino in Sioux City say they're on schedule with construction.

Sioux City Entertainment said in a news release Thursday that they soon plan to demolish an old pub and video store to make way for the Hard Rock Hotel & Casino Sioux City. Excavation will follow to prepare the site for the building foundations.

The *Sioux City Journal* reports that an official groundbreaking ceremony is planned for mid-August. The new \$120 million casino is expected to open next summer.

Sioux City Entertainment was awarded a gambling license in April over several bids to replace the Argosy riverboat casino. Penn National Gaming Co. has criticized the decision.

## Independent Movie Filming In Beresford

BERESFORD (AP) — Hollywood has landed in South Dakota to shoot scenes for an independent film.

A film crew from Los Angeles arrived in Beresford this week to shoot scenes for "Wild Prairie Rose," a film that tells the story of a girl who returns to her hometown after living in a big city. Once back in Beresford, she finds love and learns that her hometown isn't that bad.

Cast and crew members say shooting in rural South Dakota has provided a nice change of pace from Los Angeles.

Actor Troy Kotsur told KELO-TV that he would like to move to Beresford when he retires, while actress Suanne Spoke said she has enjoyed sitting on the front porch, listening to wind blowing through the trees.

"It sounds so cliché, but it's really remarkable," Spoke said. It's a return trip for some of the cast and crew, who were in Beresford a few years ago to shoot a short film.

Actress Tara Samuel said Beresford is an ideal place to shoot a low-budget film.

"It's made up of the community, this film," Samuel said. "The grips, the gaffers, the props, the cakes, the pies—everyone has pitched in from Beresford. It's moving."

## OBITUARIES

### William 'Bill' Berglund

Funeral services for William "Bill" Berglund, 65, of Winnetoon, Neb., are at 10:30 a.m. Monday, July 22, 2013, at St. Ludger Catholic Church, Creighton, Neb. Pastor Terry Huber will officiate, with burial in the Greenwood Cemetery, Creighton. Visitation is 5-8 p.m. Sunday at Brockhaus Funeral Home, Creighton. Bill died Wednesday, July 17, 2013, at Avera Sacred Heart Hospital, Yankton.

### Joshua Scott

Joshua Paul Scott, 30, of Yankton died early Tuesday morning, July 16, 2013, from injuries sustained in an automobile accident. Memorial services are at 4 p.m. Saturday, July 20, at the First United Methodist Church, Yankton, with the Rev. Ron Johnson officiating. Burial of the cremated remains will take place at a later date. Visitations will be one hour prior to the service at the church. The Opsahl-Kostel Funeral Home & Crematory is assisting with service details.

### Mae Archambeau

Funeral services for Mae C. Archambeau, 66, of Mitchell are at 10:30 a.m. Saturday, July 20, 2013, at St. Paul Catholic Church, Marty, with burial in the Greenwood Presbyterian Cemetery. Wake services will be held today (Friday) at the Boys' and Girls' Club in Marty. Crosby-Jaeger Funeral Home, Wagner, is in charge of the arrangements. Mae died Wednesday, July 17, 2013, at Avera Queen of Peace Hospital, Mitchell.

### Dorothy Pudwill

The funeral service for Dorothy D. Pudwill, 87 of Avon is at 10:30 a.m. Monday, July 22, 2013, at the First Presbyterian Church, Avon, with burial in the Trinity Presbyterian Cemetery, rural Avon. Visitation is 5-7 p.m. Sunday at the church, with the family present. A prayer service will follow at 7 p.m. Crosby-Jaeger Funeral Chapel of Avon is in charge of the arrangements. Dorothy died Wednesday, July 17, 2013, at the Wagner Community Memorial Hospital, Wagner.

## IN REMEMBRANCE

**Marjorie Haug**  
Celebration  
of Life Gathering  
2:00 to 4:00 PM, Friday  
Wintz & Ray Funeral Home  
Yankton

**Yvonne Dirks**  
2:00 PM, Friday  
Wintz Funeral Home  
Coleridge

**N. Evolyn Rathgeber**  
10:30 AM, Saturday  
Immanuel Lutheran Church, Coleridge

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# S.D. Supreme Court Denies Further Rhines Appeals

BY CHET BROKAW  
Associated Press

PIERRE — The South Dakota Supreme Court on Thursday denied further appeals in state court by Charles Russell Rhines, who has been on death row for two decades for the slaying of a man during the burglary of a Rapid City doughnut shop.

South Dakota Attorney General Marty Jackley said state prosecutors believe the Supreme Court's ruling means that Rhines has exhausted his appeal opportunities in state courts, clearing the way for action on Rhines' federal appeal.

Rhines, now 57, was sentenced to death for the 1992 fatal stabbing of Donivan Schaeffer. Authorities said Schaeffer, a part-time employee at the doughnut shop, surprised Rhines during the burglary.

The state Supreme Court upheld

**"We are now one step closer to obtaining justice for the Schaeffer family and the community."**

MARTY JACKLEY

Rhines' conviction and death sentence in 1996, but he has pursued secondary appeals in state and federal courts.

In the secondary appeal filed in state court, Circuit Judge Thomas Trimble of Rapid City upheld Rhines' conviction and death sentence last year. Rhines also contended that the state's one-drug execution protocol amounts to an unconstitutional cruel and unusual punishment, but Trimble ruled in February that the execution method does not pose a risk of unconstitutional pain and suffering.

Rhines had asked the state Supreme

Court to review Trimble's rulings. But in a one-page order, the justices said Rhines had not demonstrated probable cause that an appealable issue exists. Neil Fulton, who is representing Rhines as federal public defender for the Dakotas, did not immediately return a phone call seeking comment Thursday.

Jackley said his office on Thursday advised the federal judge handling Rhines' federal appeal that state prosecutors believe Rhines has exhausted his appeals on the state level.

The attorney general said that means Rhines now can proceed with his federal appeal.

Jackley said Schaeffer's family has waited more than two decades for justice.

"We are now one step closer to obtaining justice for the Schaeffer family and the community," Jackley said.

## Family Seeks \$5M For Neb. Prison-Van Crash

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — Family members of a woman killed in a crash with a state van driven by a Nebraska prison inmate moved ahead Thursday with their plans to file a multimillion-dollar wrongful death lawsuit against the state.

The family of Joyce R. Meeks, of Lincoln, filed a legal claim with the state that marks the first step toward a wrongful-death lawsuit. Meeks was killed on June 25 when a van driven by inmate Jeremy Dobbie plowed into her minivan. Witnesses later said the state-owned van was speeding and swerving.

"I just don't want my mom's death to just go under the rug," Meeks' son, Martell

Buchanan, said during a somber news conference in Lincoln. "... We've gotten a few answers, but those came from our attorneys. We need some answers from the state now, and whoever else that was involved with it."

Buchanan said the family wants answers about why officials let Dobbie drive other inmates to and from work-release assignments. Online court records show Dobbie, 35, has an extensive criminal record, including several convictions for DUI and reckless driving. He currently is serving a five- to seven-year sentence for possession of methamphetamine with intent to deliver, making terroristic threats and criminal mischief.

Meeks' husband, Leonard Meeks, struggled for words as he spoke.

"This is really a difficult time for me, without my partner, my soul mate, my everything," Leonard Meeks. "It's really difficult for me to even sit here and explain how I really feel."

Nebraska law requires the family to first file a claim with the State Claims Board, which reviews legal claims against the state. If the board doesn't respond to a claim within six months, lawyers are then allowed to file a wrongful-death lawsuit in court.

The family's attorney, Tim Cavanagh of Chicago, said they will argue that Department of Correctional Services was responsible for Dobbie's conduct, because he was acting as an "agent and employee" for the state. Cavanagh said the family intends to seek \$5 million in

legal damages at the outset, although the number is subject to change.

"The state's conduct in giving the keys to an inmate who has a history of convictions for driving is beyond me," Cavanagh said. "It's clearly negligent and reckless."

Lancaster County Attorney Joe Kelly has said he doesn't expect to make a decision on possible criminal charges until next week at the earliest, after his office receives the results of toxicology tests.

The Nebraska Department of Correctional Services announced this month that it was ending the prison-driver program, which allowed inmates to transport other prisoners to and from work-release sites.

## Drought

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improved but not done quite as well," Todey told the *Press & Dakotan*.

"Recent dryness has us concerned with some reports of stress of lighter ground on the South Dakota side. We need to get some additional rainfalls to help. The lack of very warm temperatures up until now has helped reduce the stress conditions."

Despite the recent dryness in some areas, crop conditions have held steady or improved during the last several weeks, Todey said. However, crops are delayed in development because of the wet and cool conditions earlier in the season, he said.

In South Dakota, only 6 percent of corn is tasseling compared to the five-year average of 9 percent, Todey said. Still, he sees positive signs this summer.

"Maturity has moved along. We are only slightly behind the five-year average for tasseling. That is encouraging," he told the *Press & Dakotan*. "The fairly moderate temperatures have kept crop progress going while not stressing them too much."

At this point, the situation is not a huge concern, but it bears watching during the rest of the season, Todey said.

"The main issue could arise later, as delayed development goes into the fall season, where the timing of a hard freeze could impact yield at harvest," he said.

### A WIDE RANGE

From a precipitation perspective, Todey said the last month has proved interesting across South Dakota.

"Conditions generally have dried over the state, slowing additional drought recovery," he said. "In some locations, precipitation has been notably low."

Climate stations in south-

central South Dakota ranked as the top 10 driest, Todey said. In contrast, he said, several northeast stations have received as much as 8.18 inches during the last 30 days and rank among the top 10 wettest counties.

Those numbers indicate the extreme variability, as well as winners and losers so far this year with precipitation, said Laura Edwards, SDSU Extension climate field specialist.

"The fortunate aspect is, unlike last year, the dry areas have followed a relatively wet spring, easing some of the impact of the dryness," she said in a release.

"While conditions have been similarly dry to last year in a few places, the wetter spring has alleviated major issues so far. Temperatures overall have been fairly moderate over most crop areas, limiting additional dryness problems."

Nebraska has also seen precipitation well below normal during the last 30 days, according to the NWS office in Omaha/Valley.

"Precipitation since July 1 has been especially meager, with a small pocket of 1 inch or greater amounts near the South Dakota border but little or no rainfall elsewhere," the report said. "The precipitation amounts in the last 30 days are roughly comparable to the precipitation totals in 2012."

However, the lack of rainfall has not been accompanied by the extreme heat seen in 2012, the report added.

### WINNERS AND LOSERS

The winners and losers in the precipitation battle are found not only in South Dakota and Nebraska, but also across the nation, said Brian Fuchs, a climatologist with the National Drought Mitigation Center.

The Missouri River valley serves as a major divide between wet conditions to the east and record dry conditions to the west, Fuchs said. The east has received as much as 200 percent of normal precipitation since April 1, he said. Meanwhile, the west has seen as little as 25 percent of normal or even less.

## THANK YOU

We would like to thank everyone for all they did for Paul Nadenicek. Thanks especially go to the Yankton United Methodist Church, to Pastors Ron Johnson and Bob Cappel, to the church choir led by Carolyn Cappel, to the Praise Team, and to all others who helped Paul both during his life and at his death. We would also like to thank the pallbearers, the UMW ladies for the lunch they prepared, and the Wintz-Ray Funeral Home for all the service they provided. Thanks also to the Wagner VFW for the service at the cemetery. There are many other we could name. Everything you did was greatly appreciated. The love shown to us will never be forgotten.

**THE FAMILY OF PAUL NADENICEK**

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