

**Former SDN Chief Accountant Faces Charges**

SIoux FALLS (AP) — The former chief accountant of SDN Communications has been indicted on federal mail and wire fraud charges. U.S. Attorney Brendan Johnson says the indictment alleges that 45-year-old Bradley Whitsell of Sioux Falls used his various oversight positions to embezzle funds totaling more than \$390,000 over about 10 years beginning in 2000. On Tuesday, Whitsell appeared before U.S. Magistrate Judge John Simko and pleaded not guilty. CEO Mark Shlanta said in a YouTube statement that officials started noticing "financial irregularities" last year and Whitsell was put on administrative leave during a forensic audit and internal investigation. KELO television said Whitsell resigned before the investigation began. The company says it has already made changes to prevent similar incidents from happening. A telephone message left at Whitsell's home was not immediately returned.

**Waterloo Man's Electric Wheelchair Stolen**

WATERLOO, Iowa (AP) — A Waterloo man's electric wheelchair has been stolen after he left it outside during a visit to his sister's house. The Waterloo-Cedar Falls Courier is reporting that the man's Hoveround wheelchair was stolen Sunday evening. The battery-powered chair is valued at \$4,500. The police report shows the man left it outside at his sister's house around 6 p.m. When he came out to leave at 7 p.m. it was gone. No arrests have been made.

**Grand Jury Clears Officials In Prisoner's Death**

KEARNEY, Neb. (AP) — The Buffalo County Sheriff's office has been cleared of any criminal wrongdoing in the April death of a 55-year-old prisoner. The Kearney Hub reported Wednesday that a grand jury had cleared sheriff's officials of wrongdoing in the death of David Cagler, of Kearney. Cagler died at a Kearney hospital more than a week after he was arrested April 22 on several warrants. Authorities had said Cagler was taken to the Buffalo County Jail after his arrest. The next day, Cagler was taken to the hospital for treatment of an undisclosed illness. Nebraska law requires a grand jury investigation when someone dies in police custody.

**Arson Suspected In NW Minn. Amish Barn Fire**

FERTILE, Minn. (AP) — Investigators are trying to find who set fire to an Amish farmer's barn in northwestern Minnesota. A preliminary finding from the state fire marshal says the fire was intentional set. Polk County sheriff's investigator Jim Tadman tells Minnesota Public Radio News the sheriff's office also is also looking into reports some Amish residents have been harassed. But Tadman says there's no evidence the barn fire is a hate crime. The fire was reported early Thursday at an Amish farm south of Fertile. The barn was destroyed, and three cows died in the fire. The Crookston Daily Times reports the fire marshal's office is offering a reward of up to \$2,500 for information leading to whoever set the fire.

**Minnesota Gov. Shutdown Looms**

BY PATRICK CONDON  
Associated Press



Dayton

ST. PAUL, Minn. — A months-long dispute between Gov. Mark Dayton and legislative Republicans briefly shifted Wednesday from taxes and spending toward the size and scope of a government shutdown made increasingly likely by their inability to agree on a state budget. The shutdown squabbling broke out after Dayton filed a petition in Ramsey County court laying out a bare-bones plan for maintaining critical state services if the government shuts down July 1. Legislative Republicans, for months insisting on greater austerity in state spending, found themselves questioning the severity of the Democratic governor's approach to a shutdown. Dayton, who said the petition was submitted "with a heavy heart," asked the court to keep about 13,000 of 36,000 state employees on the job to deliver programs vital for public safety and health. The administration's plan recommended closing 46 state boards and agencies entirely and keeping minimal staffing levels at 29 other agencies, with the highest number of employees retained at the departments of Human Services, Corrections, Public Safety and Veterans Affairs. State parks would close, as would offices that provide various state licenses. "Difficult as this would be, a shutdown, it still pales in comparison to the devastating effect of the Republican budget on critical areas," said Dayton, whose petition also asked the

court to appoint a mediator to facilitate budget negotiations. "A temporary shutdown, painful as it would be, is not equivalent to the kind of catastrophes that would be ongoing that would occur if I acceded to this budget. That's just a fundamental principle." At a meeting of a legislative budget panel Wednesday, Senate Majority Leader Amy Koch, R-Butte, suggested Dayton's case for what wouldn't be funded in a shutdown was "fairly broad." She and fellow Republicans suggested the governor was more limited in his definition of critical services than were previous administrations as they prepared for a 2001 shutdown that was averted at the last minute, and a short shutdown in 2005. "He has said all along that he would not accept our bills because they didn't fund enough higher education, special education, seniors, disabled and health care and yet he is willing to impose this kind of budget and willing to force those folks into a shutdown that would cut off the very services he claims they need," Sen. Julianne Ortman, R-Chanhassen, said at the Legislative Committee on Planning and Fiscal Policy meeting. "So I would ask you, governor, whose budget is more draconian?" Among the state services Dayton said should not continue in a shutdown were aid payments to public schools; payments to health care providers and vendors that serve recipi-

ents of state assistance programs; and transportation programs including highway construction projects, bridge assessments, and operation of ramp meters. Under Dayton's petition, many noticeable functions of state government would be halted. The Department of Natural Resources would maintain 220 employees for conservation law enforcement, dam and water control safety monitoring and a handful of other operations, but not to keep state parks operating. Agencies including the State Lottery, the state Arts Board and the office of Administrative Hearings would close entirely, as would numerous licensing boards for occupations from physical therapy to optometry to private detectives. Dayton's court petition argues that five statewide objectives must still be met in a government shutdown: basic custodial care for residents of prisons, treatment centers, nursing and veterans' homes and residential academies; maintenance of public safety and immediate public health concerns; payment of government benefits to individuals; preservation of the essential elements of state government's financial structure; and preservation of the necessary administrative and support services to provide the above provisions. The government sent layoff notices to tens of thousands of state employees last week, and the state Department of Human Services mailed notices to 572,000 clients Tuesday warning that they might lose access to health care assistance and other services if the Minnesota government shuts down.

**Couple Sue Neb. Hospital Over Child's Death**

OMAHA, Neb. (AP) — The parents of a child who died last year at Nebraska Medical Center after an overdose of blood thinner have sued the Omaha hospital, alleging that the mistake caused excruciating pain and the girl's death. Greg and Kenya Duque of Dallas filed the wrongful death lawsuit, which also names a dialysis center that provides nurses for Nebraska Medical Center, in Douglas County District Court on Tuesday. While the lawsuit does not specify the amount in damages sought, it does ask the court

to declare unconstitutional a Nebraska law capping awards in hospital liability cases at \$1.75 million. Nebraska Medical Center officials acknowledged last year that an overdose of heparin contributed to the March 31, 2010 death of 23-month-old Almariah Duque, but said it may not have been the sole cause. Hospital spokesman Paul Baltes said Wednesday that neither he nor anyone else at Nebraska Medical Center could comment on the lawsuit. The toddler was being treated

for an infection and undergoing dialysis at the time of her death, following a liver, pancreas and small bowel transplant she received there in December. The Duques' lawsuit says Almariah's condition had been improving when a nurse mistakenly gave the girl 10 times the amount of heparin she was supposed to receive over a five-hour period on March 29, 2010. The overdose caused severe bleeding in the toddler's brain, according to the lawsuit. "This negligence caused excruciating pain during the next approximately 48 hours and as a

result she ultimately died," the lawsuit says. Overdoses of heparin are believed to have caused dozens of deaths over the last several years. The problem led the Joint Commission — a private group that sets hospital standards and accredits most of the nation's hospitals — to issue a safety alert in 2008 urging hospitals to adopt strict measures to prevent such errors. Heparin is usually given intravenously and is used in heart surgery, kidney dialysis and a variety of other medical procedures.

OBITUARIES

**Marcella Marek**

Marcella D. Marek, age 89, of Yankton, SD died Friday, June 10, 2011 at the Avera Sister James Care Center, Yankton. Mass of Christian Burial will be 10:30 a.m. Thursday, June 16, 2011 at Sacred Heart Catholic Church, Yankton, with Rev. Dan Smith officiating. Burial will be in the Garden of Memories, Yankton, SD. Visitations were 5:00 p.m. Wednesday, at the Opsahl-Kostel Funeral Home & Crematory, Yankton, with a rosary at 7:00 p.m. followed by a Scripture service at 7:30 p.m. Visitations will resume one hour prior to the service at the church. Pallbearers will be Bryan Fuks, Jeff Fuks, Dave Hovden, Dennis Walloch, Mark Walloch and Richard Walloch. Marcella was born on August 22, 1921 to James and Della (Pravecek) Walloch in rural Olivet, SD. She married Ed Marek on January 11, 1942 in Lawton, OK. She worked at Dale Electronics for many years, J. J. Newberry's in Yankton, SD and Salem, OR and also Oregon Fruit Cannery in Salem, OR. She is survived by her son, Roger Marek; grandson, Nick (Brooke) Marek; great-grandsons, Oliver Marek and Lincoln Marek all of Watertown, SD, and brother, Stephen Walloch of Scotland, SD. She was preceded in death by her husband, parents, one brother, Lawrence and one sister, Albina Vitek. Yankton Press & Dakotan June 16, 2011



Marek

**Mary Kurpgeweit**

NORFOLK, Neb. — Funeral services for Mary Judith (Judy) Kurpgeweit, 66, of Norfolk will be at 10:30 a.m., Thursday, June 16, 2011 at Sacred heart Catholic Church, Norfolk. Burial will be in Prospect Hill Cemetery, Norfolk. Visitation was Wednesday from 4-6:30 p.m. with a rosary at 6:30 p.m. at Home for Funerals, Norfolk, Nebraska. Judy died Monday, June 13, 2011 at Golden Living Nursing Center from a lengthy bout with cancer. Judy was born to Mark and Bernice (Breece) Robinette on March 12, 1945 in Winnebago, NE. She attended school at Marty, SD where she graduated. She also attended Northeast Community College where she acquired an accounting degree and a degree in Indian Studies. On October 7, 1967 she and Donald Kurpgeweit Sr. were married. Together they had 4 children. Judy is survived by her 4 children, Donnie and his wife Dee Dee of Verdigré, Richard and his wife Karla of Norfolk, Michelle and her husband Phil Laurel of Norfolk, Chantelle and her husband Shaun Thrailkill of Norfolk, 9 grandchildren, 4 brothers, Bill and Sandy Robinette of Gateville, TX, Donnie



Kurpgeweit

and Fran Robinette, of Hartington, Gary and Deb Robinette of Winnetoon, Rick and Joann Robinette of Norfolk, 6 sisters Joann White of Battle Creek, Yvonne Klug of Norfolk, Carol and Maurice Becker of Utica, SD, Linda and Doug Bolte of Norfolk and Keeta and Randy Reynold of Flagstaff, AZ. She was preceded in death by her parents, 1 granddaughter Summer, 9 brothers and sisters and several nieces and nephews. Yankton Press & Dakotan June 16, 2011

**Wallace Toupal**

AVON — Wallace "Wally" J. Toupal, 84 of Avon died Tuesday, June 14, 2011 at Avera Sacred Heart Hospital in Yankton. His funeral service will be 10:30 a.m. Friday, June 17, 2011 at St. John the Baptist Catholic Church in Wagner. Burial will be in the ZCJB Cemetery, rural Wagner, with military honors. Visitation will be at Crosby-



Toupal

Jaeger Funeral Home in Avon from 2 to 7 Thursday. Wallace "Wally" James Toupal, son of Anton and Christina (Sluka) Toupal, was born October 4, 1926 in rural Brule County, near Kimball, SD. He died Tuesday, June 14, 2011 at Avera Sacred Heart Hospital in Yankton. Wally attained the age of 84 years, eight months and 11 days. Wally attended Richland Rural School in rural Kimball. He farmed with his family until his service in the U.S. Army from May 5, 1945 to December 10, 1946. He served with the occupation force in Japan. After the war, Wally returned to South Dakota and owned a bar and grill in Chamberlain for a short time. In 1952, he then began his career as project foreman with Redlinger Brothers. He worked on the St. Joseph's Indian School in Chamberlain, then in Mitchell, Wagner and then to the Yankton Hospital project in 1965. Wally also farmed from 1974 until he retired in 1987. Wally met Olga R. Stogsdill, the widowed mother of five young children, while working in Wagner. They were married December 13, 1963 in Mitchell. To their union

two sons were born. They were blessed with nearly 45 years of marriage. Olga died November 11, 2008. Wally was a member of the Sigel Catholic Church in Utica, Sacred Heart Catholic Church in Yankton and St. John the Baptist in Wagner. He also was a member of the VFW, American Legion, Moose Lodge and Elk's Lodge. Wally enjoyed livestock, hunting and working the land. He especially loved his family and had just organized a family reunion for the extended family, as he loved family get together. Wally was a man of few words, but when he spoke, one listened. Thankful for having shared his life are his children: Jim Toupal and wife Pam of Dante; Jerry Toupal and wife Dea of Sioux Falls; Lana Dodge and husband Dennis of Avon; Linda Morse and husband Ray of Elko, NV; Leonard Stogsdill, Jr. and wife Linda of Aberdeen; Gene Stogsdill and wife Vicki of

Tabor; and Lawrence Stogsdill and wife Polly of Lakeside, CA; 12 grandchildren; nine great grandchildren; two sisters: Marcella "Marcie" Chmela of Kimball and Helen Peterson and husband Ray of Tracy, MN; and many nieces, nephews, relatives and friends. Wally was preceded in death by his wife; parents; five brothers: Jimmy who died at the age of six, Willard, Harry, John and Jerry; and five sisters: Doreen who died in infancy, Sue Almfeld, Leverne Peters, Florence Pazour, and Virginia "Virgie" Soulek. Yankton Press & Dakotan June 16, 2011

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**William 'Bill' Simons**

UTICA — William (Bill) A. Simons, 64 of Utica died Tuesday, June 14, 2011, at Avera Sacred Heart Hospital, Yankton. Funeral services are at 2 p.m. Saturday at Opsahl-Kostel Funeral Chapel, Yankton, with the Rev. Paul Opsahl officiating. Visitations begin at noon Saturday and continue until the time of the service at the funeral home.



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