

MIDWEST DIGEST

S.D. Court Overturns Escape Conviction

PIERRE (AP) — The South Dakota Supreme Court has overturned one of the escape convictions of a Rapid City man who twice evaded capture for a parole violation.

The high court says Joseph E. Bradley cannot be convicted of first-degree escape for an incident in which he and his girlfriend drove away after law officers ordered them to stop in 2008. The justices say Bradley was not in the immediate custody of an officer at the time, so his actions do not meet the definition of escape.

However, the Supreme Court upheld Bradley's escape and assault convictions for another incident in which he ran from his parole agent's office and left in a car driven by his girlfriend. The high court says that meets the definition of escape because he was in the agent's immediate custody.

Man Found Guilty Of 22 Tax-Related Crimes

SIoux FALLS (AP) — A Salem man has been found guilty of 22 tax-related crimes for failing to file income tax returns, among other things.

A jury on Friday found 53-year-old Thomas Kelley guilty of filing a false income tax return, impeding the Internal Revenue Service, tax evasion, willful failure to file tax returns and passing fictitious U.S. Treasury obligations.

The U.S. Attorney's Office in Sioux Falls says Kelley last filed a tax return in 2000.

Kelley testified at the three-day trial he was acting on the advice of Austin Gary Cooper, the leader of anti-tax groups who was convicted in 1990 of tax-related crimes.

Niobrara Irrigators In Neb. Lose Court Fight

LINCOLN, Neb. (AP) — Irrigators along Nebraska's scenic Niobrara River have lost a court fight to keep the state and Nebraska Public Power District from regulating their water use.

In a ruling released Wednesday, U.S. District Judge Lyle Strom ruled that the state Department of Natural Resources did not violate the irrigators' property rights by shutting down their water use three years ago.

The department issued closure notices, which were later lifted, so the power district could use its senior water rights to produce power at Spencer Dam.

Strom says in the ruling that the irrigators had the ability to pay NPPD to use the water. And while they have property rights related to water, they are subject to rights of senior users such as NPPD and can be regulated by the state.

Neb. Police Departments Cool To Stimulus

LINCOLN, Neb. (AP) — Police and sheriff's departments across Nebraska have been wary of applying for federal stimulus dollars.

According to the Nebraska Crime Commission, only about \$1.1 million of the more than \$4.6 million available to local law enforcement agencies through the stimulus package has been awarded. Just seven local agencies have applied for the money, which is available until 2013.

Commission director Michael Behm says he was surprised more agencies haven't applied.

He says some may not want to deal with the reporting requirements tied to accepting the money and have been weaning themselves from federal dollars.

Man Accused Of Trying To Break Into Jail

CHADRON, Neb. (AP) — A young Chadron man who tried to break into the Dawes County jail got his wish — the hard way.

A jail spokesman said 19-year-old Derek Grinnell remained in custody Thursday. Among his charges are trespassing and minor in possession of alcohol.

Sheriff Karl Dailey says a jailer spotted Grinnell on the jail roof around 4 a.m. Saturday. Grinnell apparently had jumped from a nearby tree.

Dailey says Grinnell said he wanted to visit an inmate and said he had either missed visiting hours or didn't want to visit during the designated time span.

Winner Sold For Dakota Cash Jackpot

PIERRE (AP) — Lottery officials say a winning ticket for Wednesday night's Dakota Cash drawing was sold in Chamberlain.

The jackpot is worth \$98,716.

Officials say a single ticket matched all five winning numbers: 2, 10, 18, 20, and 24.

The winner has 180 days to claim the prize.

Dakota Cash is played only in South Dakota. The jackpot starts again at \$20,000 for the next drawing, on Saturday night. The odds of winning it are 1 in 324,632.

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TEXAS

Second S.D. Ex-Convict Executed

BY MICHAEL GRACZYK
Associated Press Writer

HUNTSVILLE, Texas — A South Dakota parolee condemned for killing an Army officer during a robbery and beating in Texas was put to death Thursday evening, a day after his former cellmate was executed for the same crime.

Billy Galloway had a long, violent history culminating in the slaying of David Logie, 37, in September 1998. The Army major from Fayetteville, N.C., was bludgeoned with a hammer and a tree limb behind a building in Greenville, about 50 miles northeast of Dallas.

It was one of two slayings blamed on Galloway and Kevin Varga during a weeklong cross-country crime spree.

Varga, 41, received lethal injection Wednesday evening. Twenty-four hours later, Galloway, also 41, was belted to the same gurney, had needles inserted into his heavily tattooed arms and became the ninth prisoner executed this year in the nation's most active death penalty state.

"I can go back and change the past, I would," Galloway said, looking at Logie's father and widow, who were among people watching through a window. "There's nothing I can do. I'm sorry."

He looked toward another window, where his father and stepmother stood in an adjacent room with a friend. He told the friend that he loved her.

"That's it," Galloway said. He gasped slightly, then began snoring quietly. Ten minutes later, at 6:19 p.m. CDT, as his pale skin turned purple, he was pronounced dead.

"If our beloved David had to die, we are glad it was in Texas where justice is their main goal," Logie's widow, Diann, said. "His death left a void in our lives and hearts that can never be filled. Our lives will never be the same for as long as we live."

Logie's father, Jack, dismissed Galloway's apology and Varga's more extensive but similar comments from the death house Wednesday.

"I cannot forgive," he said. Galloway's appeals to the courts were exhausted and no last-day legal actions were filed.

"I guess I've come to the realization that this is it," Galloway recently told The Associated Press.

Galloway and Varga met in prison in South Dakota. Varga was paroled in May 1998 after serving about half of a 10-year term for grand theft. Galloway, originally from Onondaga, N.Y., was paroled a month later. He served time for theft, parole violation and attempted robbery.

Galloway credited his charisma and what he called his "Manson complex" for being able to persuade his girlfriend, Deannee Bayless, Varga and Varga's 17-year-old girlfriend, Venus Joy Anderson, to make a road trip from South Dakota to Mexico.

Anderson testified that Varga proposed they would finance the trip using a scam in which the women offered sex to men along the way. Then, Galloway and Varga would ambush and rob the victims.

Their first target was David McCoy, 48, in Wichita, Kan. McCoy's body was found wrapped in sheets in Galloway's SUV abandoned a few blocks from where he was beaten to death. The group wasn't tried for his slaying.

A day later, they robbed and killed Logie, an aviation analyst at Fort Bragg, N.C., who was in Texas on business.

Testimony showed Anderson and Bayless propositioned Logie at a Holiday Inn bar in Greenville. When they went to a deserted area behind a building, Galloway and Varga showed up. Police said a hammer and bloody tree limb were found near Logie's battered body, which the four dragged into some woods and set on fire.

"A pretty violent son of a gun, a nasty dude," prosecutor Keith Willeford, a former Hunt County district attorney, said of Galloway. "These were brutal, horrible murders, just absolutely disgusting."

Authorities eventually arrested the four in San Antonio after a routine police license check showed their car was stolen.

Anderson, from Revillo, S.D., served a reduced seven-year prison term in exchange for her testimony. Bayless, from Sioux Falls, is serving 40 years for murder. She's not eligible for parole until 2018.

Iowa Gaming Panel OKs Lyon County Casino

Location Is 10 Minutes Outside Of Sioux Falls; City Officials Continue Push To Build Casino

JOHNSTON, Iowa (AP) — The Iowa Racing and Gaming Commission on Thursday approved an application for a casino license in Lyon County in northwest Iowa but rejected requests from three other communities.

The five-member commission unanimously approved the Lyon County casino, noting it wouldn't cut into the business of Iowa's 17 other state-licensed casinos and would draw gamblers from Sioux Falls, S.D., only eight miles from the new development.

"Lyon County has met the criteria and will not have an impact on existing casinos," said Commissioner Andrea Rivera-Harrison.

Commissioner Paul Hayes noted the Lyon County casino, located in Larchwood, is expected to draw 80 percent of its revenue from out-of-state gamblers. Estimates were that the other three would get less than 10 percent of their revenue from outside Iowa, Hayes said.

The Lyon County casino will be part of a \$120 million resort that is expected to include an 18-hole golf course, 100-room hotel, 1,200-seat event center, three restaurants and 900 slot machines. The planned Lyon County Casino and Golf Resort would have \$80 million in gross

revenue, of which \$70 million would come from gaming.

Supporters estimated it would provide 400 permanent jobs and hundreds of additional construction jobs, providing a huge economic boost to Lyon County, which has a population of about 11,000.

Plans call for construction of the casino to begin in June with an opening planned for July 2011. The golf course would open by 2013.

Larchwood is only about a 10-minute drive from Sioux Falls, and plans for the casino have angered some in South Dakota who argued that state should approve a casino rather than allow the gambling dollars to go to Iowa.

A group of Sioux Falls business leaders have developed a plan with the Flandreau Santee Sioux Tribe to build a resort casino near Sioux Falls, but Gov. Mike Rounds said last month that federal officials might not approve of a profit-sharing plan between the tribe and the state. Supporters of the Sioux Falls

casino have said they'll wait to pursue the plan until next year, when a new governor takes office.

In a telephone interview Thursday with The Associated Press, Rounds acknowledged that the Lyon County casino would siphon money from South Dakota and could reduce revenue to the state's video lottery system. But he added that a large development just miles from the Sioux Falls could help the state.

"If there is a positive, it may very well be that people from Sioux Falls might have one more place for job opportunities and then come back to Sioux Falls where they want to live," Rounds said. "I suspect (visitors) may

very well want to shop in Sioux Falls."

Dan Kehl, chief executive officer of the Lyon County development, said he thinks the resort will be good for the region.

"I think South Dakota, once we get it open and they see what we've built, they'll feel happy about us being in the area," Kehl said. "We'll be a nice asset for the whole Sioux Falls area."

In turning down the other three casino proposals, members of the Racing and Gaming Commission said it would be three to five years before they would consider granting more licenses.

More than 300 people jammed into a hotel meeting room for the commission's vote. Many left unhappy.


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We remember those who have passed away and are especially dear to us.

On Saturday, May 29th we will publish in print and online at Yankton.net a Memorial Day section devoted to those who are gone but not forgotten.

Aneta Burrows
Dec. 30, 1960-Nov. 8, 2002

Your courage and bravery still inspire us all, and the memory of your smile fills us with joy and laughter.

Dan, Ann & Sarab

Select one of the verses below to accompany your tribute.

1. We hold you in our thoughts and memories forever.
2. May God cradle you in his arms, now and forever.
3. Forever missed, never forgotten. May God hold you in the palm of His hand.
4. Thank you for the wonderful days we shared together. My prayers will be with you until we meet again.
5. The days we shared were sweet. I long to see you again in Gods heavenly glory.
6. Your courage and bravery still inspire us all, and the memory of your smile fills us with joy and laughter.
7. Though out of sight, you'll forever be in my heart and mind.
8. May the light of peace shine on your face for eternity.
9. May God's angels guide you and protect you throughout time.
10. You were a light in our life that burns forever in our hearts.
11. May God's graces shine over you for all time.
12. You are in our thoughts and prayers from morning to night and from year to year.
13. We send this message with a loving kiss for eternal rest and happiness.
14. May the Lord bless you with His graces and warm, loving heart.
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