

## Suspect In Slaying Of Homeless Man Arraigned

SIoux FALLS (AP) — A homeless man accused of bludgeoning a campmate to death with a shovel has been arraigned in Minnehaha County Court.

Forty-three-year-old Eugene Martin is charged with first-degree murder, first-degree manslaughter and aggravated assault in the May 3 death of Robert Thunderhawk.

The 43-year-old Thunderhawk's body was found in a wooded area in northeast Sioux Falls that residents say is popular among the homeless. Police say Martin and Thunderhawk got in a drunken disagreement that turned deadly.

KSFY-TV reports that Martin pleaded not guilty to the charges and is being held on \$500,000 bond.

A second suspect, 52-year-old Clint Cottonwood, has been charged with simple assault in the death.

Martin's pretrial conference is scheduled for July 11, to be followed by a July 23 jury trial.

## Fischer Declines Youth Group's Debate Invite

LINCOLN, Neb. (AP) — Republican Senate nominee Deb Fischer has turned down an invitation to what would have been the first debate with Democratic nominee Bob Kerrey.

Kerrey on Monday had accepted the invitation from Cornhusker Boys State and Girls State for a June 5 debate in Lincoln, but the *Lincoln Journal Star* reports that Fischer declined a few hours later. Her campaign says she had previous commitments on that date.

Boys State and Girls State teach youth about the duties and practical applications of government.

Fischer beat out state Attorney General Jon Bruning and Treasurer Don Stenberg to win the Republican nomination in the May 15 primary election, and Kerrey cruised to an easy win in the Democratic primary.

## Justice Rally Marches To R.C. Hospital

RAPID CITY (AP) — Representatives from the American Indian Movement and other grass-roots organizations are meeting with officials at Rapid City Regional Hospital.

Hundreds of people marched more than two miles on Monday from Memorial Plaza in Rapid City to a local hospital where some say a man was mutilated while undergoing heart surgery.

The march was led by American Indian Movement founder Dennis Banks and centers around Vern Traversie.

Traversie, who is blind, has based his allegation on a description of surgical scars that others have provided to him. Some claim that they see three Ks carved into his abdomen, though Rapid City police say they investigated the claims and didn't find enough evidence to pursue charges.

## Hot Weather Takes Toll On Neb. Soil Moisture

OMAHA, Neb. (AP) — Nebraska farmers are close to wrapping up planting the corn and soybean crops as hot, dry weather takes a toll on soil moisture.

The U.S. Department on Agriculture says in Monday's report that 98 percent of the corn has been planted. The average is 92 percent. Seventy-eight percent of the corn has emerged, well ahead of the 49 percent average.

Soybean planting is 83 percent complete. The average is 54 percent.

The USDA says above normal temperatures and winds are affecting soil moisture levels, which are well below last year and the normal. The report says 50 percent of the topsoil and subsoil levels are running either very short or short.

Some farmers have started irrigation systems to help crop germination and to activate chemicals.

## Columbus Man Gets Prison For Robbery

COLUMBUS, Neb. (AP) — A Columbus man has been sentenced to up to 22 years in prison for his role in a robbery spree that culminated with a high-speed chase through town.

The Columbus Telegram says Jose Arvizio-Licano was sentenced in Platte County District Court for robbery and aiding and abetting robbery.

He was one of four men charged in the Nov. 28 crime spree that began with robbing two teenagers at gunpoint in a bank parking lot. Two more robberies were committed, followed by a police chase that ended with the suspects abandoning their van and scattering on foot.

Co-defendant Aaron Duran was sentenced to up to 22 years in prison. A third man, Maurice Brooks, was sentenced to four to five years in prison, while Dustin Martin awaits sentencing.

## South Dakota

# 85 Octane Gas Sales Opposed

SIoux FALLS (AP) — The automobile and small engine manufacturing industries are among those opposing an effort to make the sale of 85 octane gasoline legal in South Dakota, saying it could harm consumers.

Fuel refiners dispute that and many South Dakota residents already have been using the fuel — some without knowing. Fuel suppliers say a chronic threat of fuel shortages has forced them to mislabel and sell 85 octane fuel as higher-grade gasoline, according to authorities, who haven't identified the suppliers because they are considering charges. Improperly labeling fuel is a misdemeanor punishable by up to 30 days in jail and a \$500 fine.

At least one oil company official admitted to mislabeling 85 octane fuel during an April 30 meeting involving industry and state officials at the governor's office, according to a copyrighted story by the *Argus Leader*.

Octane is a measure of fuel performance — a higher octane level indicates better performance.

Most modern vehicle engines require a minimum octane level of 87, though 85 octane has commonly been used as a fuel for higher altitudes in western South Dakota, where it performs better.

The state Department of Public Safety is writing rules to clarify the legal status of 85 octane fuel after government officials confirmed mislabeled fuel has been sold in several cities in eastern South Dakota.

Running lower-quality fuels reduces engine performance and can lead to damage, Auto Alliance spokesman Dan Gage said.

"That type of damage typically is not covered by warranty," he said. "If a consumer has that type of damage and it can be linked back to low-octane fuels, you can assume that these types of unnecessary repairs would have to be covered by the consumer. ... Most engines from our manufacturers are not designed to run on anything less than 87 octane. Consumers need to understand that."

Refiners dispute that lower-octane blends affect engine performance, even in newer cars.

"Never once have I had a customer, or a member of Congress, or a senator, or any type of government official approach me about a problem with 85 gasoline in this region," Clint Ensign, a lobbyist for Sinclair Oil, said during the April 30 meeting. "But conversely, I have had several discussions over the years about supply."

Gas station owners and fuel marketers say South Dakota's low position on the regional supply circuit contributes to a constant threat of fuel shortages.

Last November, South Dakota's congressional delegation sent a letter to Tom Taylor, Sinclair's regional manager in Denver, asking the company to ship more fuel to South Dakota from its refinery in Casper, Wyo. The letter was sent a week after Gov. Dennis Daugaard signed an executive order to help alleviate a fuel shortage by extending the number of hours that tanker-truck drivers could be on the road.

The severity of the fuel shortage threat is uncertain, however.

# S.D. Judge Reinstates Democrat On Ballot

BY CHET BROKAW  
Associated Press

PIERRE — A farmer from Madison can be placed on the November ballot as a Democratic candidate for the South Dakota Senate even though his nominating petition was technically flawed, a judge ruled Monday.

Secretary of State Jason Gant, the state's chief election officer, had rejected the nominating petition filed by Charles Johnson because it stated on one line that signers were from Lake County instead of from District 8, which includes three other counties.

But Circuit Judge Mark Barnett of Pierre said Johnson's nominating petition substantially complied with legal requirements because another

line clearly said Johnson is running for the state Senate in District 8.

"I find no one was misled," Barnett said.

Barnett ruled in the case at the end of a brief hearing, saying he needed to issue a decision quickly in case Gant decides to appeal to the South Dakota Supreme Court. Gant said a decision on a possible appeal would be made later.

Barnett tentatively scheduled another hearing for Friday to decide if a second Democrat, David Mitchell, a professor at Dakota Wesleyan in Mitchell, should be on the ballot as a state House candidate.

If Johnson and Mitchell are placed on the ballot, neither would face a primary contest, so final court decisions — including possible appeals — are not required until later

in the year when ballots are printed for the November election.

In Monday's hearing, the judge said Gant acted properly when he rejected Johnson's nominating petition because the state's top election officer must strictly apply the laws and rules. If Gant, a Republican, used discretion to decide which flawed petitions substantially comply with the law, he could be accused of favoring one political party over another, Barnett said.

However, South Dakota and prior court rulings have given the courts authority to decide whether nominating petitions substantially comply with laws and rules, Barnett said. The law is supposed to be interpreted liberally to let voters decide races, he said.

Barnett noted that the blank form

issued by the state Board of Elections is intended to be used by candidates for county, legislative district and state offices. It could be argued that Johnson was correct to list Lake County voters as signers of his nominating petition because that county is part of the legislative district, he said.

Johnson needed 42 valid signatures from registered voters, and he got 68 from Lake County, Gant testified. Johnson also got five signatures from another county.

Gant said Johnson was one of four candidates to make the same mistake on their nominating petitions. The other three had time to fix their mistakes, but Johnson filed too late to correct his form and get the required valid signatures, he said.

**NEW WEEKLY SPECIALS!**

**Monday FREE Pool 7pm**

**Tuesday FREE Darts 7pm**

**Thursday Rib Night 5pm-? Full Rack of Ribs with Fries \$11.99 + tax**

**PHINNEY'S**

pub & casino

Yankton Mall • 665-1902

**ANNIVERSARY WEEK**

**River City Harbor Casino**

(next to Phinney's)

**WIN UP TO \$1,000**

**On Our Large Selection of NEW Casino-Style Machines!**

**May 24th thru May 30th**

**Good on Video Lottery Play \$2.00 Only From 7AM-Noon \$2.00**

**Coupon**

1 coupon per person per day. No photocopies. Must present coupon.



**MAY 25, 26, 27**

**MEN IN BLACK**

DIGITAL UP AND RUNNING!

Fri. 7:30 PM • Sat. 7:30 PM • Sun. 4 PM

Students \$2.00 Adults \$5.00

**Idle Hour Theatre**

Tripp, SD

**Don't Miss Our All-You-Can-Eat Broasted Chicken & Pollock Buffet With Salad Bar**

**Every Wednesday 5 to 9pm**

**Joe's Substation**

Rural Lesterville • 605-364-7414

**Out On The Town**

**CJ's At The Lake**

SAVE ON YOUR WALLET - OPEN EVERY DAY!

Cjatlake.com for menu's, events & bands • 402-388-4267

Weigan Rd., NE side of the lake • 10 miles north of Crofton • 11 miles southwest of Yankton

**BREAKFAST BUFFET EVERY SUNDAY 8AM**

**SUNDAY NITE: 3 Piece Chicken & Salad Bar ONLY \$8.95**

**MONDAY: 14 Oz. Ribeye with Salad Bar \$12.95**

**TUESDAY: Taco 99¢**

**WEDNESDAY: 14 Oz. Ribeye with Salad Bar \$12.95**

**THURSDAY: Hamburgers \$1.25**

**FRIDAY: All You Can Eat Walleye & Grilled Shrimp ONLY \$13.95**

**SATURDAY: All You Can Eat BBQ Ribs ONLY \$13.95**

You're invited to a...

**Garden Party**

**Sunday, June 3 • 1-4pm**

**Cramer Kenyon Heritage Home**

509 Pine St., Yankton

Garden Tours & Walking Tours of Historic Homes in the Area

(brief tours of first floor of CK home only)

**2:00pm Historical Vignette – lives of original owners**

**3:00pm Academy of Dance Performance**

Light refreshments will be served. Please bring lawn chairs. Donations welcomed & appreciated.

**Trivia Question...**

**What is the distance from Yankton to The Argo Hotel & Steakhouse in Crofton, NE?**

**Answer...**

**14 Miles**

**Come & Enjoy Nebraska Hospitality & Wonderful Food!**

**The Argo**

Open Thurs.-Fri.-Sat. at 5:30

1-402-388-2400

www.theargohotel.com

email: argo@gcom.net CROFTON, NE

**NOW OPEN the marina grill**

**Enjoy Good Food and a Fabulous View of the Lake!**

**Lunch** • Burgers • Sandwiches • Salads • Deep Fried Appetizers

**Dinner** • Steaks & Chicken • Drink Specials • Daily Food Specials

Open at 11am Tuesday-Sunday Closed Monday

**689-0126** NO PARK PASS NEEDED

LEWIS & CLARK RECREATION AREA 605-668-2985 RESORT 605-661-2680 MARINA 605-661-3111

LEWIS & CLARK RECREATION AREA

**OHIYA CASINO & BINGO**

**SATURDAY, MAY 26TH**

**2012 Kawasaki 4-Wheeler**

Drawing to be held May 26th, 11PM

**\$500 in Total Cash Drawings**

\$50 Drawn Every 30 Minutes

7:30-Midnight

**OHIYA RESTAURANT**

**SATURDAY, MAY 26TH**

Breakfast Buffet \$7.50

Dinner Buffet \$10.50

Chicken & BBQ Ribs

**Ohiya CASINO**

Nebraska's First Casino

5 miles east of Niobrara, NE off Hwy. 12

402-857-3860

www.ohiyacasino.com

Owned and Operated by The Santee Sioux Nation

Mgmt. has the right to make changes at any given time.

**OHIYA BINGO**

**SATURDAY, MAY 26TH**

**Birthday Bingo**

Receive \$5.00 Off your Buy-In Purchase and One Free Bingo Dauber

**Happy Birthday from Ohiya Casino**

\$30 Pays \$150

Warm-Ups 6:00PM

Reg. Session 6:30PM

**VFW** Post 791

209 Cedar

**OPEN TO THE PUBLIC**

**Wednesday & Sunday**

5-7pm Cooks Choice

**Thursday**

Karaoke with Papa Ray 7-11pm

6-7pm – Domestic Beers \$1.50

5-7pm – Hamburger/ Pizza Burger & Fries \$5.00

**Friday**

Ribs

Serving 5:30-8:00

**Saturday**

No Dance

Regular Menu 5:30-8:00

**Bingo Wed. at 7:00pm Sunday at 6:30pm**

**Happy Hour M-F 4:30-7:30**

Chislic Served Last Wednesday of Each Month