

Acquitted Watertown Man Back In Court

WATERTOWN (AP) — A Watertown man acquitted of killing his girlfriend's toddler has been arraigned on new child abuse and drug charges. KXLG-FM reports 26-year-old Jay Barse pleaded not guilty Tuesday.

He's charged with four counts: child abuse involving a victim younger than 7, two counts possession of a controlled substance — methamphetamine and oxycodone — and keeping a place for use or sale of controlled substance.

Barse pleaded not guilty and a trial was scheduled for Jan. 16. A jury found him not guilty Nov. 4 of second-degree murder and the lesser offenses of first- and second-degree manslaughter for the March death of 14-month-old Serenity Seaboy. She was treated for head trauma but later died. Serenity was the daughter of Barse's ex-girlfriend, Sherry Scherer. They lived together at the time.

S.D. Gets \$225K Of Google's Payout

PIERRE (AP) — Google Inc. will pay the state of South Dakota nearly \$225,000 as part of a \$17 million payout to 37 states and the District of Columbia.

It's part of a settlement to make amends for the Internet search provider's snooping on millions of people using Safari Web browsers in 2011 and 2012.

The agreement stems from a technological loophole that enabled Google's DoubleClick advertising network to shadow unwitting Safari users, even though the browser's maker, Apple Inc., prohibited the tracking without obtaining a person's permission.

By following what Safari users were doing online, DoubleClick could gain more insights about what types of ads were most likely to appeal to different Safari users.

Neb. Teen To Be Tried As Adult In Attack

LINCOLN, Neb. (AP) — A 16-year-old girl accused of attacking a fellow student at Lincoln's Pius X High School will be tried as an adult.

The girl's attorney had requested the case be transferred to juvenile court, but a Lancaster County district judge denied the request on Monday. Prosecutors had argued against the request, saying the girl intended to kill as many people as she could.

Lincoln police say the girl attacked 17-year-old Ellen Kopetzky at the school on Oct. 7, using a knife and hammer. The girl was arrested the next day in Yates Center, Kan., and charged with first-degree assault and using a weapon to commit a felony. She has pleaded not guilty.

The Associated Press generally doesn't identify juveniles accused of crimes.

SDSU, USD Fans Donate 17 Tons Of Food

SIoux FALLS (AP) — South Dakota State and University of South Dakota fans donated more than 17 tons of food that will be distributed through food banks and pantries.

In the week leading up to Saturday's matchup between the two football teams, fans filled barrels of donated food at nine Hy-Vee grocery stores in Sioux Falls, Brookings and Vermillion.

The South Dakota Corn Utilization Council says Jackrabbit fans donated 18,747 pounds and Coyote supporters gave 16,613 pounds. The food will provide more than 29,000 meals.

Death Certificate Ordered For Missing Nebraska Student

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — A judge has ordered a death certificate be issued for Tyler "Ty" Thomas, a Peru State College student who disappeared nearly three years ago after encountering a fellow student now in prison for raping another teen.

Thomas was 19 when she disappeared after leaving a party on campus. Authorities believe Joshua Keadle was the last person to see Thomas alive. Keadle told authorities he and Thomas had sex in his vehicle on a Missouri River dock the night she disappeared. Keadle later told authorities that they argued and Thomas threatened to report that he had raped her.

Keadle is serving a 15-to-20-year prison sentence for the 2008 rape of a 15-year-old Fremont girl. He also was accused of sexually assaulting another Peru State College student in 2010, but prosecutors dropped the

charges after saying it would be difficult to secure a conviction. Keadle, who originally is from Swansville, S.C., repeatedly has declined requests for comment.

Thomas' mother, LaTanya Thomas, is suing state college officials and Keadle in federal and state court. The death certificate was necessary in order for the lawsuits to proceed, according to one of her attorneys, Vince Powers.

"The defendants moved to dismiss because there was not a death certificate," Powers said Tuesday.

Another of her attorneys, Tim Ashford, of Omaha, said the state suit focuses on Nebraska's wrongful death laws, and the federal suit alleges violation of federal Title IX, the law requiring gender equity in every educational program that receives federal funding.

Last Tuesday, Nemaha County District Judge Daniel Bryan Jr. ordered Julie Smith, as acting attorney for Nemaha County, to issue a death certificate for Thomas.

The judge noted in his order that before her disappearance, she had regular contact with the family and friends and that she has not used her bank accounts, social media or her cellphone since her disappearance.

According to the order, Smith has until Nov. 26 to file the certificate. Smith said she planned to file it soon with the Nebraska Department of Vital Records.

"If they accept it, then it's official," she said. "Of course, they can reject it if they don't like the way I filled it out or something."

LaTanya Thomas' lawsuits seek unspecified damages for the family's pain and suffering, as well as more than \$1,600 in student loans Tyler Thomas had incurred that her parents have to repay.

Peru State College, the state of Nebraska and local officials have been dismissed as defendants in the lawsuits. That leaves Keadle and the Nebraska State Colleges Board of Trustees.

Neb. Inmates' Lawsuit Cites Overcrowding

LINCOLN, Neb. (AP) — Two inmates have sued the state's corrections director and other officials, saying prison overcrowding has caused them emotional distress.

Dukhan Mumin and Khalid Muhammad say in the lawsuit that Department of Correctional Services Director Michael Kenney and other officials have failed in their duty by allowing such conditions to exist and not moving to alleviate them, the *Lincoln Journal Star* said.

The two men want \$80 million each for punitive damages and what they say is intentional infliction of emotional distress.

Department spokes-

woman Dawn-Renee Smith declined to comment on the lawsuit, which was filed last week in Lancaster County District Court.

The men's lawsuit says that because of overcrowding at the Tecumseh prison, they get a fifth of the 50 square feet of living space listed in guidelines by the American Correctional Association. As of Oct. 31, the Tecumseh prison held 970 inmates, 101 percent of capacity.

The prison's ventilation system is unable to prevent mold and keep out other contaminants, the lawsuit says. And it says it often takes several minutes for staff members to respond to

medical emergencies. "If a prisoner is having a heart attack or is being attacked by his cellmate, the response time would cost him his life," the lawsuit says.

Prison population issues have been raised for years in Nebraska. The state's nine prisons have room for 3,175 inmates and hold nearly 4,800, or about 151 percent of capacity.

Reaching 140 percent of capacity triggers a report to the governor, who can declare an emergency. Gov. Dave Heineman, who is among those named in the lawsuit, has not done so.

Lawmakers have been looking at prison reforms to propose during next year's

legislative session. The changes include ways to reduce overcrowding and expand treatment services. State officials have focused on the prisons after several deadly incidents involving inmates who were released.

The men's lawsuit mentions one of the former inmates: Nikko Jenkins, who's accused of killing four people in Omaha in August, within days of his prison release.

Mumin, 58, was sentenced in August to 10 to 20 years on a Lancaster County cocaine conviction. Muhammad, 46, has been in prison since 2007, serving a sentence of 10 to 40 years for a Sarpy County theft.

OBITUARIES

Homer Dolney

Homer Dolney, age 77, of Yankton, SD and formerly of Webster, SD passed away early Friday, November 15, 2013 at the Wakonda Heritage Manor Care Center, Wakonda, SD.



Memorial services will be at 2 p.m. Thursday, November 21, 2013 at the Opsahl-Kostel Memorial Chapel, Yankton with Rev. Paul Opsahl officiating. Burial of the cremated remains will be in the Yankton Cemetery.

Homer was born in Webster, SD on November 8, 1936 to Max and Annie (Hynoski) Dolney. He attended St. Leo's Catholic School to the 8th grade. He worked for many farmers in the area, worked for a feed mill, and drilled wells before moving to Yankton, SD in 1971. He worked at Human Services Center, was self-employed running a tree trimming business, and worked at Avera Sacred Heart Hospital in the laundry department. Homer married Sandra Bentley in 1981. After leaving the hospital, he was again self-employed and divorced in 2003. He moved to Cedar village in 2006, where he resided until his death.

In his spare time, he worked on many tractors and small engines for friends and neighbors. He collected John Deere tractors and also enjoyed restoring farm toys, tractors, wagons, and other farming implements. He loved horses and woodworking.

He will be remembered by his family and his friends and staff at Cedar Village in Yankton.

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Margarite Anderson

Margarite Anderson, daughter of Armen and Anna (Stepanek) Mohne, was born Nov. 9, 1920, in Yankton and died Nov. 17, 2013, in San Francisco, CA at the age of 93.

She was baptized and confirmed at Trinity Lutheran Church and attended school in Yankton. She graduated from Sacred Heart School of Nursing in 1942. After graduation, she joined the Army nurse corps and was stationed in England. After her discharge she furthered her education in Cleveland, after which she moved to California where she worked at a VA hospital for over 40 years.

She married Charles Anderson and to this union had one daughter, Julie.

Margarite is survived by her daughter Julie and husband Stanley Chan and son Armin, and one sister, Erma Block, and nieces and nephews.

She was preceded in death by her parents, husband Chuck, and brothers Ray and Elmer Mohne.

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Marilyn Bennett

Marilyn Ann Bennett, 81, of Elk Point, South Dakota died at the Vermillion Care Center of Vermillion on Nov. 17, 2013.

A funeral service is at 10 a.m. on Thursday, Nov. 21, at St. Paul Lutheran Church, rural Elk Point, with the Rev. David Bentz officiating. Burial will take place immediately following the service at St. Paul Lutheran Cemetery of rural Elk Point.

Visitation is 5-7 p.m., with a prayer service to begin at 7 p.m. tonight (Wednesday) at the Kober Funeral Home, Elk Point.

Kober Funeral Home, Elk Point is in charge of arrangements.

Patricia J. Deuel

Funeral services for Patricia J. Deuel, 67, of Yankton, South Dakota, formerly of Norfolk will be 11:00 a.m., Friday, November 21, 2013 at Home for Funerals, Norfolk, Nebraska. Burial will be in Prospect Hill Cemetery.

Visitation will be Thursday from 4-7 p.m. at Home for Funerals, Norfolk, Nebraska.

Mrs. Deuel died Monday, November 18, 2013 at her home in Yankton.

Patricia was born August 30, 1946 in Tilden the oldest of 6 children to Milan E. and Ramona (Stark) Patrick.

She spent her childhood in Norfolk where she received her schooling. Patricia married Deon R. Deuel on January 29, 1962. They spent many happy years in Norfolk and eventually moved to Yankton to enjoy their retirement. Pat spent many years working as caregiver for the elderly. She worked for Community Pride Care Center in Battle Creek, Pierce Manor, and as an in-home provider for various families. Her life was rich in love. Pat dedicated herself to being a mother, grandmother, great grandmother and friend. She enjoyed fishing, going to the casino, and family gatherings, she had a special love for her dogs as well.

Pat was blessed to be survived by her husband Deon, 5 daughters; Sheri (Tim) Ryan of Norfolk, Lisa (Chris) Rath of Randolph, Nikki Slater of Spencer, IA, Dione Deuel of Sioux Falls, SD, and Michaela Gasca of Sioux Falls, SD, her grandchildren; Amanda (Mike) Haberman of Randolph, Lindsey (Adam) Ellenberger of Norfolk, Landon Ryan & (Stephanie) Hansen of Norfolk, Courtney Unrau & (Tim) Potter of Arnolds Park, IA, Madison Unrau of Hartley, IA, Danielle Slater of Spirit Lake, IA, Isabella Gasca of Sioux Falls, and great grandchildren: Cutter Haberman and Ariat Haberman, one brother, Jim (Jeanne) Patrick, two sisters, Sue Weyhrich, and



Kathy (Gary) Rabbass. She was preceded in death by her parents, and two brothers Doug Patrick and Bob Patrick.

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Phyllis Goldfuss

Mass of Christian Burial for Phyllis Goldfuss, 65, of Verdigré, Neb., will be 10:30 a.m. Friday, Nov. 22, 2013, at St. Wenceslaus Catholic Church, Verdigré. The Rev. Kizito Okhuoya will be Celebrant, with burial in the St. Wenceslaus Catholic Cemetery.

Visitation is 4-7 p.m. Thursday at the church, with a 7 p.m. wake service.

Brockhaus Funeral Home, Verdigré, is in charge of arrangements.

Phyllis died Friday, Nov. 15, 2013, at University of Nebraska Medical Center in Omaha, Neb.

Lucille Sorensen

Lucille L. Sorensen, 96, of Yankton died early Tuesday, Nov. 19, 2013, at the Tyndall Good Samaritan Society, Tyndall.

Funeral services are at 11 a.m. Saturday, Nov. 23, at the Opsahl-Kostel Funeral Chapel, Yankton with the Rev. William Meirose officiating. Burial will be at approximately 1:15 p.m. Saturday, Nov. 23, at the Turkey Valley Lutheran Cemetery, rural Irene.

Visitations will be one hour prior to the service at the chapel.

Ella Fuks

Ella Viola Fuks, 92, of Yankton died Tuesday, Nov. 19, 2013, at the Avera Yankton Care Center, Yankton.

Funeral services are at 11 a.m. Saturday, Nov. 23, at Trinity Lutheran Church, Yankton, with the Rev. Dave Lund officiating. Burial will be in the Garden of Memories, Yankton.

Visitations will begin at 5 p.m. Friday, Nov. 22, at the Opsahl-Kostel Funeral Home and Crematory, Yankton with a 7 p.m. prayer service. Visitations will resume one hour prior to the service at the church.

Helen Barger

Funeral services for Helen C. Barger, age 98 of Bloomfield, Nebraska, will be 10:00 a.m. Friday, November 22, 2013, at First Trinity Lutheran Church in Bloomfield. Pastor Jacob Bobby will officiate, with burial in the Bloomfield City Cemetery.

Visitation will be Thursday, from 7:00 to 8:00 p.m., at Brockhaus Funeral Home in Bloomfield.

Helen died Monday, November 18, 2013, at the Bloomfield Good Samaritan Center.

Helen Clara (Anderson) Barger, daughter of William and Margret (Scherer) Anderson, was born January 7, 1915, at the family farm in Yankton County, South Dakota. Helen attended Elm Grove Grade School, and Tabor and Yankton High Schools. On February 26, 1935, she was married to Howard W. Barger at the Lutheran Parish in Yankton. To this union, four children were born to them.

Helen and Howard made their home in rural Bloomfield, Nebraska after marriage until moving to Mission, Texas in the fall of 1977. After Howard's death, Helen remained in Mission until February of 2013, when she moved to the Good Samaritan Home in Bloomfield.

Helen was a member of First Trinity Lutheran Church in Bloomfield, and after 1977, became a member of St. Paul Lutheran Church in McAllen, Texas until her return to First Trinity in 2013. During her lifetime, she was active in the Ladies Aid and the Altar Guild. Helen also was involved in 4-H clubs as a youth, and later as a leader when her children were in 4-H. She liked to play

cards and belonged to many groups of players throughout her life. Helen and Howard had also travelled quite extensively in North America, Mexico, and Europe.

Helen is survived by her children, Audrey Lowin and husband Kenneth of Cedar Falls, Iowa, Melvin Barger and wife Sandra (Hansen) of Bloomfield, Nebraska, and Margret Ann Barger of Mission, Texas; daughter-in-law, Mary (the former Mrs. Marlyn Barger) Huber of Utica, South Dakota; grandchildren, Mark Lowin (son William) of Independence, Missouri, Jeff Barger and wife Beth (children, Brandon and Lacey) of Bloomfield, Anne Thompson and husband Randy of Blair, Nebraska (their children, Brett Jessen and wife Barbara, Nathan Jessen, and Jesse Jessen), Carsten Barger and wife Darci of Bloomfield (their children, Cassandra Barger, Gabrielle, Addison, and Hudson, and three great-great grandchildren, Anthony, Aleah, and Ayrion Barger), Tara Barger of Evans, Colorado, Todd Barger and wife Colleen of Aurora, Nebraska (children, Brian, Brenden, and Bryce), and Troy Barger and wife Sheila of Kearney, Nebraska (children, Mattie and Zoey); sisters-in-law, Josephine (husband Norman) Barger of Yankton, South Dakota, Mary Ann (husband Alvin) Vanecek of Tabor, South Dakota, and Patty Barger Schroeder of Missouri Valley, Iowa.

She was preceded in death by her parents; her husband; her son, Marlyn Barger; three sisters; three brothers; four sisters-in-law; and seven brothers-in-law.

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