

Prosecutors Won't Seek Death Penalty

ABERDEEN (AP) — Prosecutors will not seek the death penalty against Aberdeen murder suspect John Hemminger should he be convicted.

The 33-year-old Hemminger is accused in the death of 26-year-old Jessica Goebel, who died five days after being stabbed in January. He's pleaded not guilty to alternate counts of murder, including premeditated murder.

Both counts carry a minimum punishment of life in prison and the possibility of a death sentence.

The American News reports that prosecutor Chris White said during a Friday court hearing that Goebel's family does not favor the death penalty.

Nearly 400 Pounds Of Pot Found In RV

OMAHA, Neb. (AP) — Authorities say two men from California have been arrested after nearly 400 pounds of marijuana was found in a recreational vehicle in Omaha.

The Douglas County Sheriff's Office says the men, from Fontana, California, were taken into custody early Friday after a traffic stop in the city's south side.

Authorities say a deputy's dog indicated the odor of drugs in the RV. Twelve large boxes containing nearly 400 pounds of packaged marijuana was later discovered in various areas of the vehicle.

The *Omaha World-Herald* reports a third man in the vehicle fled during the traffic stop. Authorities have been unable to find him.

Woman Gets Prison In Fatal Drug Ring

SIoux FALLS (AP) — The girlfriend of a Sioux Falls man killed during a botched robbery in December 2013 has been sentenced to eight years in state prison for drug crimes.

Faith Rasmussen's latest sentence will begin after her six years-and-eight-months federal prison sentence for her role in a drug ring.

Rasmussen had initially faced state burglary and robbery charges in connection with the break-in that ended in the shooting death of 20-year-old Jordan LeBeau. She reached a plea deal with prosecutors and pleaded guilty to possessing a controlled substance, maintaining a place where drugs are used and concealing knowledge of a felony.

Rasmussen is the last of six people to be sentenced in the case.

Man Accidentally Shoots Self With Gun

LINCOLN, Neb. (AP) — Authorities say a Lincoln man is recovering from injuries sustained when he accidentally shot himself with a gun he found.

Police say the 22-year-old man was walking in an alley Thursday night in northwest Lincoln when he found a bag with a handgun inside.

Officer Katie Flood says the man told authorities he brought the gun home and examined it. It went off and hit him in his left hand and left thigh.

The *Lincoln Journal Star* reports the man was taken to a hospital with injuries that are not life-threatening.

Police are investigating where the gun came from.

Man Who Allegedly Raped Girl Caught

SIoux FALLS (AP) — Sioux Falls police say a 41-year-old man accused of raping a 14-year-old girl and firing a gun as she fled has been apprehended in Pipestone, Minnesota.

Authorities say the assault allegedly happened Thursday in a gray 1999 Chevy Express cargo van.

Police spokesman Sam Clemens says the girl reported that the man threatened her with a gun as they traveled in the van after she was raped. She jumped from the moving vehicle to get away and heard a gunshot. Clemens says a bullet hole was found in a nearby house.

Police identified the suspect as Frederick James McAbee. They say warrants have been issued on several charges including attempted first-degree murder, kidnapping and rape. Bond was set at \$2 million.

Attorney information for McAbee was not immediately available.

Nebraska Crash Victim's Name Released

LINCOLN, Neb. (AP) — Officials have released the name of an 18-year-old high school student who was killed in a collision near Bennet in southeast Nebraska.

The accident occurred around 6:20 p.m. Thursday along Nebraska Highway 2 in Lancaster County. The Sheriff's Office says a westbound sport utility vehicle ran into the back of a loaded grain truck and erupted into flames.

The SUV driver was pronounced dead at the scene. The Sheriff's Office identified her as Dakota Tyson, a senior at Syracuse High School. The driver of the grain truck, Randy Kempkes, of rural Bennet, was taken to a Lincoln hospital for treatment of non-life-threatening injuries.

The accident is being investigated.

Broin Returns To Role As Executive Poet

SIoux FALLS (AP) — Ethanol producer Poet has announced that founder Jeff Broin is returning to the role of chief executive officer.

Broin stepped back into an executive chairman role three and a half years ago to focus on broader industry and agriculture issues and spend more time with family.

Jeff Lautt has served as Poet's CEO since the change. He'll continue to manage day-to-day operations as president and chief operating officer.

Broin says Poet will continue to benefit from Lautt's direction. Lautt says that Broin has built a world leader and it's no surprise that he would want to continue that work.

Broin's family purchased Poet's first South Dakota plant in 1987. The Sioux Falls-based company has grown to 27 plants that produce more than 1.7 billion gallons of ethanol.

NE Teacher Facing Child Porn Charges

LOUP CITY, Neb. (AP) — Fifteen counts have been filed against a Loup City teacher accused of video recording girls in a locker room.

Court records say the charges against 24-year-old Anthony Rahe include unlawful intrusion, possession of child pornography and manufacturing a visual depiction of sexually explicit conduct. Rahe was arrested on Oct. 9 and has since bonded out of jail. Rahe's next court appearance is scheduled for Dec. 3.

He doesn't have a publicly listed phone. His attorney didn't immediately return a message Friday from *The Associated Press*, seeking comment on Rahe's behalf.

District officials have said a student reported seeing the camera on Oct. 8 and that investigators subsequently focused their suspicions on a school staffer. Officials say Rahe has been suspended and has been barred from the junior/senior high school campus.

SD Tribal Elder And Chief Dies At Age 99

PIERRE (AP) — Funeral services are scheduled next week for Crow Creek Sioux tribal elder and chief Vernon Ashley.

Isburg Funeral Chapel says Ashley died Tuesday in his Pierre home, at the age of 99. His funeral is 10 a.m. next Tuesday at Trinity Episcopal Church in Pierre.

Ashley served as Crow Creek tribal chairman in the mid-1900s and is credited with helping author the tribe's constitution and bylaws.

He served in the Army Air Corps during World War II, and also worked for three South Dakota governors during his lifetime.

The tribe honored him last July by naming him chief.

At Smaller Schools, Reluctance To Pay Full Cost For Athletes

BY DIRK LAMMERS
Associated Press

SIoux FALLS — When North Dakota State announced in August it would boost its athletic scholarships to cover expenses beyond traditional tuition, board and books, it sent shivers through the so-called second tier of college sports. Stipends were supposed to be the domain of the biggest schools as they chased top recruits and national championships.

Though two neighboring schools quickly followed the Bison's lead, the rest of the Football Championship Subdivision world has not — at least so far. Coaches and athletic directors cite the high cost and worry about the precedent, and some say they simply don't feel they have to do it to get top talent.

"There was not a conscious decision on our part to say let's slow this wave," said Montana athletic director Kent Haslam, whose Grizzlies upset then-top-ranked North Dakota State in the season opener. "It was based on fiscal stability and being able to make this sustainable, and not just jumping because everyone else is jumping."

A week after Montana and Montana State said they wouldn't offer stipends, the presidents of nine FCS schools — Vermont, Delaware, New Hampshire, James Madison, VMI, William and Mary, Elon, Hofstra and Wofford — signed a letter opposing them.

Athletes have financial need, but so do their fellow students, the presidents wrote. They also said the cost could require eliminating other sports.

Haslam estimated Montana would need \$600,000 to pay all athletes' costs, and the money wasn't there. He acknowledged stipends could help in recruiting but said many other factors go into an athlete's choice of a school.

"Recruiting is not a level playing field anyway," Haslam said. "Cost of attendance just becomes one more tool to use."

The plan to pay full college costs for athletes started with the top conferences at the larger Bowl Subdivision (FBS) level. Athletic scholarships have historically covered tuition, fees, room, board and books, but the stipends go farther in

giving money that can be used to cover things such as laundry, extra food, travel home and more.

The issue may have been driven by football, but the effect and implications aren't limited to that sport. UAB men's basketball coach Jerod Haase is using part of his new seven-figure contract to fund stipends for both the men's and women's teams.

North Dakota State is the four-time defending champion at the second-tier FCS level, so its aggressiveness in launching stipends isn't surprising. But the school is offering them across all sports, a potential recruiting boon throughout its athletic department.

In contrast to the rest of the FCS world, the Bison's closest competitors moved immediately to match their program. In-state rival North Dakota had already offered stipends in men's and women's hockey, and announced it would expand to all sports. South Dakota jumped on board, with President Jim Abbott promising that donors would cover the added \$300,000 to \$400,000 annual expense because they "want us to compete in everything."

For schools weighing whether to jump into stipends, the decision likely is strongly influenced by the strength of their donor base.

North Dakota State boosters raised nearly \$4 million for athletics in 2014; North Dakota's nearly \$3 million. South Dakota, home to the state's medical and law schools, brought in nearly \$4 million. All three schools are relying on donations to make the move.

South Dakota State sees itself as North Dakota State's peer in football but has so far held off on offering stipends. It's a largely agricultural school whose annual scholarship donations in 2014 fell well behind its Dakotas colleagues at a little more than \$1 million. Much of the school's recent efforts are already earmarked for a new football stadium to open in 2016, too.

Montana and Montana State have also said no to stipends so far. They each take in between \$1 million and \$1.5 million in annual athletic donations.

No other Missouri Valley Football

members have declared their intention to offer the stipends, said Patty Viverito, the league commissioner.

"I think everybody's taking a wait-and-see attitude," she said.

The first FCS school to move to stipends was Liberty, though its move attracted less attention than North Dakota State's because Liberty had made clear its goal of eventually jumping up to the FBS. Monmouth, which competes against Liberty in football, has no interest in following Liberty or any FBS school down the stipend path, athletic director Marilyn McNeil said. It's an institutional decision, McNeil said, but she feels stipends aren't necessary for athletes who get opportunities far beyond those afforded typical students.

"I think the student athletes are getting an extremely good deal," she said. "I think that if there are unmet needs, the student-athlete should consider taking out a loan like every other student in America. I think that many of their needs are being taken care of."

Abbott, the South Dakota president, disagreed, saying most athletes just don't have time for part-time jobs.

"You can't exist on zero dollars," he said. "How do you do laundry? How do you do anything?"

Big Sky Conference Commissioner Doug Fullerton said covering an athlete's true cost of attendance is a good idea — but they are costly.

Fullerton said that under Title IX, a school that offers stipends to a men's program would have to do the same for the women's program. But he envisions some schools offering stipends to some recruits within a sport but not others.

McNeil said if smaller schools are forced into offering stipends to compete for recruits, they're going to have to find that money somewhere. Some worry that less popular sports such as men's track and field could be targeted, and that would be bad for college athletics, she said.

"Who knows where this is going to end?" she said. "Are we going to get into huge recruiting wars as to who's worth what? It's bad enough as it is."

NE Orders Evidentiary Hearing On Inmate's Motion

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — The Nebraska Supreme Court on Friday reversed a lower court's ruling and ordered an evidentiary hearing for a man seeking to overturn his first-degree murder conviction and life sentence.

The high court said that a Douglas County District judge was wrong to dismiss Joshua Nolan's motion for post-conviction relief without holding a hearing on some of his arguments.

Nolan was sentenced in 2010 after being found guilty of first-degree murder. Prosecutors said Nolan helped Trevelle Taylor shoot 20-year-old Justin Gaines, who was found in a bullet-riddled car on Sept. 19, 2009.

Nolan's conviction and sentence were upheld in 2012 by the high court on his direct appeal. He then filed a motion last year for post-conviction relief, which is typically sought after all other appeals have been exhausted. Inmates often claim in such motions that their lawyer did such a poor job of defending them or that their constitutional rights were violated and should render their convictions void.

Nolan argued, among

other things, that his trial lawyer was ineffective for failing to call an identification expert and a fingerprint expert to rebut prosecutors' case. He also said his trial lawyer was at fault for failing to call a witness to testify on his behalf, and that his appeal lawyer was deficient for not presenting that argument on direct appeal.

District Judge Marlon Polk should have held an evidentiary hearing on those claims, the state's high court said Friday.

A spokeswoman with the Nebraska Attorney General's Office said Friday that state prosecutors agreed that an

evidentiary hearing was warranted on the claims Nolan made in his a post-conviction motion.


"We believe that each of those claims will be rejected after the evidentiary hearing is held," spokeswoman Suzanne Gage said.


An attorney for Nolan, Michael Wilson of Omaha, could not say Friday how long it might take to get the hearing, but added that, "Mr. Nolan is looking forward to his chance to prove why a new trial would be appropriate in this case."

Yankton Public Schools

Experience Preschool at Webster School


Thursday, November 19 • 4:00-6:00PM





Join Us For EXPERIENCE PRESCHOOL

The Yankton School District will offer Experience Preschool on Thursday, November 19 from 4:00-6:00 PM. This will allow you and your child an opportunity to get a glimpse of the fabulous program we have in




the public school system for toddlers aged 3 and 4. You and your child can visit the preschool classroom, interact with the teachers and receive a complimentary board book. Please call 665-2484 to make a reservation for your family. Registration will open for the 2016-17 school year on Tuesday, December 1 at 8:00 AM in the lobby at Webster School.

IMPORTANT DATES

Experience Preschool
Thursday, November 19 • 4-6:00PM
Webster Preschool Rooms

2016-2017 Preschool Registration
Tuesday, December 1 • 8:00AM
Webster School Lobby



Make reservations by calling Webster Elementary School 665-2484