

Eagle Flight Makes Emergency Landing

SIoux FALLS (AP) — An American Eagle flight bound for Chicago was forced to make an emergency landing at Sioux Falls Regional Airport within 20 minutes of taking off from the facility.

American Eagle is a regional branch of American Airlines. An American Airlines official says the plane took off shortly after 12:30 p.m. Sunday and was back on the ground by 12:50 p.m. after the pilot reported an engine issue and decided to head back to the airport. No injuries were reported.

The plane was carrying more than 50 passengers. The Federal Aviation Administration is investigating the incident.

Group Wants Probe Of Mosque Vandalism

OMAHA, Neb. (AP) — A Muslim civil rights group wants the FBI and local police to investigate as a possible hate crime vandalism that may be related to the Paris terror attacks.

The Council on American-Islamic Relations said in a news release Monday that it's the third recent incidence of vandalism at the Omaha Islamic Center. Center officials say someone has spray-painted a rough outline of the Eiffel Tower inside a circle on an outside wall of the mosque.

Omaha police and FBI representatives didn't immediately return messages from The Associated Press.

On Oct. 29 a security camera recorded an image of a masked man unsuccessfully trying to break the glass in an outside door at the center, and on Aug. 23 a vandal heaved a 40-pound boulder through the glass.

No Deliveries For Fremont Dinner 2015

FREMONT, Neb. (AP) — Organizers say there won't be any meals delivered this year for people who can't make it to Midland University to share in the annual Community Thanksgiving Dinner in Fremont.

The *Fremont Tribune* reports that around 900 meals were delivered last year and 2,500 meals were served at the university. The cost of turkey and the delays in serving people at the school were cited as reasons for deliveries being eliminated this year.

Organizers hope to resume the deliveries next year.

SD's New Poet Laureate Speaks In Pierre

PIERRE (AP) — South Dakota's new poet laureate, Lee Ann Roripaugh (ROAR-i-paw), will speak at the Cultural Heritage Center in Pierre on Monday night.

Roripaugh, a University of South Dakota English professor, was appointed South Dakota's sixth poet laureate in July. She is director of the university's creative writing program and editor-in-chief of South Dakota Review.

The talk begins at 7 p.m. It's sponsored by the South Dakota Historical Society Foundation and a grant from the South Dakota Humanities Council.

Foundation President Michael Lewis says it's an excellent opportunity for residents to be introduced to the new state poet laureate and learn about her work. The program will also be available statewide via the Digital Dakota Network.

Iowa District's Superintendent To Leave

FARRAGUT, Iowa (AP) — The Farragut Community School District will have to find a new superintendent if it manages to survive this week's State Board of Education meeting.

The board is expected to act Wednesday on a proposal to dissolve the western Iowa district. A report given to the state board in October indicated that enrollment is down 28 students from last year's 167 students. The district also has been exceeded its spending authority.

Superintendent Tom Hinrichs has told the state and local boards that he's leaving at the end of the school year. *The Daily Nonpareil* reports that Hinrichs says his decision to leave is being made for personal and family reasons, citing his 75-mile commute from west Omaha in Nebraska.

Colorado Man Killed After SUV Hit Deer

COZAD, Neb. (AP) — Authorities have released the name of a 27-year-old Colorado man who died in a crash after his sport utility vehicle hit a deer on Interstate 80 in south-central Nebraska.

The *Lincoln Journal Star* reports that he's been identified as 27-year-old Joshua Harris, of Denver.

The accident occurred just before 7:30 a.m. Friday, about a mile west of Cozad. The Nebraska State Patrol says that after the SUV hit the deer, Harris overcorrected, sending the SUV into a guardrail and through a fence before it came to rest in a roadside ditch.

Harris, who was alone in the SUV, was ejected by the crash. He was pronounced dead at the scene.

NE Man Given Time For Domestic Assault

MADISON, Neb. (AP) — A 20-year-old Madison man who authorities say assaulted his pregnant girlfriend has been given 12 to 18 months in prison.

The *Norfolk Daily News* reports that Eric Benavides pleaded guilty to a domestic assault charge on Aug. 31 related to a June attack. Additional charges of false imprisonment and criminal mischief were dropped in a plea deal.

The judge asked Benavides why he assaulted the woman. Benavides told the judge he was intoxicated when it happened and couldn't recall events of that night until she contacted him in jail. Court records indicate Benavides called police after the assault occurred and then fled the scene.

Benavides' attorney says the woman and baby weren't injured.

Attorneys Spar Over Lawsuit To Keep Death Penalty Off Ballot

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A group that wants to retain Nebraska's death penalty asked a judge Monday to dismiss a lawsuit that could prevent the issue from appearing on the November 2016 ballot, but capital punishment opponents argued the lawsuit should proceed because the measure didn't list Gov. Pete Ricketts as a sponsor.

The lawsuit in Lancaster County District Court says Ricketts should have been named because of his donations to the Nebraskans for the Death Penalty campaign and his close ties to its managers.

Ricketts has denied the allegations, saying his financial support for the petition drive didn't make him a sponsor. Nebraskans for the Death Penalty leaders have said the lawsuit was politically motivated and expressed confidence it complied with state law.

An attorney for Nebraskans for the Death Penalty said the lawsuit would violate the state constitution by making it more difficult for citizens to conduct petition drives because they would face uncertainty about who qualifies as a sponsor.

"It would no doubt chill activity and discourage citizens from participation in the petition process," said attorney Steve Grasz.

ACLU of Nebraska attorney Alan Peterson, who is representing the plaintiffs, said the law makes clear that petition organizers must list every sponsor.

"Our claim is they didn't do it," Peterson said. "They left off a person, Gov. Pete Ricketts, who would qualify as a sponsor."

Death penalty opponents said petition signers should have been told the "true and actual sponsors" of the petition drive because it could have influenced their decision to sign. Listing the sponsors can also prevent fraud, Peterson said.

Lancaster County District Court Judge Lori Maret said she would rule on the motion at a later date.

Lawmakers voted in May to abolish capital punishment, narrowly overriding the Republican governor's veto and prompting Nebraskans for the Death Penalty to circulate the petition. The group gathered enough signatures to place the issue on the November 2016 general election ballot and suspend the repeal before voters decide its fate.

Nebraskans for the Death Penalty raised more than \$913,000 from 58 individual donors and 10 groups classified as businesses, political action committees and other entities, according to state disclosure records.

Ricketts gave \$200,000 while his father, TD Ameritrade founder Joe Rick-

etts, donated \$100,000. Another \$300,000 came from the Judicial Crisis Network, a Washington-based conservative group focused on the judiciary. The group also received \$100,000 from Robert Mercer, a New York hedge fund magnate who has given millions to conservative Super PACs and is a major financial supporter of Republican presidential hopeful Ted Cruz.

In addition to financial support, the lawsuit argues that several of the ballot campaign's leaders have ties to Ricketts. Jessica Flanagan, who managed the petition drive, is a political consultant who is on the governor's private payroll. The petition drive's spokesman, Chris Peterson, worked on the governor's campaign and inauguration team.

Nebraska hasn't executed an inmate since 1997, and the state currently lacks two of the three drugs in its protocol. The Department of Correctional Services spent more than \$54,000 to buy the drugs from Chris Harris, a supplier in India, but the U.S. Food and Drug Administration has said they can't be imported.

Nebraska prison officials also tried but failed last month to buy one of the required drugs, pancuronium bromide, from a Mississippi-based pharmaceutical company, according to documents obtained by The Associated Press. The order was cancelled a day later, after the company said the product wasn't available.

SD Seeing Backlog Of Suspect Mental Health Exams

SIoux FALLS (AP) — A backlog of mental competency evaluations of criminal suspects in South Dakota is taxing county budgets and raising concerns about the rights of defendants.

The backlog is due to a growing number of cases involving mental health issues. There were 147 requests in state court for mental competency exams in fiscal 2015, and the state's mental hospital conducts only 36 each year, the *Argus Leader* newspaper reported.

Minnehaha County spent more than \$100,000 last year on evaluations by private

psychiatrists, who charge up to 10 times more than the state. It also is costing the county more to house prisoners who wait for months to get an exam. In one example, a defendant who waited about seven months cost taxpayers about \$17,000, not including medical care.

"It's a heavy burden," County Commissioner Jeff Barth said.

The backlog has increased the amount of time many defendants are spending behind bars.

"What we are talking about is people sitting in the jail because they are

mentally ill," said Pennington County public defender Alecia Fuller.

That raises concerns about the due process rights of defendants.

A coalition of groups led by the American Civil Liberties Union sued the state of Washington last year for jailing defendants weeks or months before trial because of delays in scheduling competency evaluations. A federal judge in Seattle ruled that defendants' due process rights were violated and ordered the state to begin completing exams within seven days of a request.

No such legal challenge has surfaced in South Dakota, but ACLU South Dakota Interim Legal Director Courtney Bowie is encouraging state and local officials, lawyers and advocates to develop a funding formula to correct the issue.

"You can't hold someone indefinitely because you're saying we don't have the funds to do this on a local level," she said. "That's a deprivation of that individual's constitutional rights, and I would think that would subject the county to potential suit."

Berkshire Hathaway Reduces Goldman Sachs, Wal-Mart Stakes

BY JOSH FUNK
AP Business Writer

OMAHA, Neb. — Investor Warren Buffett's company sold some of its Goldman Sachs and Wal-Mart shares during the third quarter, and made several smaller changes to its stock portfolio.

Berkshire Hathaway Inc. filed a report on its U.S. stocks Monday with the Securities and Exchange Commission.

Buffett told CNBC on Monday that the main reason he reduced Berkshire's stakes in Wal-Mart Stores Inc. and Goldman Sachs Group Inc. was to generate cash for his \$32 billion acquisition of Precision Castparts Corp. that's expected to close next year.

Buffett did not immediately respond to questions from

the AP Monday about the moves made by his Omaha, Nebraska-based conglomerate.

Berkshire sold 13 percent of its 12.6 million Goldman shares and unloaded 7 percent of its 60.4 million Wal-Mart shares between the end of June and the end of September. Buffett told CNBC that he still likes both those companies.

Many investors like to copy Buffett's moves because of his remarkably successful record, so these quarterly filings are watched closely.

These combined filings include investments made by two other executives at the company, so it's not always clear whether Buffett made the decisions. Buffett has said previously that investments smaller than \$300 million are

likely to be the work of other Berkshire managers.

But Berkshire's purchase of nearly 1.5 million more shares of IBM stock was almost certainly Buffett's. He has said before that he was responsible for buying what is now 81 million shares of International Business Machines Corp.

Buffett has periodically added to Berkshire's IBM stake since he first disclosed it in late 2011 because he believes in its long-term prospects. So the fact that IBM's stock price has fallen nearly 24 percent since April likely looks like a buying opportunity to Buffett.

Besides those major investments, Berkshire also reported changes in some of its other holdings, including: — Adding 9 million shares

of General Motors Co. to give Berkshire 50 million shares.

— Eliminating 5.6 million shares of Viacom Inc. shares

— Nearly doubling its stake in Liberty Media Corp. to 23.2 million shares from 12 million in June.

— Increasing its Twenty First Century Fox Inc. holdings to nearly 9 million shares from 6.2 million.

— Acquiring 59 million shares of AT&T Inc. after the merger of AT&T and DirecTV, which Berkshire had held previously.

Besides investments in companies such as Coca-Cola Co., Wells Fargo & Co. and American Express Co., Berkshire owns about 90 subsidiaries in a variety of industries, including insurance, utilities, railroads, retail and manufacturing.

Walleyes Getting Bigger As Fish Rebounds From Flood

PIERRE (AP) — The walleye population in Lake Oahe is still struggling to rebound from the 2011 Missouri River flood, but one bright spot is the fish in the lake are getting bigger.

Walleye and other game fish in the Dakotas reservoir are getting a boost from large numbers of baitfish such as young white bass, perch and shiners, South Dakota Game, Fish and Parks senior fisheries biologist Mark Fincel told the *Capital Journal*.

The average fish caught by anglers this year increased to

about 16 inches, an inch bigger than last year's average, Fincel said. Walleyes hatched in 2009 — one of the biggest influxes of walleye the lake has ever seen — have hit the most popular walleye size of 14-17 inches, he said, and many of those fish could continue to be available to anglers for another year or two.

"The population is still made up of a lot of young fish," Fincel said.

Another positive sign for

the fishery is that numbers of smelt and lake herring baitfish have been slowly increasing since 2013, two years after the flood flushed millions of them through Oahe Dam. Those baitfish provide the fatty food that sustain older, larger walleyes.

However, smelt and lake herring have a long way to go. The population in Oahe is estimated at 68 million, compared to the long-term average of 250,000, Fincel said.

Flags Fly At Half-Staff For Paris

PIERRE (AP) — Flags on public buildings across South Dakota are flying at half-staff through sunset Thursday as a sign of respect for victims of the attacks in Paris last week.

President Barack Obama ordered the gesture of solidarity with France by proclamation Sunday. In his proclamation, Obama says the "terror attacks" Friday were an assault on all of humanity.

The U.S. flag is also being lowered to half-staff at the White House, federal buildings across the country and American military and diplomatic stations around the world.

The terrorist rampage across Paris killed 129 people and wounded hundreds more.

Thanksgiving Day Deadlines

The Yankton Daily Press & Dakotan will be closed Thursday, November 26, for the Thanksgiving holiday.

The following deadlines will apply:

Friday, November 27 newspaper.....Monday, November 23, 5 p.m.
Out On The Town.....Wednesday, November 25, 5 p.m.
Saturday, November 28 newspaper.....Tuesday, November 24, 5 p.m.
Monday, November 30 newspaper.....Tuesday, November 24, 5 p.m.
Tuesday, December 1 newspaper.....Wednesday, November 25, 3 p.m.

There will be no newspaper on Thursday, November 26, 2015.

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