

Dickinson State President Ruling Due In Dec.

BISMARCK, N.D. (AP) — An administrative law judge says she'll have a ruling in early December on whether Dickinson State University President Richard McCallum should be fired. McCallum is accused of inflating student enrollment numbers at Dickinson State in the fall of 2010. He asked for a hearing to present arguments about why he shouldn't lose his job. The four-day hearing ended late Wednesday. State administrative law judge Bonny Fetch says she'll make a recommendation on the case by Dec. 9. North Dakota's Board of Higher Education will make the final decision on whether McCallum should be sacked. McCallum and his lawyer say the hearing showed McCallum made enrollment reporting mistakes, but he didn't mess up enrollment information on purpose. A Dickinson State attorney says the hearing showed McCallum violated college policy.

Columbus Murder Suspect Held Without Bail

COLUMBUS, Neb. (AP) — A 20-year-old man accused of stabbing to death another Columbus man in a motel parking lot has been charged with first-degree murder. The Columbus Telegram says Ozzy Tilden was ordered held without bail following his court appearance on Tuesday. Authorities say Tilden fatally stabbed 36-year-old Jerry Garcia on Oct. 8. Investigators say in court documents that Tilden had gotten into a fistfight at the Sundown Motel lot after he returned from having some drinks at a bar in Duncan early in the morning on Oct. 8. Garcia got involved only briefly in the scuffle.

Man Sentenced In Madison Vehicle Arsons

MADISON (AP) — A man who pleaded guilty to playing a role in cases of stolen vehicles and arson in the Madison area earlier this fall has been sentenced to three years in prison for that and for a burglary last year. The Madison Daily Leader reports that 19-year-old Alan Olson also must pay a total of about \$15,000 in restitution. Olson and two others were accused of stealing two vehicles and setting them on fire in August. Olson in September pleaded guilty to arson and accessory to grand theft. He also was convicted of burglary in the December 2010 incident.

Girl Set For Driving Test Crashes Into Building

SIOUX FALLS (AP) — Police say a 16-year-old girl on her way to take a driving test crashed into a Division of Motor Vehicles office in Sioux Falls. No one was hurt. Police say the girl was in the car with a parent and was pulling into the parking lot Wednesday morning when she hit the accelerator rather than the brake pedal. The car jumped a curb and hit the building, creating a hole about 18 square feet. Police did not cite the girl or identify her. They say it's a private property accident and an insurance issue.

Woman Shot Neighbor To Keep Him Quiet

BY RYAN J. FOLEY
Associated Press

FORT DODGE, Iowa — A woman forced a 20-year-old neighbor to write a diary framing her ex-husband in a murder-for-hire scheme and then killed him because she didn't think he could keep his role a secret, a prosecutor said Wednesday at her first-degree murder trial.

Prosecutor Douglas Hammerand told jurors in an opening statement that Tracey Richter invited Dustin Wehde to her home on Dec. 13, 2001 and forced him to create a diary claiming he had been hired by her first husband, John Pitman, to kill her and her 11-year-old son Bert.

Hammerand said the writing was interrupted mid-sentence when a friend who was planning to spend the night came to a side door, and Richter had Wehde leave out the front. But Richter canceled on the friend, saying she had to pick up her son from basketball practice, when in reality she planned to set up what looked like a burglary and home invasion involving Pitman, Hammerand.

The prosecutor said as part of the plan, Richter had Wehde, a loner who had spent time hanging out with her husband, back later that night and shot him nine times from two guns. Three shots that went through the back of Wehde's head would have been instantly fatal, he said.

Richter, 45, of Omaha, is charged with first-degree murder in the shooting at her former home in Early, a small town 100 miles northwest of Des Moines. She claims she acted in self-defense and was hailed as a hero after the shooting by some gun rights advocates and TV person-

ality Montel Williams, who applauded her story on national television.

She blew a kiss at her fiancé, who sat in the front row, as she entered the Fort Dodge courtroom. But she appeared to fight back tears as defense attorney Scott Bandstra shared her version of events — that Wehde and another man broke into her home and strangled her with pantyhose before she was able to break free, unlock her gun safe and shoot Wehde. When he tried to get up, she shot him the last time with the second gun, the attorney said.

"On that day, her worst nightmare occurred," Bandstra said. He said the evidence will show Wehde had a history of mental health issues and aggressive behavior. He also said law enforcement failed to investigate a man who could have been the second intruder and then ignored evidence that backs up his Richter's story.

The first Sac County sheriff's deputy to arrive on the scene, Daniel Bruscher, testified that Richter initially told him that two intruders fled the house on foot and "the one she shot was upstairs." She said that one of those who fled had "black curly hair," and she didn't see the other one.

When her 11-year-old son, Bert, told Bruscher the dead man was Wehde, Richter corrected him and said they did not know that yet, Bruscher said. He said he found Wehde slumped over on the upstairs bedroom floor. The air was hazy from gun smoke, and a blood splatter was on the wall.

Hammerand, an assistant attorney general, started his opening statement with dramatic flair: "The pink spiral notebook con-

tained information only someone involved in the crime would know."

The details included the name of Pitman's divorce attorney, but the plastic surgeon from Virginia will testify he never met Wehde, the prosecutor said.

Hammerand said Richter worried she would lose custody of her son and child support payments if Wehde told police that he wrote the journal. Richter and Pitman divorced in 1996 but were still fighting over custody and visitation at the time of the shooting.

The first witness, Marie Friedman, testified she was friends with Richter because their husbands worked together. She said she showed up at Richter's home Dec. 13 planning to spend the night because their husbands were travelling on business.

Friedman said Richter told her after Wehde left that he was there asking about work, and she was glad he left because he crept her out. She said she was surprised Richter cancelled their stay-over. She left after the two had tea and chatted.

Her husband, Ray Friedman, recalled how he and Richter's husband at the time, Michael Roberts, were driving home from Minneapolis when they heard

about a shooting at Roberts' home. He said he let Roberts drive his car home because he could navigate dirt roads faster.

Both Friedmans, who now live in Florida, said they saw Richter at the hospital and she was distraught over the alleged home invasion and had red marks on her neck.

"Everything Tracey told me, it appeared to be that way to me," Marie Friedman said. "There was no question in my mind that she would not be telling the truth."

A defense lawyer noted Michael Roberts, who was investigated in connection with the shooting but is not a suspect, planned the business trip and gave Ray Friedman a \$5,000 bonus and a \$20,000 raise afterward.

Ray Friedman bristled at the suggestion that he was paid off, saying he was bringing the company \$1 million in sales and asked for a raise to match his previous job's salary. He said he later left after he grew tired of the Roberts' antics.

"You just never knew what was going on," he said. "I didn't like the rollercoaster ride there. I live a very peaceful life and I don't want to be involved in other people's issues or chaos."

Neb. Man Appeals Conviction For Mother's Death

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — The Nebraska Supreme Court will decide whether a Lincoln man convicted of murder and sentenced to life in prison for bludgeoning his mother to death with an ax should have been considered insane and unable to stand trial.

An appeal by Matthew Fox to be heard by the state's high court on Tuesday claims a Lancaster County District Court erred by not finding him incompetent to stand trial.

Fox was sentenced to life in prison in December for first-degree murder in the death of his mother, Sherry Fox. Prosecutors say Matthew Fox, who was 19 years old at the time, hit his mother with an ax 14 times in the basement of their home on Oct. 25, 2008.

He was found incompetent to stand trial twice and spent more than a year in a state psychiatric hospital before the lower court found him competent in 2010.

Fox's attorney, Jerry Soucie with the Nebraska Commission on Public Advocacy, says in the appeal that the lower court was wrong in clearing him to stand trial.

Soucie argues that Fox is insane, suffering from severe depression and schizoid personality disorder. Fox has

never disclosed his memory of the murder, Soucie wrote, adding that all his statements about the killing "demonstrated confusion and a lack of understanding regarding why he would have killed her."

Attempting to confront Fox with photos and blood splatter reports to refresh his memory posed a significant danger to Fox's mental health, Soucie said. For that reason, Fox sought not to be present for much of his trial, and the lower court granted that request. Soucie argues that given the circumstances, Fox's waiver of his right to be present during his trial was not voluntary.

"The danger, according to all the mental health professionals and as was expressed by Mr. Fox, was that he would 'decompensate,' 'lose it,' and become 'suicidal,'" Soucie wrote. "Under these circumstances, Mr. Fox's waiver of his attendance at trial cannot be considered a free and voluntary act."

Prosecutors retort that Fox's refusal to discuss his mother's murder does not mean he can't remember it.

When asked by psychologists about his mother's death, Fox has stated repeatedly that he doesn't want to talk about it and "he doesn't want to think about it, that it's horrific," Love said.

OBITUARIES

Mable Reining

SIOUX FALLS — Mable Reining, age 96, of Sioux Falls, SD and formerly of Tabor, SD passed away Monday, October 24, 2011 at her residence.

Mass of Christian Burial will be 11:00 a.m. Saturday, October 29, 2011 at St. Wenceslaus Catholic Church, Tabor, SD with Rev. Joe Puthenkulathil and Msgr. Carlton Herman concelebrating. Burial will be in the parish cemetery.

Visitations will be 5 to 7 p.m. Thursday, October 27, 2011, at St. Joseph's Cathedral, Parish Hall, Sioux Falls, SD with a Wake service at 7:00 p.m. Visitations will resume at 9:00 a.m. and continue until service time, Saturday, at the Opsahl-Kostel Memorial Chapel, Tabor, SD.

Mable was born near Brewster, Minnesota on December 6, 1914 to Charles and Kathryn (Hartman) Heise. For 48 years, Mable was married to George Reining, Sr. The couple resided in Curlew, IA. They moved to South Dakota in 1934 and farmed in the Tyndall/Tabor area for many years till his death on February 17, 1979. They wintered in Arizona during the last ten years of his life. Mable moved to Sioux Falls in 1990 and wintered in Arizona up until the last four years. She was a member of St. Joseph's Cathedral, Legion of Mary,



Reining

at M-tron. She enjoyed her large family, was an avid gardener and had many hobbies including crocheting and other crafts.

Eight children were born into this union, four girls; Dolores Jacob, Darlene Bame, Del Wurtz and Donna Schellhouse, and four boys; George, Pat, Jerry and Larry Reining. She had 32 grandchildren, 54 great-grandchildren and 16 great-great-grandchildren.

She was preceded in death by her mother and father; step-father; Michael Murray; brother; Edwin Heise; children; Darlene Bame and Donna Schellhouse; grandchildren; Daniel Bame, Crystal Reining and Carl Jacob; and a great-grandchild; Colt Schramm.

Yankton Press & Dakotan
October 27, 2011

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www.opsahl-kostelfuneralhome.com

Alice List

DENTON, Texas — Alice M. List, age 74, of Denton, Texas and formerly of Yankton, South Dakota, died Sunday, October 23, 2011, at her home in Texas.

Funeral services are 10:00 a.m. Friday, October 28, 2011, at St. John's Lutheran Church in Yankton, South Dakota, with Reverend David Gunderson officiating. Burial will be in the Garden of Memories Cemetery in Yankton.

Visitation is Thursday from 5:00 to 8:00 p.m. at the Wintz & Ray Funeral Home in Yankton, with a prayer service and video tribute at 7:00 p.m. Visitation will resume one hour prior to the funeral on Friday at the church.

Pallbearers for Alice will be David List, John List, Richard List, Kevin List, Glenn Nord and Jeff Nord.

Alice was born on February 1, 1937 in Hepler, Kansas to Rev. Rudolf and Mrs. Sophia (nee Gehrke) Hildebrandt as the youngest of seven children. Alice was the beloved wife of Rodney List whom she met in Yankton, South Dakota, while teaching grades K-3 at St. John's Lutheran School. They were married at Zion Lutheran Church in Avon, South Dakota on March 16, 1958. After living in Yankton, they moved to Rockford, Illinois and then onto Los Angeles, California. She spent her final years in the Dallas, Texas area.

She worked at many jobs throughout her life, including a long time at IBM. Her life was made full by her family and



List

friends. She enjoyed baking and cooking, family time, holidays, singing, and playing the piano. She was always ready with a smile and a warm greeting for her friends

and for strangers, wanting to share Jesus with all whom she came in contact. She is survived by her husband of 53 years, Rodney; her sisters, Leota Figge and Grace Springer; and her children and their families - Julie Brumbaugh (Argyle, Texas), Cindy & Kent Hammerstrom (Orlando, Florida), Shannon, Anders & Aaron (Orlando, Florida) Tammy and Alexandra List (Burbank and Oakland, California).

She was preceded in death by her parents, three sisters, Esther Balke, Ellen Zeckser, and Lois Werner and one brother, Eugene Hildebrandt.

In lieu of flowers, donations may be made to Mountain Movers International, 2550 Post Oak Drive, Corinth, Texas 76210-3029.

To send an online sympathy message visit wintzrayfuneralhome.com.

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FUNERAL HOME
and Cremation Service, Inc.
Online condolences at:
www.wintzrayfuneralhome.com

Lewis Keizer

Lewis H. Keizer, 87, of Yankton died Tuesday, Oct. 25, 2011, at Avera Yankton Care Center, Yankton.

Funeral services are at 10:30 a.m. Saturday at Trinity Lutheran Church, Yankton, with the Rev. David Wildermuth officiating. Inurnment will be at the Garden of

Memories Cemetery, Yankton.

Visitation is 5-8 p.m. Friday at Wintz & Ray Funeral Home, Yankton, with a prayer service at 7 p.m. Visitation will continue one hour prior to the funeral at the church.

To post an online sympathy message, visit wintzrayfuneralhome.com.

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It may also be the featured photo in Tuesday's printed edition.