

Neb. Corn Harvest Ahead Of Schedule

LINCOLN, Neb. (AP) — Nebraska's corn and soybean harvests are about half done and well ahead of normal, but the drought's effects are apparent.

The U.S. Department of Agriculture issued its weekly update on Nebraska's crops Monday.

About 53 percent of the corn crop has been harvested, which is about 29 days ahead of usual. But only about 32 percent of the state's corn is in good or excellent shape. That's well below the average 78 percent good or excellent.

The USDA says 48 percent of the soybean crop has been harvested, but farmers are having some difficulty with dry pods and green stems. Normally, about 16 percent of the soybean crop has been harvested.

About 19 percent of the soybeans are in good or excellent shape, well below the 78 percent average.

Car Was Speeding Before Fatal Crash

OMAHA, Neb. (AP) — Police have released the name of a driver who died in a car crash in Omaha.

Officials say 36-year-old Oscar Miranda-Jurado, of Omaha, was killed Sunday night when his car, which was traveling over 90 mph on Interstate 480, hit a guardrail.

The accident happened Sunday evening when the car made a sudden lane change at the I-480 intersection with Interstate 80 and the John F. Kennedy Freeway.

Miranda-Jurado was the only one in the car. The crash remains under investigation.

Ideal Weather Helps Crop Harvest In S.D.

SIOUX FALLS (AP) — Agriculture officials say ideal weather conditions in South Dakota have pushed the row crop harvest far ahead of last year's pace and the five-year average.

The U.S. Department of Agriculture says in its weekly crop report that 55 percent of corn for grain has been harvested, ahead of the five-year average and last year's mark of 6 percent. About 96 percent of corn was in the mature stage.

Seventy-nine percent of soybeans had been harvested, ahead of the five-year average of 16 percent. Sunflowers were 14 percent harvested, compared to the five-year average of 1 percent.

The report says winter wheat was 50 percent planted.

Range and pasture conditions were rated 44 percent very poor, 34 percent poor, 19 percent fair and 3 percent good.

Traffic Stops Catches 188 Pounds Of Drugs

LINCOLN, Neb. (AP) — The Nebraska State Patrol says two separate traffic stops netted 188 pounds of pot and led to the arrest of two drivers.

Officials say a trooper stopped an eastbound pickup truck for speeding on I-80 near Kearney on Sunday. A search turned up 83 pound of marijuana in three suitcases. The driver, from Mexican national, is charged with possession of marijuana with intent to deliver.

The patrol says on Friday, a trooper stopped an eastbound car for speeding on I-76 near Big Springs in western Nebraska. A search led to the discovery of 105 pounds of pot in two duffel bags in the trunk of the car.

The driver, from Plymouth, Minn., was charged of possession of marijuana with intent to deliver.

\$20,000 Dakota Cash Jackpot Won In Huron

HURON (AP) — A ticket sold in Huron is a \$20,000 jackpot winner in Saturday's Dakota Cash drawing.

South Dakota lottery officials say the winning numbers are 4, 7, 8, 10 and 16.

Dakota Cash is played only in South Dakota. The odds of winning the jackpot are one in about 325,000. The winner has about six months to claim the prize.

Attendance Up At S.D. State Fair

HURON (AP) — Attendance at this year's South Dakota State Fair increased for the sixth year in a row.

Fair officials say 192,790 people took in the fair during its five-day run in Huron in late August and early September. That was up 1 percent from 2011. Fair revenues increased 10 percent over the year.

Fair Manager Jerome Hertel says the attendance increases have come despite budget cuts and a sluggish economy in recent years.

S.D. Turkey Production Pegged At 4.6M Birds

SIOUX FALLS (AP) — South Dakota producers are expected to raise 4.6 million turkeys this year, up 5 percent from last year.

The Agriculture Department estimate is based on a September survey in major turkey-producing states.

The number of turkeys expected to be raised nationally is 254 million, up 2 percent over the year.

Farmers Harvest Crops For Man With Cancer

GENOA, Neb. (AP) — A central Nebraska farmer who is being treated for lung cancer says he was amazed by the nearly 100 people who gathered to harvest his soybean crop.

Bernard Cuba of Genoa returned home Friday after a week of radiation treatment in Omaha and watched as dozens of people completed the harvest. They came from around the region and made use of 18 combines, 24 auger wagons and 30 trucks.

It took them about four hours to clear 600 acres of soybeans from seven fields. Cuba's son had already harvested about 600 acres of corn.

Cuba tells the *Columbus Telegram* that "words can't explain it."

Bob Konwinski organized the event with his wife Michelle. He called it "just a neighborly thing."

Survey Suggests Little Or No Economic Growth In Midwest

OMAHA, Neb. (AP) — Little or no economic growth is likely this year in most of the nine Midwest and Plains states covered by a survey of business leaders, but the booming oil business will continue to drive growth in North Dakota and Oklahoma, according to the report released Monday.

The region's overall economic index improved to a weak 50.4 in September from August's 49.7.

Any score above 50 suggests economic growth in the months ahead, while a score below 50 suggests a decline. North Dakota's state economic index hit 61.6 in September, and Oklahoma's registered 56.6 thanks to the oil boom.

Creighton University economist Ernie Goss, who oversees the survey, said concerns about U.S. fiscal policy, the elections, inflation and Europe's economic turmoil slowed the economy.

"Supply managers, much like the entire business sector, remain very pessimistic regarding future economic conditions," Goss said.

The survey covers Arkansas, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma and South Dakota.

The region's employment index remained negative, slipping to 46.1 in September from August's 49.5. Goss said that's the lowest jobs index since the recession ended in 2009.

"I expect the regional economy to lose both manufacturing and non-manufacturing jobs, albeit at a slow pace, in the final quarter of 2012," Goss said.

Job gains in North Dakota, Oklahoma and Iowa will be offset by job losses in the other six states, he predicted. While strength in the energy industry is fueling growth in North Dakota and Oklahoma, Iowa is growing mostly because of strong manufacturing performance.

The prices-paid index increased to 66 in September from August's 65.2, suggesting inflation ahead.

"The combination of drought conditions and the Federal Reserve's easy or cheap money policies are driving the wholesale level

higher," Goss said.

The confidence index, which measures how optimistic business leaders are about the next six months, registered 44.7 in September. That was slightly better than August's 44.3.

The inventory index grew to 49.2 in September from August's 47.3. That suggests that the decline of inventory levels in the region is slowing.

The export order index increased to 48.7 in September from August's 48.3. The import index declined to 48.9 from August's 51.4.

"Given the importance of exports to past regional growth, the downturn in new export orders is another factor that will contribute to a final quarter that is lackluster," Goss said.

Other components of the September index were:

- New orders at 48.7, up from August's 46.1.
- Production or sales up to 51.7 in September from 49.5.
- And delivery lead time at 56.4, up from August's 56.2

Inmate Asks Court To Overturn Death Sentence

BY KRISTI EATON
Associated Press

SIOUX FALLS (AP) — One of two inmates sentenced to death for killing a prison guard during a failed escape asked the South Dakota Supreme Court on Monday to spare his life, saying he did not receive a fair trial in the penalty phase of the case.

A lawyer for Rodney Berget, 50, argued his death penalty should be overturned because the judge had already sentenced the other inmate to die by lethal injection in the case.

Berget and Eric Robert, 50, both pleaded guilty in the April 12, 2011, killing of prison guard Ronald Johnson. Prosecutors said the two bashed Johnson with a pipe and covered his mouth with plastic wrap during a failed escape at the state penitentiary on Johnson's 63rd birthday.

Robert asked Judge Brad Zell to sentence him to death, and Zell found there was at least one aggravating factor to warrant the death penalty. A few months later, Berget

appeared before Zell to be sentenced after waiving his right to a jury trial.

Zell was asked to do the impossible, said Berget's lawyer, Jeff Larson.

"He was asked to hear facts of a co-defendant who frankly laid down and challenged nothing. And then he made factual findings and then he comes into our hearing, already having made findings and when we present cross examination. ... What choice does he have?" Larson said.

If Zell didn't sentence Berget to death, he risked calling Robert's sentence into question, Larson said. But by doing so, Larson added, he didn't provide the individual trial Berget was entitled to receive.

Attorney General Marty Jackley noted that Berget repeatedly waived his right to a jury trial.

Larson also questioned the use of a competency report that he believed would be sealed unless the doctor testified in the case. The report quotes Berget as saying he pleaded guilty to get "it over with" — a comment Larson believes was

used as evidence to negate the mitigating factor of the early plea and the remorse Berget showed. The doctor never testified in the case, but Zell cited the report in his 14-page verdict.

"There is no way we would have ever offered that ... had we not thought that we were doing a courtesy to the court to cover an issue in case something came up at a later time," Larson said.

Jackley contends the report was actually used in Berget's favor to show he was not suicidal and was making a competent decision. The trial judge and the state Supreme Court have made it clear that they will not support an inmate's desire for state-assisted suicide, he said.

Berget was serving life sentences for attempted murder and kidnapping when he tried to escape with Robert, who was serving 80 years for a kidnapping conviction. The two men attacked and killed Johnson, who was alone in a part of the prison where inmates work on upholstery, signs, custom furniture and other projects.

Robert put on Johnson's uniform

and tried to move a large box toward the prison gate with Berget inside. The inmates were caught before leaving the prison. A third inmate has been sentenced to life in prison for his involvement in the escape attempt.

The prison made more than a dozen procedural changes after Johnson's death to improve security and safety. Johnson's widow, Lynette Johnson, has filed a wrongful death lawsuit against the state of South Dakota, the Department of Corrections and several DOC officials.

On Monday, Lynette Johnson sat among a sea of students watching the hearing at the University of Sioux Falls. She dabbed at her eyes with a tissue as Jackley recounted how her husband was beat to death and nodded when he told the justices the death penalty should stand.

Robert did not appeal his death sentence, and his execution is scheduled for the week of Oct. 14.

The state Supreme Court will issue its opinion in the Berget case later, presumably before Robert's execution.

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

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For info, contact Francis Serr (605) 660-4237

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