

**2010 Legal and Public Notices**

10+3  
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X I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership  
 X If the publication is a general publication, publication of this statement is required. Will be printed in the Oct. 3, 2015, issue of this publication.
18. Signature and Title of Editor, Publisher, Business Manager or Owner

/s/ Gary L. Wood, Publisher / Dated: September 30, 2015  
 I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

**Cleveland Officials Make Plea For Tips After Baby's Death**

CLEVELAND (AP) — A 5-month-old girl in a car with her mom is shot dead in Cleveland; a 5-year-old boy playing football is killed by crossfire police blame on two teenagers; and a 3-year-old boy riding in a car is fatally wounded during a drive-by.

In a span of four weeks, three children were shot to death in Cleveland, and city leaders are making an emotional plea for the public to help police solve and stop the violence.

At a news conference Friday, the police chief was visibly emotional and appeared angry. The prosecutor offered a \$25,000 reward for useful information to investigators. "It's been hard to stomach," Police Chief Calvin Williams said, the day after he broke down in tears while talking to reporters at a crime scene, and decried how "innocent babies" were being killed

as the result of meaningless disputes. Police have provided few details about the infant's slaying Thursday, but gang and youth violence workers said Friday they've been told by residents that more than a dozen shots were fired from a home or apartment building into a car with Aavielle Wakefield, her mother and grandmother inside. Aavielle died later at a hospital. The two women were unharmed. Williams confirmed at the news conference that the shooting was not a drive-by. Five-year-old Ramon Burnett was killed by crossfire between two teenage boys Sept. 4 while playing football behind his grandmother's home. Major Howard, 3, was fatally shot inside a car during a drive-by shooting Sept. 15. And a 10-year-old boy was badly wounded Sept. 19 in a drive-by shooting that also killed his father.

**2010 Legal and Public Notices**

10+3  
**RESOLUTION 15-53**  
**RESOLUTION APPROVING A SPECIAL ASSESSMENT ROLL FOR FAÇADE, PARKING AND EMERGENCY ACCESS EASEMENT IMPROVEMENTS OF THE CITY OF YANKTON**

BE IT RESOLVED as follows:

1. Approval of Special Assessment Roll. The special assessment roll, including any corrections, and assessments levied for financing of the façade, parking and emergency access easement project is here by adopted and approved this 28th day of September, 2015.
2. Levy of Assessments. There is hereby levied assessment in the amounts and covering the below described properties. The assessments shall constitute a continuing lien upon the properties assessed as against all persons except the United States and this state. The lien shall continue for fifteen years from the due date of the last installment.

Name of Owner as shown by County Director of Equalization	Legal Description as of date of Resolution of Necessity	Total Amount Assessed
Yankton Omaha Partnership % Dial Enterprise - TL Clauff 11506 Nicholas St. #200 Omaha, NE 68154	Lot 1A, Block 1 less Parcel 5, Slaughter's Subdivision, Lot 3A, Block 1, Section 12 less Parcel 4 and less part Parcel 5 Slaughter's Subdivision, Lot 6 except Parcels 1, 2 and 3, Block 1, Slaughter's Subdivision all in the City of Yankton, South Dakota	\$2,000,000

3. Payment of Assessments. The total assessment may be paid in 17 equal annual installments, to which interest at a percentage per annum rate equal to the special assessment bond rate will be added before certification to the County Auditor, who will include both interest and principal amount to be collected along with ad valorem property taxes on above property. All special assessments shall be payable under Plan One—Collection by county treasurer pursuant to SDCL § 9-43-102.
4. Prepayment. Any assessment or installment under Plan One may be paid without interest to the Municipal Finance Officer at any time within thirty days after the approval of the assessment roll. Thereafter, and before the due date of the first installment, the entire assessment remaining, or any number of installments, plus interest from the approval date to the date of payment may be paid to the Municipal Finance Officer. After the due date of the first installment, if the installments that are due together with interest have been paid, any of the remaining installments not yet due may be paid without additional interest to the Municipal Finance Officer. All installments paid before their respective due dates shall be paid in inverse order of their due dates.
5. Filing of assessments. The Municipal Finance Officer shall number said assessments consecutively, create the special tax book in accordance with SDCL 9-43, publish this resolution and deliver the special assessment roll and this resolution to the municipal treasurer.
6. Publish Notice. The Finance Officer is directed to publish with this resolution a notice stating under which plan the special assessments are payable, that any such assessment or any installment thereof may be paid without interest to the municipal treasurer within thirty days after the filing of the roll in the office of the municipal treasurer stating where such assessments are payable, the due date, the date of filing the assessment roll with the municipal treasurer and the rate of interest.

Dated at Yankton South Dakota, this 28th day of September, 2015.

**THE GOVERNING BODY OF THE CITY OF YANKTON**

ATTEST: \_\_\_\_\_  
 David Carda, Mayor

\_\_\_\_\_  
 Al Viereck, Finance Officer  
 Published once at the total approximate cost of \$93.15.

**Mom Charged In Son's Starvation Death Sentenced**

MINOT, N.D. — A judge sentenced a northwest North Dakota woman to 25 years in prison Friday for her teenage son's starvation death after defense attorneys and prosecutors reached a plea agreement.

Jessica Jensen, 36, of Kenmare, pleaded guilty to two charges: murder and child neglect or abuse. She had reached a plea deal in July that called for her to spend 16 years in prison for the January 2014 death of 13-year-old Aidan Bossingham, but a judge rejected the agreement.

District Judge Gary Lee said then that he could not agree to the terms given the evidence in the case "and the severity of the charges." Lee sentenced Jensen to the longer prison term on Friday.

Authorities have said that Jensen's son weighed just 21 pounds when he died. Jensen had pleaded not guilty last year to murder, child neglect and failure to report the death of a child.

In court Friday, Jensen acknowledged not getting proper medical treatment that would have saved her son's life and she cried as she apologized for her inaction, KXMC-TV reported.

Lee said he was relieved that no jury would have to view the photos he saw of the boy's body after his death.

Jensen was charged in March 2014 after the state medical examiner ruled her son died from chronic starvation due to untreated juvenile appetite disorder. Jensen told investigators that her son had a hormonal growth problem and that his pituitary gland did not function properly.

She also said her son would eat and then vomit, and that he had not seen a doctor for several years.

Defense attorney Tyler Morrow had asked if Jensen's scheduled trial could be moved to eastern North Dakota because of extensive news coverage of the case in the Minot area. Lee refused the request last week.

**Analysis: Chief Justice Roberts Is Playing The Long Game**

BY PAUL BARRETT  
 © 2015, Bloomberg News



Roberts

NEW YORK — With the Supreme Court poised to reconvene the first Monday in October, let's clear the air about last term's supposed turn to the left: It didn't happen.

The confusion is understandable. On June 25, Chief Justice John Roberts led a 6-3 majority that upheld President Barack Obama's health care reform program in the face of a partisan Republican attack. The next day, the high court vindicated same-sex unions by a 5-4 vote. The two liberal victories created the illusion of something larger and more dramatic, prompting the hyperbolic wing of the Republican Party to condemn the supposed leftward lurch. Curt Levey, president of the Committee for Justice, a right-leaning advocacy group, declared Roberts "dead to conservatives."

That statement reveals a lot more about the intemperance of certain conservatives than the ideological state of the chief justice. On credentials, remember that Roberts has a resume that would bring tears of joy to Barry Goldwater and William F. Buckley. Nominated by George W. Bush in 2005, he clerked at the Supreme Court for his predecessor, Nixon appointee William Rehnquist, came of age professionally in the Reagan administration, and represented large corporations at a major Washington law firm. All that's missing is an internship at the Heritage Foundation.

It's in its decisions that the Roberts court really shines for the right. District of Columbia v. Heller (2008) established for the first time in the court's 226-year history that the Second Amendment protects an individual's right to own a handgun. In Shelby County v. Holder (2013), Roberts wrote a majority opinion that denuded the Voting Rights Act of 1965 and ushered in an era of voter ID laws and other attempts to discourage minorities and the poor from casting ballots. In the 2015-16 session, this tendency likely will recur in cases on race relations, voting, unions and abortion.

The chief justice's majority opinion in last term's Obamacare case revealed not a conservative-gone-wobbly, but a sophisticated steward of the court's status as an independent institution. Roberts, 60, occasionally steps back from the ideological barricades, not for lack of spine but because he's playing a savvy long game. In June 2012, with the presidential campaign heating up, he cast the decisive vote rejecting an earlier, equally partisan challenge to Obama's Affordable Care Act. A Republican-dominated majority killing a Democratic president's signature legislation in an election year would have invited unflattering comparisons to Bush v. Gore (2000), in which a pre-Roberts conservative majority handed the White House to George W. Bush.

But, in overshadowed passages of his 2012 controlling opinion, Roberts cobbled

together majorities that curbed the ACA's expansion of Medicaid and reinterpreted the Constitution's Commerce Clause to give the most restrictive interpretation of federal power over the economy since the New Deal-era justices stopped knocking down Franklin Roosevelt's legislation. (Keep an eye on that facet of the opinion; it's a sleeper that at some point will come back to vindicate corporate interests.)

This year, in Assault on Obamacare: The Sequel (a.k.a. King v. Burwell), Roberts again defused an ugly political clash — and not incidentally blunted Democrats' ability to run against an overreaching Supreme Court. Writing for a six-member majority, he rejected a blatant bid to wreck Obamacare. "Congress passed the Affordable Care Act to improve health insurance markets, not to destroy them," Roberts concluded. "If at all possible, we must interpret the act in a way that is consistent with the former and avoids the latter."

When the stakes are even slightly less dramatic, however, the Roberts-led conservative quintet — which includes Samuel Alito, Anthony Kennedy, Antonin Scalia and Clarence Thomas — asserts itself. Animated by an expansive reading of the First Amendment, the 2010 ruling in Citizens United v. Federal Election Commission swept away long-standing precedent, contradicted Congress, and made it easier for moneyed interests to influence the elections. Corporations have generally had a field day before the Roberts court, winning new barriers against consumer class actions and human rights suits. A study published in 2013 in the *Minnesota Law Review* ranked the 36 justices who have served on the high court from 1946 to 2011 in terms of their pro-business votes. All five of the current court's conservative members appeared in the top 10. Over the entire 65-year period, Roberts and his fellow George W. Bush appointee Alito were labeled most likely to favor business.

Recent gay rights cases, by contrast, illustrate that jurisprudential trends, like all trends, have their exceptions. Societal attitudes have shifted rapidly toward tolerance of homosexuality, and Kennedy, the "swing justice" on some high-profile ideological issues, has joined a four-member liberal bloc to knock down antigay laws.

But other seeming liberal victories are better explained as mere holding actions. A 5-4 decision in June in a housing discrimination case from Texas provided an illustration. With Kennedy writing the majority opinion, the court ruled that alleged bias victims don't have to prove intentional bigotry; statistical evidence that blacks or Hispanics were harmed may be sufficient. Civil rights groups celebrated, but this was no breakthrough.

It was more like dodging a bullet. Every federal appeals court that had addressed the housing-bias question came out the same way. The justices generally don't explain why they accept cases for review, but it seems fair to speculate that Roberts, Alito, Scalia and Thomas voted to hear the Texas case but then couldn't persuade Kennedy to come along for a precedent-busting ride.

In the new term, the court will revisit the controversy over whether public universities may consider applicants' race in admissions decisions. The current constitutional interpretation: yes, to a limited degree. Roberts, Alito, Scalia and Thomas are almost certain to push for a clear no. Kennedy, I predict, will swing conservative on affirmative action in higher education. If I'm correct, look for invocation of a characteristically pithy remark Roberts used in an opinion in 2007: "The way to stop discrimination on the basis of race is to stop discriminating on the basis of race."

Other pending high-profile cases would allow conservative justices to curtail the power of public-sector unions and to revisit the meaning of the fundamental electoral principle of "one person, one vote." The labor case asks whether unions may require workers who aren't members to help pay for collective bargaining. Labor organizers are justifiably girding for a defeat orchestrated by Roberts.

The election case provides the opportunity for the court to say state voting districts should have the same number of eligible voters, as opposed to the same number of residents — including legal immigrants who aren't citizens, undocumented immigrants, children and prisoners. If the court says relying on total population isn't mandatory, that would likely prompt red states to shift to the eligible-voter approach — a move that would tilt political power from cities to rural areas and therefore constitute a boon for Republicans.

Abortion isn't yet on the high court docket, but odds are it will return before the end of this term. In June the U.S. Court of Appeals for the 5th Circuit upheld a Texas law that women's health advocates warn would have the effect of shutting down most of the second-most-populous state's roughly 40 remaining abortion clinics. The state law requires the clinics to meet the same standards for equipment and staffing as hospital-style surgical centers. The legal question for the justices would be whether Republican-controlled Texas has created an "undue burden" on the constitutional right to abortion established by Roe v. Wade (1973). There's little doubt that, in the chief justice's view, Texas has ample authority to impose the rules it did. If that understanding prevails, the Supreme Court would be another step closer to overturning Roe.