

Hostages taken in bank robbery

United Press International
ARLINGTON - An extortionist
hostage a bank president and
family overnight, abducted the
man of the bank's board Wed-
nesday morning and refused to re-
lease anyone until the president re-
turned from the Arlington Bank of
Commerce with an undetermined
amount of money, officials said.

They were closemouthed about any clues
they might have in the case. No one
was harmed.
FBI officials, called in to help
state and local authorities in the
case, said the abduction-extortion
resembled a unsolved case in
nearby Fort Worth.
FBI agent U.H. Specht said,
"An employee of the First National
Bank of Fort Worth on Nov. 22,
1978, was taken hostage by an indi-
vidual with a very similar descrip-
tion, held all night and when the

bank opened in the morning, the
robber made the person get the
money. It's the same M.O. (method
of operation)."
The incident in Arlington, located
halfway between Dallas and Fort
Worth, began about 8 p.m. Tuesday
when "an unidentified black male"
entered the Smith's Arlington
home, according to bank Senior
Vice President William P. Dunaway.
"Mr. Smith and his family were
held hostage by the subject until

this morning," said Dunaway.
The bank's chairman of the board,
H. Richard Poynter, was taken hos-
tage Wednesday morning when he
arrived at Smith's home to accom-
pany him on a business trip.
"Mr. Smith was released, while
his family and Mr. Poynter were
kept hostage, for the purpose of
going to the bank to obtain funds
demanded by the subject," said
Dunaway.
"When Mr. Smith returned to his
residence, he was forced to leave

with the subject. Mr. Smith's family
and Mr. Poynter were left un-
harmed and Mr. Smith was sub-
sequently released unharmed."
Bank authorities and police re-
fused to say how much money was
taken by the suspect, who sped
away in a brown 1977 Ford
Granada, according to authorities.
They also refused to release further
details of the incident, but did say
business was conducted as usual at
the bank for the remainder of the
day Wednesday.

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Murderer's sentence overturned

United Press International
AUSTIN — The Texas Court of
Civil Appeals Wednesday over-
turned the capital murder convic-
tion of a Waco man because the trial
judge erred in not scheduling a
hearing on the defendant's motion
for a change of venue.
Charles Eugene O'Brient was
convicted for the Jan. 3, 1978,
regulation death of Mamie Witt.
O'Brient also was accused of rob-
bery and attempting to rape the
victim.
A pre-trial hearing on April 20,
1978, O'Brient filed a motion for a
change of venue, but the trial judge
refused to carry the motion along
with jury selection. On May 30,
1978, the jury had been selected,
and the trial judge overruled the
motion.
O'Brient argued that O'Brient
abandoned his motion because he
was not urged until after the jury
was selected. But the criminal ap-
peals court said O'Brient had pro-
posed the motion and was follow-

ing the trial judge's instructions by
not pressing for the motion until
jury selection was begun.
The criminal appeals court also
overturned two life sentences as-
sessed against Nicolena Medlock
of Dallas for shooting her husband
and a private club waitress Feb. 6, 1975,
because the trial judge did not in-
struct the jury to consider voluntary
manslaughter during instructions
before the panel began deliberating
the murder charges against Mrs.
Medlock.
Trial testimony showed Mrs.
Medlock had gone to the private
club the night of the shooting to
meet her son and daughter-in-law.
She was sitting at a table with the
club manager and her daughter-in-
law when her husband walked in
and stood nearby, staring at her.
Medlock approached his wife and
told her he didn't want the money
Mrs. Medlock had left for him, and
then retreated. Witnesses said Mrs.
Medlock began to tremble. Thirty

minutes later, Medlock again ap-
proached his wife, grabbed her by
the neck and said, "Let's go. I'm
going to get you."
Mrs. Medlock pulled away and
grabbed a pistol from her purse and
began shooting. Two shots hit Med-
lock and one bullet hit the waitress,
Yvett Harris.
The court ruled the issue of vol-
untary manslaughter had been
raised and the trial judge should
have considered it, since Mrs. Med-
lock had sufficient proof that she
feared her husband.
The criminal appeals court also:
— Reversed a 15-year sentence
given Richard Apodaca of El Paso

for voluntary manslaughter in the
Jan. 12, 1975, death of Edward
Figueroa. Apodaca was riding in a
car driven by John Lewis that was
chasing Figueroa. Apodaca hit
Figueroa's vehicle with a tire tool as
Lewis pulled up beside Figueroa.
Lewis then rammed Figueroa's
truck, which hit an embankment,
killing Figueroa.
The court said Apodaca's convic-
tion was defective because he was
held criminally responsible for
Lewis' acts in causing the wreck.
The court also said although
Apodaca contributed to Figueroa's
death, Lewis was the "primary ac-
tor" in the case.

— Upheld the eight-year sen-
tence assessed Alvin Tedford of Dal-
las for killing Gonzalo Marquez on
Sept. 28, 1974. Tedford claimed
self-defense because Marquez had
threatened him with a knife and
beat him. But the court upheld the
conviction, ruling Tedford had acted
"under the immediate influence of
sudden passion."

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Ticketing officer shot by grocer

United Press International
BROWNSVILLE — A 76-year-
old grocer was held in lieu of
\$25,000 bond Wednesday on a
charge he killed a parking meter of-
ficer in an argument over a \$1 park-
ing ticket.
Patrol Capt. Robert Henry
Hebert, 46, was shot through the
heart with a .38-caliber pistol as he
attempted to replace a parking
meter on the windshield of an au-
tomobile owned by grocer James
Glover.
Investigating officers said they
went to the scene of the shooting
after receiving a telephone call from
Glover telling them he had shot the
officer.

Witnesses said Glover had been
feuding recently with meter officers
for ticketing cars parked near his
small grocery store and adjoining
home.
Witnesses said Hebert placed a
parking citation on the windshield of
Glover's car Tuesday, then later
found the ticket lying in the seat of
Hebert's city vehicle.
When Hebert attempted to re-
place the ticket on Glover's car, the
grocer walked into his store, came
out with a handgun and fired one
shot, witnesses said.
Funeral services for Hebert, sur-
vived by his wife and four children,
were conducted Wednesday.

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Slain man's relatives are told to keep quiet

United Press International
SEGUIN — A judge Wednesday
ordered the father and sister of slain
drift fisherman Billy Joe Aplin to
keep quiet both inside and outside
the courtroom if they wanted to sit
on the trial of two Vietnamese
refugees accused of murder in the
slaying.
District Judge Clarence Steven-
son reprimanded B.T. Aplin and
sister Bina Binson because Defense At-
torney Pat Maloney complained the
two had used the words, "damn Viet-
nam" in earshot of the jurors while
testimony was in progress.
Maloney alleged that the two
were making derogatory comments
during the hearing of the jurors during
testimony and in the hallway during
the process.

Aplin, 35, was shot and killed
Aug. 3 at the height of a "crab war"
between Gulf Coast fishermen and
Vietnamese refugees in Seadrift.
On trial are brothers Sau Van
Nguyen, 21, and Chin Van Nguyen,
20, who contend they were protect-
ing their lives and property and that
Sau shot Aplin in self-defense.
William Day, Calhoun County
district attorney, contends the
Vietnamese fishermen repeatedly
had violated local fishing customs
prior to the confrontation in which
Aplin was shot.
Two witnesses have testified they
saw Aplin chasing Sau with a knife
before the shooting occurred on a
dock.

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