

Ex-convict blamed for bus shooting

United Press International
DALLAS — A 37-year-old ex-convict, described as a neighborhood eccentric who lived in a primitive camp proclaimed as the "Free in Christ Mission," is being held in a bizarre shooting attack that left one city bus passenger dead and three others wounded.

Police prepared today to file murder and attempted murder charges against W.K. Rudd Jr. in the Wednesday afternoon shooting spree aboard a Dallas Transit System bus in the south Dallas neighborhood of Oak Cliff.

When asked if a motive had been determined in the attack, investigator Ricky Smith said: "If you mean a rational motive, no."

He declined to reveal what

Rudd had told him about the attack, saying only that Rudd believed he was affiliated with a church.

"He boarded the bus, walked to the back of the bus and pulled the shotgun out of the golf bag," Smith said.

Killed was Willis Thomas, 37, who suffered a shotgun wound to the back and died at a local hospital.

Hospitalized in critical condition with chest wounds were two men identified as Hosely Minafee, 17, and Joseph Wren, 38. Bus driver Herbert Thompson, 41, was in good condition with gunshot wounds to the leg.

Witnesses said the man fled the bus and ran to a nearby service station, where police or-

dered him to drop his gun. He complied.

Police late Wednesday found his home in a wooded area near the shooting site. They said it was a primitive camp constructed of plastic and sap logs. Nearby they found a crudely lettered sign that proclaimed "The Free in Christ Mission" and a podium on which was placed a Gideon Bible.

Police spokesman Ed Spencer said records showed Rudd had been sentenced to two years in prison in 1962 for theft over \$50. Police records also showed he had been arrested in 1970, which time he listed his occupation as carpenter, on a charge failure to stop and render aid. Spencer said records did not indicate if he had been convicted of that charge.

Appeals court reverses decision, orders retrial

United Press International
AUSTIN — The Texas Court of Criminal Appeals has reversed a murder conviction and ordered a new trial for a Dallas woman convicted of killing a man by running him down with her car.

Mildred Kearney was convicted of the 1977 slaying of Norman Marshall. However, the appeals court ruled that during her trial, the Dallas County prosecutor assigned to the case gave improper arguments to the jury.

The court made specific objections to the prosecutor's sug-

gestion that Kearney was attempting to perpetrate a fraud on the jury similar to insurance fraud.

The prosecutor also reminded the jurors that Travis Howard, a witness in the case, had been convicted of burglary and sentenced to 16 years in prison, but only served six years because of parole.

"The argument concerning insurance fraud is not a reasonable deduction from the evidence," the court ruled Wednesday, "and the comment on Howard's testimony is clearly an invitation to consider parole law during punishment deliberations. These arguments constitute reversible error."

The justices also upheld the capitol murder conviction and death sentence given to a Houston man convicted of beating a man to death, then participating in the rape of his girlfriend.

The victims, a young Baytown couple visiting Houston, were abducted from the Montrose area after leaving a nightclub

the evening of April 11, 1978.

According to court testimony, the couple was robbed of \$118 at gunpoint by Leon Rutherford King and Allen Carter as they left the bar. The woman testified that Carter and King then forced them to a isolated area where King beat her boyfriend to death with the butt of a shotgun.

Carter and King then raped the woman before setting her free. At times, she testified, she joked about the killing.

King was arrested the following day.

In his appeal, King alleged grounds of error, all of which were overruled by the court. King also challenged testimony given in the punishment phase of the trial concerning an allegation he had raped another woman.

Judge Sam Houston Clinton wrote: "This court cannot say that the jury would have been unjustified in returning the verdict based alone on the evidence of the offense."

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