

Louisiana court orders retrial in Houston case

United Press International
NEW ORLEANS — The Louisiana Supreme Court has ordered a new trial for a man

sentenced to death for killing a Houston businessman who wandered into a housing project. In a 4-3 decision, the court

overturned the first-degree murder conviction of Joseph Marshall, who was sentenced to the electric chair in the shooting death of Borden Co. executive Max Manning, 62, on March 23, 1980.

The court was prompted to order a new trial because the original judge refused, without a hearing, to consider a request to appoint a separate attorney to represent co-defendant Kevin Marshall, justices said.

A 1980 U.S. Supreme Court decision requires a separate trial attorney be appointed to represent any co-defendants if the judge is asked to do so, the state's high court said.

"The trial judge must either grant the request or investigate the risks of multiple representation if there is a possibility of conflict of interest," the court said.

The two Marshalls, who are not related, were represented by the same court-appointed attorney in separate trials and both were convicted.

Kevin Marshall pleaded guilty to manslaughter in the slaying and was sentenced to 21 years in jail.



Courtéa



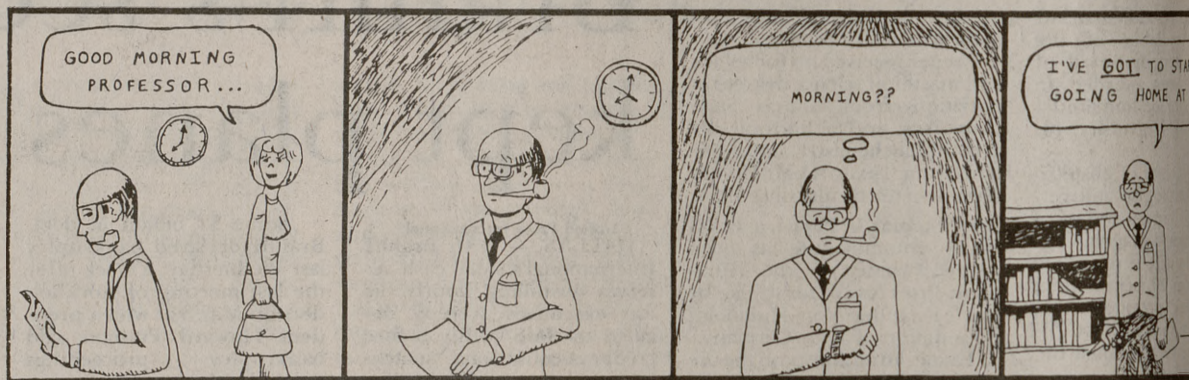
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Warped

By Scott McC



Refinery explosions kill one, injure two in Kilgore

United Press International
KILGORE — A series of explosions rocked a north Kilgore refinery Tuesday, igniting a raging fire which killed one person, injured two and forced the evacuation of a nearby school, officials said.

The identity the victim was not released.

A spokeswoman at Roy H. Laird Memorial Hospital in Kilgore said the victim was dead on arrival. One man was treated and released and another was transferred to the burn center of Parkland Hospital in Dallas.

Officials said the fire erupted about 8:30 a.m. at the Shore Oil Co. Fire fighters from Longview

and Tyler were called in to assist in fighting the blaze, described by one dispatcher as a "serious, major fire."

A company official said a crew was welding in the area of the explosion and a spark may have touched off the explosion at the small refinery which employs about 30 people. There were no damage estimates, but one eyewitness said it appeared most of the facility had been damaged.

A Kilgore fire department official said the fire appeared to be under control at about 9:45 a.m.

"We've just about got it knocked down," he said.

Kilgore School Superintendent Bill Brantley said he could hear and feel "four or five explosions" at the school administration building a half mile away from the refinery.

He said the evacuation of the Eastview Elementary School, three blocks south of the refin-

ery, was very orderly. A visit to another school was planned Tuesday.

"The buses were there and they were parked their way when they started," Brantley said. "It had been planned, so out of danger right away."

Brantley said 28 and 14 teachers were from the school.

A Longview Fire Department dispatcher said two and about 15 men helped fight the fire on from the Kilgore fire.

"We know it's a very the dispatcher said. "I and 15 men is a pretty

In Tyler, a fire dispatcher said two with foam units had with seven men.

"With an oil fire, you do you much good, it just sinks to the bottom have to foam the fire to uish it."

TWO OF THE NICEST, SWEETEST GUYS EVER TO PLAY FOOTBALL ON DRINKIN' DOWN BEER AND EATIN' UP QUARTERBACKS

by Bubba Smith and Dick Butkus

BUBBA: Now that we're not playin' football anymore, we spend more time poppin' tops off cans of Lite Beer from Miller than poppin' quarterbacks.

DICK: But our favorite topic of conversation over a couple of Lite Beers is still the art of playin' defense.

BUBBA: Yeah. The bigger we were, the harder they fell.

DICK: Very true. Being big helps give you presence. What I call winning through intimidation.

BUBBA: But you also have to play smart. Like watching the guy in front of you for a tip. Sometimes the position of a guard's feet'll tell you where he's gonna go once the ball is hiked. Feet can tell you a lot. I guess that's why shoes have tongues.

DICK: But smart guys remember they're on a team. Work with a partner. Try to draw players, so maybe he can get through.

This technique also works well when you want to get a Lite Beer

in a crowded bar.

BUBBA: And drinkin' Lite Beer is one of the *smartest* things you can do. Because Lite's less fillin', so it won't slow you down.

DICK: Sure. And even though we're not playin' anymore, after years of eatin' up quarterbacks, it's nice to relax with the great taste of Lite Beer.

BUBBA: You might say we've gone from being heavy hitters to Lite drinkers. Right, Mr. Butkus?

DICK: Right, Mr. Smith.

Teen gets 2 years for Houston death

United Press International
HOUSTON — A jury sentenced a teen-ager to two years in prison for involuntary manslaughter in what the youth called an accidental shooting death of his 11-year-old friend.

Police testified Monday that Jose Martinez Hernandez, who was 17 at the time of the shooting, ran to them and cried, "I did it," and placed his hands behind his back to be handcuffed.

Hernandez, 18, said he was showing Victor M. Barragan

how a pistol worked and know the gun he was loaded when he pulled the trigger.

Barragan's father, Barragan, however, dying son told him Hernandez shot him for refusing to give him some money.

The incident occurred in Hernandez' kitchen, which was reported stolen. Hernandez testified he had the gun from a market street.

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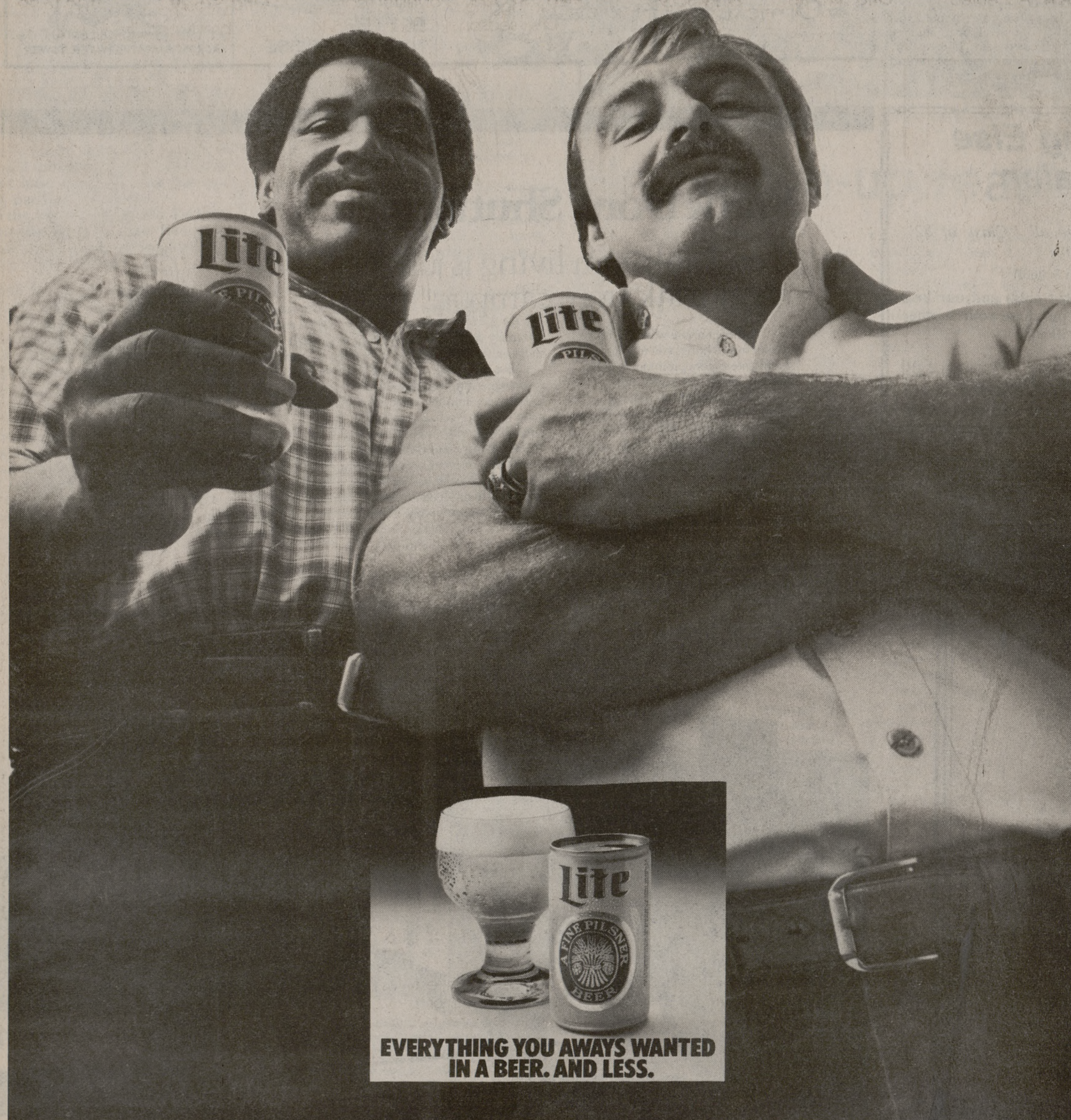
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