Man overstays jail erm by 10 months

mber state appeals court s blasted a Harris County demeanor judge for allowga man serving a six-month spassing sentence to spend rly 16 months in jail, court

ords showed. The First Court of Appeals iday called the case "shockto our sense of justice,"
d one member declared is injustice was done inten-

The appeals panel strongly iticized Harris County ourt-at-Law Judge Jimmie uncan for his handling of case of Cleveland Hicks Jr, a part-time student and

urity guard. Duncan, however, said the inion shows that the peals court "does not know at the hell they are talking

Hicks was released from jail ursday after attorney Leta eller discovered he had en "lost in the system," havserved nearly three times sentence on a misde-anor trespassing charge.

Attorney Moeller said she discovered Hicks' plight last week, took over the case and secured Hicks' release on a personal recognizance bond.

Duncan sentenced Hicks to 180 days in the county jail after a jury convicted him of trespassing for refusing a secretary's request to move out of a hospital personnel office to fill out a job application. At the time of sentencing,

Hicks already had served more time than his sentence, and Duncan declared him free to go.

But Hicks insisted on appealing the jury's guilty verdict and returned to jail because he was unable to post the routine \$2,500 appeal bond set by Duncan.

"(Duncan) had a clear and unmistakable ministerial duty to order that (Hicks) be discharged from confinement,' the court said.

The panel stated that Duncan was aware that Hicks had already served longer than his sentence and would be unable to post an appeal bond. The court said it would not tolerate situations in which judges force defendants to either give up their appeal or go back to jail.

"That Cleveland Hicks should have served 494 days on a 180-day sentence is outrageous and unjustifiable,' wrote Associate Justice Murry

This is not a case where the jailer forgot to release a prisoner at the end of his sentence. This injustice was done

intentionally," Cohen wrote.

Duncan Friday said he thought Hicks' courtappointed attorneys, Ron Mock and Ben Durant, had paid the bond and Hicks was free pending his appeal.

"Since he didn't want to go home, I forgot about it," Durant said. "He said he could get three square meals a day there, and that he would

be all right. 'The kid should have been been released when he got credit for his back time. I don't know whose fault that is. Perhaps I should have checked to make sure the kid got out of jail," Durant said.

Tax cut, deficit discussed

United Press International
DALLAS — House Majority
Leader Jim Wright, D-Texas,
said Saturday the elimination of
the third year of President Reagan's tax cut would chop \$30 billion from the projected \$204 billion budget deficit and help sustain the nation's economic re-

covery.

Wright, in a symposium on the budget, said national polls indicated 65 percent of Americans would rather see the deficit reduced than have a token amount of extra money in their paychecks.

"The polls show Americans don't believe they'll ever see the money from a tax cut," Wright said. "But they do want the deficit reduced.

The symposium, organized by the Committee for a Responsible Federal Budget and underwritten by the Kerr Foundation in Oklahoma, was a gathering of Republican and Democratic officials and members of the news media to explain the budget process to Americans and the hazards of continued

"There are some hard facts and some difficult choices," Wright said. "The current deficit (three times higher than any

"The current deficit must be an embarrassment to the president. He offered his economic recovery plan, and with very few exceptions Congress has followed it." — House Ma-Leader iority Wright, D-Texas.

panel members said the government was borrowing up to 80 percent of the money in American savings accounts — com-pared with 50 percent in the Carter administration — making it difficult for the private sector to compete for loan money. The result is that industries dependent on loans for survival may have to pay higher interest

Sen. Pete Domenici, R-N.M., chairman of the Senate Budget

eral budget deficit reaching the

\$200 billion range instead of

being balanced, with unemployment in the area of 9 percent

and double digit interest rates.

With the deficit so high,

Wright's warning that Reagan's tax cut should be eliminated, there was little chance of that happening. He also said Reagan had pledged to veto any bill trying to kill the tax cut.

Rudolph Penner, an economist with the American Enterprise Institute, said the ideal economy would be one with 5 percent annual growth through 1986, an unemployment rate no higher than 6 percent and an inflation rate in the neighborhood of 3 to

Penner said, however, if the economy starts coming back too fast — raising the specter of inflation running 7 or 8 percent— the recovery could be aborted and turn down again.

Parents win damage uit after child's death

gled on playground equiptat a Houston daycare cen-

said he was "gratified" he a \$300,000 damage suit beit might help prevent fuplayground losses.

ther parents," said David usually have little recourse in emon, one of the parents of these cases," he said. "But we

had some?

MWF 9:00 T Th 3:30-4:45 Wed 6:30-9:30

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Cafeteria

MONDAY EVENING

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Salisbury Steak

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Mushroom Gravy

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FRIDAY EVENING

SPECIAL

BREADED FISH

FILET W TARTAR

SAUCE

Hush Puppies

Choice of one vegetable Roll or Corn Bread & Butter

United Press International oUSTON — A parent on outdoor gym equipment at the Houston Montessori Children's Center. "But this was a horrible way to prove a point. There is no way to adequately express the loss of a child, our

He said attorneys were generally reluctant to handle his case

We're happy and gratified because of its unusual nature.

maybe we have helped out "The parents of children 'The parents of children usually have little recourse in

TUESDAY EVENING

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Mexican Fiesta

Dinner

Two Cheese and Onion Enchiladas

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the child killed while climbing feel this decision may set a major precedent. It may be a landmark in favor of children.

A jury ruled the center was negligent in the child's death by failing to provide proper super-vision, proper life-saving aid and proper emergency training for employees

Later state licensing officials examined the playground and recommended several safety changes, Nemon said.

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followed it.

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Outdoor concert

April — Superstars competition

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May — Kegs by the pool

June — 2nd annual watermelon extravaganza

July — Games picnic

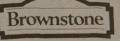
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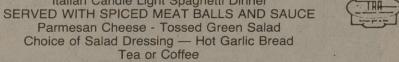
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