

Witness given new identity, involved in hot check scam

United Press International
HOUSTON — A man given a new identity under the federal witness protection program passed \$83 million in worthless checks in a bank scam "so fat I couldn't believe it" and was fined only \$1,000 in a plea bargain, a newspaper reported Monday.

In Washington, a Justice Department spokesman confirmed the department had a man in its witness protection program that fit the description in the copyrighted report in the Houston Chronicle, and knew he was under indictment.

But the spokesman said neither the department nor the U.S. attorney's office in Houston knew of the outcome of the case.

The Chronicle said the convicted swindler was given a new identity, John M. Bennett, and moved to Houston in 1977 after testifying against two police officers in a California securities fraud case.

An indictment charged he floated \$82.9 million worth of

checks through Houston banks and a resultant \$81.5 million in cash through a California money market fund during four months of 1978.

Once discovered, his trial was handled in secret because of his protected witness status and ended with him found guilty of misdemeanor conversion of \$100 and fined \$1,000. Prosecutors involved refused comment.

"We do have a fellow in that program that fits" the report, Justice Department spokesman John Russell said. "But we don't know the outcome of what happened down in Houston. We sent material down there, a whole rap sheet on him. We knew he was under indictment."

Russell said the U.S. attorney in Houston "doesn't know anything about it. He told me the attorney who prosecuted the case no longer is with the Houston office, and there is no file there on the case."

Russell said the holding of a secret trial would be "very unusual because you have to have the attorney general's permis-

sion for it, and this is given only under very, very rare circumstances."

Documents obtained by the Chronicle showed a dignified looking Bennett used an FBI reference to start the scam at a Houston area bank. He said he put the cash in the Capital Preservation Fund in California because the fund takes advantage of the time it takes for checks to clear banks across the country. Capital Preservation Fund since has changed its rules.

Once the scheme was going, Bennett said he moved from

bank to bank using the previous banks as references.

"I made no credit applications, no nothing, with any of these people," he said.

Bennett said at one point he could have pulled out of the scam and walked away free with \$7.9 million cash from the fund, but he did not want to quit.

"I'm afflicted by the same problem as all other human beings. I'm a bit greedy," Bennett said.

The scheme finally broke when nine checks for \$5.4 million bounced.

2 in custody after shooting

United Press International
ODESSA — A man and woman remain in custody on \$100,000 bond for delivery of cocaine stemming from a Friday shootout with authorities that left one man dead and two officials injured, a police spokesman said.

Michael Grant Matheny, 33, was shot and killed by detective Stephen Fredrick in a room at the La Quinta Inn on U.S. 80, police spokesman Rusty Baker said Monday.

Jerald Leon Hardin, 31, and Jana Matheny, 22, both from Odessa, have been charged with delivering cocaine, Baker said.

The elder Matheny shot detective Phil Harrold and Ector County narcotics officer Jim Dickson as they entered a room where Fredrick — working undercover — was buying 3.5 ounces of cocaine for \$7,000, Baker said.

Hardin had been waiting outside in a pick-up truck and

fled the scene upon the shootings, but Baker said authorities stopped him a short time later.

Baker says both Harrold and Dickson suffered gunshot wounds to the stomach, but both were treated and released from the hospital. Police worked with the Ector County sheriff's office and the state Department of Public Safety on the drug investigation, Baker said.

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Tenneco to sell company

United Press International
HOUSTON — Tenneco Inc. said Monday it plans to sell a portion of its petrochemical company to a Houston firm early next year.

Tenneco Oil Processing and Marketing officials said they signed a letter of intent Friday to sell Petro-Tex Chemical Corp., a wholly subsidiary of Tenneco, to Texas Olefins Co., headquartered in Houston.

"We were not looking to sell. But they made us an offer, and after looking at it we went back and began negotiating," said Tenneco spokesman H. Tony DeHaas. "That was the reason."

Financial terms of the sale were not disclosed, but officials said the sale will be concluded during the first quarter of next year.

Petro-Tex is a production facility where gasoline additives and other petrochemical products are manufactured. The company was formed in 1955 by Tenneco and FMC Corp. Tenneco acquired full ownership of the plant in 1977. It is located on 240 acres on the Houston Ship Channel.

Major Petro-Tex products include butadiene — which is used in synthetic rubber and nylon — butene-1, isobutylene, diisobutylene, polymer gasoline and methyl tertiary butyl ether (MTBE).

DeHaas said it was not known if any of the employees at the plant will be laid off.

"That's part of the negotiations," he said.

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Rate hike approved for TESCO

United Press International
AUSTIN — The Public Utility Commission Monday granted Texas Electric Service Co. a \$72 million annual rate increase, far less than half what the company requested.

But the commission order gave TESCO about \$12 million more than was recommended by a PUC hearing examiner.

Officials of the Fort Worth-based electric utility said the increase was inadequate, but no decision has been made on a possible appeal.

"Considering what our needs are, this is woefully inadequate in meeting the needs of our company," said Eddie Watson, vice president for revenues of Texas Utilities, TESCO's parent company.

The company had cited higher construction costs, inflation and growth in customers in seeking a \$195 million increase in rates.

Under the PUC order, TESCO's revenues would increase by about 7 percent a year. The company had sought a 16 percent increase.

PUC spokesman Rick Hainline said the difference in the commission's final figure and the examiners' recommendation was due to a change in accounting procedures for construction work in process and a slight increase in rate of return allowances.

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