

# State and Local

## Lawyers seek change of venue in murder case at CS restaurant

By Carolyn Garcia  
Staff Writer

Attorneys for the man charged with the Jan. 15 stabbing death of the night manager of Julie's Place Restaurant have filed a request to have the trial moved from Brazos County.

Court-appointed attorney Tyler Moore asked State District Judge Carolyn Ruffino to grant his request so his client would be assured of a fair trial following what he cites as "extensive pretrial publicity" by the Bryan-College Station news media.

Tyler is representing capital murder suspect Terry Washington.

Washington's attorneys have filed 51 motions between March 25 and Monday in relation to his defense, including one to cut down on media coverage of the pretrial hearing set for April 24.

The motion states, "Such publicity has been inflammatory and unfair and created such hostility toward the defendant and prejudiced the opinions of members of the community to such a degree that it is unlikely a jury could be selected which could render a verdict solely on the evidence presented at trial."

Local attorneys Roland Searcy Jr. and Henry

C. Paine supplied supporting affidavits claiming news reports have created such a great public prejudice that a fair trial would be impossible.

Washington is being held in Brazos County Jail without bond charged with capital murder in relation to the stabbing death of Beatrice Huling.

Capital murder carries the possible punishment of death by lethal injection. A murder is ruled a capital murder if the murder occurred in connection with a robbery.

Huling, the night manager of Julie's Place restaurant, was found in a pool of blood in the office doorway of the restaurant. Bryan pathologist J.C. Lee reported that Huling had been stabbed 85 times.

Washington continued to work at the restaurant until shortly before his Feb. 25 arrest in connection with the murder. He had been working a few hours before Huling was killed.

Ruffino says she will decide after the pretrial hearing whether she will grant the change of venue.

"I cannot make any decision until I hear the evidence presented at the pretrial hearing," Ruffino says.

Should she decide to move the trial, Ruffino

says, she will have to search for a county to have it in.

District Attorney Bill Turner says requests for moving a capital murder trial are common and almost always are motivated by media coverage.

"The public has a right to know about criminal cases," Turner says. "However, the defendant has the right to a fair trial. If the publicity has been to such a degree that it would clearly hurt the defendant's right to a fair trial then the judge may rule to move it."

"But if the publicity has not been to the degree that it would hurt the case, then it should be tried in the community (in which the crime occurred)."

One of the 51 motions requests jurors be sequestered immediately after they have been selected.

The motion states, "There is a clear and present danger that the news media, to wit, television, radio and newspaper media, will report evidence which has not been admitted into evidence or which has been excluded from evidence in this trial as well as any remark by any officer or agent of the state regarding the merits."

"If jurors become aware of said evidence by virtue of reports of this trial in the news media, the defendant's right to a fair and impartial trial would be seriously prejudiced."

## Appeal falls short; Dunn Hall resident found guilty in case

By Curtis L. Culberson  
Staff Writer

An eight-week-long battle fought against the Residence Halls Judicial Board by a Dunn Hall resident ended when Assistant Director of Student Affairs Thomas Murray upheld the guilty verdict of the judicial board.

After being found guilty of possessing stolen property in the second of two judicial board hearings, Donald Stroud said he would appeal his case on the basis of double jeopardy and selectivity of the charge.

Associate Director of Student Affairs Bill Kibler said Monday that protection from double jeopardy is guaranteed by the Constitution and it applies in criminal cases involving the state.

"A criminal court has the latitude to put someone in jail and take away freedoms," Kibler said.

"A judicial board hearing is an informal administrative procedure—it's not a trial," he said. "It involves disciplinary action between a student and the University."

Kibler added that this wasn't the first case that allegations of double jeopardy have been made against the judicial board.

Stroud said, "I am obviously not pleased with the decision or my punishment."

Stroud was given the choice of community service or hall probation for the next fall's semester.

Stroud said he would choose hall probation, but added, "Hall probation seems very severe for such a petty thing."

Stroud was charged with possession of stolen door signs, memo boards and pens from Krueger and Mosher halls. Stroud said he found the articles in a brown paper bag marked, "Courtesy of Aston" while studying in the Commons.

Joe Skladal, who was with Stroud when he found the items,

originally was charged along with Stroud of vandalism and damages to University property.

They were both found innocent of those charges at a Feb. 10 judicial board hearing but were recharged. Skladal and Stroud claimed that recharging them was double jeopardy since they had already been found innocent at the first hearing.

Both Stroud and Skladal, who was recharged as an accessory to the possession of stolen property, stormed out in the middle of the second judicial board hearing held on March 10.

In a closed session following the hearing, Skladal was found innocent and Stroud was found guilty.

Murray said he thought the judicial board handled the situation in the best manner possible.

"They did all they could," he said. "They needed to make a decision."

Stroud said the situation is responsible for the sharp drop in his grades this semester.

"It took them two months to do what should have taken two weeks," Stroud said.

But Kibler said that the judicial board is limited to hearing only the specific charges brought up against students by administrators.

"This is done to protect students against any misuse of judicial board by their peers," he said.

Kibler also said that both students involved had the option of meeting with a staff member which could have lessened some of the bureaucracy involved with judicial board hearings.

In this case, that staff member would have been Rick Turnbough, assistant south-area coordinator. However it was Turnbough's office that brought the charges against Stroud and Skladal.

Skladal said, "It didn't make sense to go to Turnbough."

## Corrigan withdraws from race

Dr. Dean Corrigan, dean of the College of Education at Texas A&M, has withdrawn as a candidate for chancellor of the University of Missouri.

Corrigan said he was honored to be nominated and selected as a finalist for such an important post at a major university, but after reflecting on the situation, he decided to pull out of the race for chancellor and remain at Texas A&M.

"So far my colleagues and students at Texas A&M have been more than reasonable in putting up with the distractions caused by my participation in this process," Corrigan said. "I feel obligated to bring it to a conclusion now."

## Mattox ruling says Texas deficit can carry over to next budget

AUSTIN (AP)—The Legislature got a little breathing room Thursday as Attorney General Jim Mattox ruled that this year's \$1 billion budget deficit may be carried over into the next two-year spending period.

If Mattox had ruled otherwise, lawmakers would have been forced to raise \$1 billion in taxes in only a few months or see state government grind to a halt.

House Speaker Gib Lewis, D-Fort Worth, said Mattox's ruling was good and bad news.

"It gives us a little breathing room," Lewis said. "That's about the only thing you can say."

"The good news is, we're not going to have to cut back in education spending, (prison construction or social programs)," Lewis said. And government won't be "at a standstill, which would have happened if the attorney general's ruling had been otherwise."

However, Lewis said, "the bad news is . . . we're \$1 billion short. We're going to have to either make up that \$1 billion or we're going to have to make \$1 billion (in) cuts in the next biennium."

Mattox's legal opinion was in response to questions from State Comptroller Bob Bullock, who wondered whether carrying the \$1 billion debt from 1986-87 into the 1988-89 budget period would violate the Texas Constitution's pay-as-you-go provisions.

Mattox said although it might violate the spirit of the constitution, such a scheme is legal.

But the Legislature must find a way to make up the \$1 billion shortage during 1988-89, or the comptroller can't certify that budget as balanced, which is required by the constitution, Mattox said.

Mattox chided the Legislature for following the federal government's red ink example.

"While I may be powerless to prevent this deficit financing, I feel it is my duty not to yield our constitutional heritage of a balanced budget without registering my protest," Mattox said.

The attorney general said Bullock has done his duty by telling the Legislature and governor of the anticipated deficit, and it now is up to lawmakers to live up to the constitution's balanced-budget requirements.

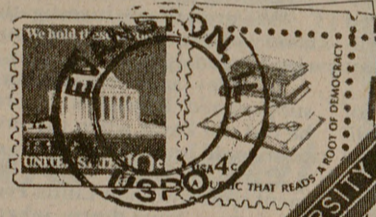
Gov. Bill Clements said he was pleased with the attorney general's ruling.

"His decision confirms what I had planned in my budget proposal, which includes funding to pay the \$1 billion deficit," Clements said.

Have a meaningful relationship this summer.

Sun rising on Northwestern's lakefront campus

Quick. What do George Balanchine and Margaret Mead have in common? Good question, right? Yesterday lunchtime got into a long conversation about it with a guy taking a course there at NU called ethnography of performance. Talked for over an hour. Sure beats usual summer drivel about tan lines. Mine's good by the way.



KYLE JOHNS  
1039 Alton Drive  
Los Angeles, CA  
90024

NORTHWESTERN UNIVERSITY  
SUMMER SESSION '87

2003 Sheridan Road  
Evanston, Illinois 60201

Please send my free copy of the Summer Session '87 catalog with financial aid and registration information. (Available mid-March)

Name \_\_\_\_\_  
School Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Home Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_

Wish you were here.  
Send the coupon or call 1-800-ENRIS-NU (Inside Illinois call 312-491-6250)

SS 4

SHORT ON CASH???

Sell your books at University Book Stores Northgate & Culpepper Plaza

You are invited to a Gospel Meeting

at the Twin City Church of Christ April 5-10, 1987 Lessons will be presented by Jerry Fite

7:30 p.m.—Mon. thru Fri. 810 Southwest Parkway 10:30 a.m. & 6 p.m. Sunday College Station, Texas

NEED MONEY???

Sell your BOOKS at University Book Stores Northgate & Culpepper Plaza

DRUG TESTING

Obligation or violation?

April 6, 1987



The Battalion 845-2611

## AG CONVOCATION and CHILI COOK-OFF

Saturday, April 4, 1987

1:00 p.m.

Central Park, College Station

Tickets \$2.<sup>50</sup> from Kleberg, Dean's Office,

Ag Council Representatives, or at the door.

Chili Cook-Off  
Volleyball tournament  
Domino tournament



Sponsored by the College of Agriculture, Alpha Zeta, and Student Agricultural Council.