

State and Local

Waco lawyer offers testimony against Feazell in bribery trial

AUSTIN (AP) — A Waco lawyer testified Wednesday that his law firm's business prospered after an agreement was made with District Attorney Vic Feazell to share fees on cases dismissed.

"Our business seemed to continue to increase," said Dick Kettler, who appeared as a government witness in Feazell's racketeering and bribery trial.

Kettler said Tuesday that he and his partner, Don Hall, made an agreement with the McLennan County prosecutor in May 1984 that Feazell would get one-third of the legal fees paid for cases that Feazell handled.

Feazell, 35, who is still district attorney, is being tried in U.S. District Court on charges he accepted bribes for illegal campaign contributions in exchange for his influence over criminal cases.

Feazell has denied the charges. Kettler said Wednesday he never actually saw Feazell receive any money but he and Hall talked frequently about amounts to give Feazell for help in certain cases.

Under questioning Wednesday, Kettler said he had a written agreement with the government to plead guilty to a felony charge of tax evasion in return for his testimony. He said his attorney was still negotiating with U.S. attorneys over the punishment.

The jury heard an hour-long tape recording Wednesday made in Kettler's office on Sept. 12, 1986 of a conversation between him and Feazell. The district attorney did not know the recording was being made. Most of the conversation concerned

the grand jury investigation in Austin into Feazell's office.

At one point in the tape, which was arranged by the FBI, Kettler told Feazell: "I don't know of anything that can connect you and us."

He was asked what he meant.

"At that time I did not know they had any records to connect Don Hall and me making payments to Feazell," Kettler replied.

At another point in the tape, Feazell reminded Kettler that "you have the privilege."

Kettler said this meant "I didn't have to divulge anything between me and my attorney."

Kettler said when the agreement was made with Feazell in May 1984, the firm's standard fee for handling DWI or drug cases was \$200 to \$300 if the client wanted to plead guilty or accept a probated term.

If there was a chance the DWI charge might be dismissed for lack of evidence or decreased to public intoxication, the fee would be \$1,500 to \$2,000, Kettler said. But after the agreement with Feazell, he said, the fee in such cases was increased to \$3,000-\$3,500.

"Feazell's share was generally one-third," Kettler said. "Hall would tell me how much money to get out of the office safe, and I would give that amount to him. I did not ever see Hall give the money to Feazell."

Kettler was questioned about a number of individual cases.

In one case, a client was charged with delivery of drugs while still on probation from another charge.

"We agreed to pay one-third of the \$6,500 in cash minus 20 percent we would have to pay for income tax," Kettler said. "Feazell was paid."

Appeals court rules in favor of AT&T over charge of discrimination by PUC

AUSTIN (AP) — The 3rd Court of Appeals ruled Wednesday that the Public Utility Commission discriminated against AT&T Communications of the Southwest, Inc., and certain other long-distance telephone companies by leveling "access charges" on them but not Southwestern Bell.

An access charge, as defined by the court, is a fee paid by AT&T and other long-distance common carriers.

The charge pays for the carrier's "access" to local telephone exchanges operated by Southwestern Bell and small independent telephone companies, or "local exchange carriers."

Access to the local telephone exchange is necessary to originate and complete customers' long-distance calls, Chief Justice Bob Shannon of the appeals court noted.

According to Shannon, AT&T and others

complained that an Austin district court had erred in sustaining PUC orders "which imposed access charges on them but not on SWB and other similarly situated telephone companies, even though SWB and the others use the same telephone exchange facilities for the same purpose" as AT&T.

The problem originated with the federal court decree ordering divestiture of the Bell Telephone System, Shannon said.

Texas was divided into districts known as "Local Access and Transport Areas" — or LATAs.

Local exchange carriers — and Southwestern Bell — provide long-distance service intra-LATA.

AT&T also may compete for that long-distance business.

The PUC, it was noted, leveled access charges against AT&T and the other long-distance carriers

whether they were providing intra-LATA or inter-LATA service.

"In contrast, the commission's order did not require the local carriers and SWB to pay access charges or to reflect an access charge as an element of their intra-LATA toll rate," Shannon said.

AT&T and others argued that through access charges which, for certain distances, are higher than the entire retail price of the local exchange carrier's or Southwestern Bell's toll call, "they are being forced to subsidize their competitor's toll business," Shannon said.

The 3rd Court of Appeals reversed the Austin trial court judgments, which had affirmed the PUC order. The trial court was instructed to remand the issues to the PUC "for further proceedings" consistent with the appeals court opinion.

Two hurt sailors from USS Stark get medals

SAN ANTONIO (AP) — Two sailors injured when Iraqi missiles struck the USS Stark received Purple Hearts in ceremonies Wednesday at the hospital where they are recovering from extensive burns.

Ray Dery, a spokesman for Brooke Army Medical Center, said the families of the two Navy petty officers were present when they received the medals from Rear Adm. David R. Morris.

Lawrence Mark Bareford, 23, of Fredericksburg, Va., and James R. Wheeler, 28, of El Paso, were among the injured aboard the Stark when it was hit in the May 17 Persian Gulf attack.

They arrived at Brooke, which has the U.S. military's only burn center, on May 20 and are now in satisfactory condition and doing well, Dery said.

Dery said Bareford's mother and father, Beale and Nancy Bareford, attended the ceremonies, along with Wheeler's mother, Nan, and two brothers, Army Specialist 4th Class Walter Wheeler and Jonathan Wheeler.

Morris is chief of naval air training at the Naval Air Station in Corpus Christi.

'Master forger' victimizes sellers; is wanted by police in six states

DALLAS (AP) — A convicted counterfeiter who wrote a book called "Nation's Master Forger" while in prison is being sought by authorities in six states in connection with a scheme to rip off people holding garage sales.

Police say James S. Jennings, 49, an escapee from a federal prison in Big Spring, uses counterfeit cashier's checks to buy goods at garage sales or from people selling valuable merchandise such as electronic equipment, cameras or computers through classified ads.

"He's able to accomplish this not because his cashier's checks look so good but because he gains these people's confidence," Dallas Police forger investigator Ricky Smith said.

He has filed two cases against Jennings in the past five months.

Smith said Jennings usually passes checks ranging from \$800 to \$4,000 and tries to conduct business after banking hours so verification of the check cannot be made.

Some of the checks have been drawn on banks in Houston and a defunct bank in Plainview.

Jennings allows the sellers to take information from his driver's license when they accept the authentic-looking checks, authorities say.

But they say he is apparently capable of making phony driver's licenses.

U.S. Marshal Clint Peoples said

Jennings' record includes five prison sentences in three states for forgery and counterfeiting.

He has used as many as 30 aliases, Peoples said.

"We have not been able to establish a pattern in Jennings' movements, other than the fact that he seems to make sure he follows no patterns," Peoples said.

Authorities in Houston are

"It's going to take some citizen who's a little bit leery to catch him. He's very paranoid about things, and the smallest thing not seeming right can make him go on somewhere else."

— Jack W. Lisano, investigator

among the most interested in catching Jennings.

"We've got him indicted on three, but we've got 15 or 20 more cases," said Jack W. Lisano, an investigator with the Harris County district attorney's office. "There isn't any use indicting him on any more because he's already wanted by so many agencies."

"It's going to take some citizen who's a little bit leery to catch him. He's very paranoid about things, and the smallest thing not seeming right can make him go on somewhere else."

Lisano said Jennings has used phony credentials at times indicating he was either a pilot for Delta Air Lines or Continental Airlines. He said Jennings apparently faked the airline identification himself.

Authorities say Jennings was serving a second prison term in 1973 when he wrote a book called "Nation's Master Forger" about his exploits. He vowed to give up his life of crime. The book didn't sell well, and Jennings made the rounds of television talk shows before returning to the profession that brought him notoriety.

He was sent to prison three more times after that, the last time in February 1986, for possessing and cashing counterfeit cashier's checks. He escaped later that year.

In addition to Dallas and Houston, Jennings is wanted by Texas authorities in College Station, Port Arthur, El Paso, Odessa, San Antonio, Amarillo, Austin, Waco, Canyon and Temple. Outside Texas, he is wanted by authorities in Oklahoma City; Little Rock, Ark.; Shreveport, La.; Albuquerque, N.M.; and Phoenix, Ariz.

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