

## Supreme Court grants convict execution stay

HUNTSVILLE(AP) — Convicted killer Donald Gene Franklin, who faced death by injection later this week for the abduction-slaying of a San Antonio nurse more than 12 years ago, won a stay of execution Wednesday from the U.S. Supreme Court.

Franklin, who turned 36 last week, had pinned his final hopes for a reprieve on the high court. He was scheduled to die early Friday.

His attorney, Mark Stevens, was challenging the conviction on eight grounds, including improper comments by prosecutors to the jurors.

Similar arguments were rejected last week by the 5th U.S. Circuit Court of Appeals.

Franklin has had three trials and four execution dates. He has been on death row nearly 11½ years.

He was convicted of the abduction and subsequent death of Mary Margaret "Peggy" Moran, 27, who was taken July 25, 1975 from the parking lot of a hospital where she worked.

Moran's mother, Patricia Crawford, said, "I can't believe this. This just goes on and on. I guess with everything that has transpired, it doesn't surprise me very much."

Police arrested Franklin several hours after Moran's abduction, but he refused to acknowledge any role in her disappearance. Several of the woman's personal items were found at his home along with a bloody pair of pants. He insisted he loaned his car and the pants to a friend.

Moran was found six days later, nude and barely alive in a field near the hospital, suffering from shock and loss of blood due to multiple stab wounds. She died the next morning.

Her disappearance had triggered a massive search and made the Franklin case one of the most notorious ever in San Antonio.

## Warped



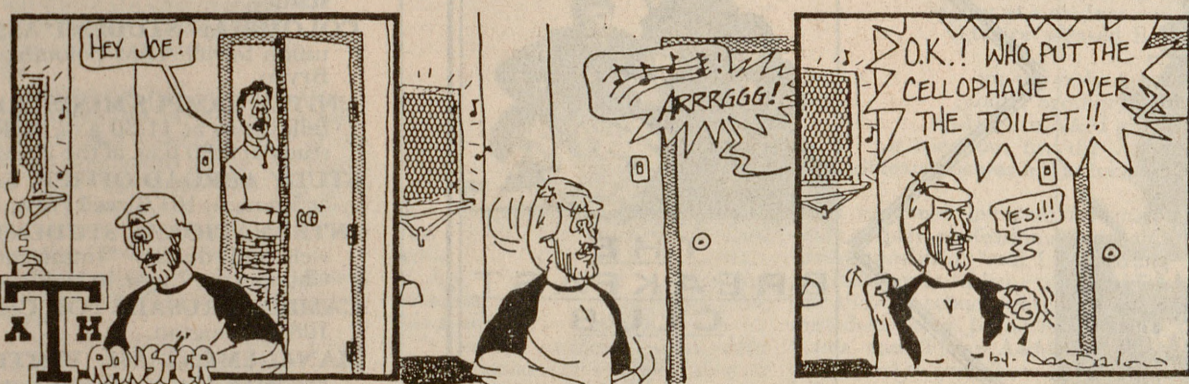
by Scott McCullar

## Waldo



by Kevin Thomas

## Joe Transfer



by Dan Barlow

# A&M Veterinary College offers device to restore dogs' hearing

By Bridget Harrow  
Reporter

Older dogs unable to hear their master's call, car horns or just the bark of fellow dogs now can have their hearing restored with the help of a hearing aid available through Texas A&M's College of Veterinary Medicine.

Dr. Patricia Lutgen, the only board-certified veterinary neurologist in the state, said she is trying to inform people about the hearing aids. She said she receives about four or five phone calls a year from dog owners who ask about them.

"Dogs are living longer lives because of better veterinary health care," she said, "and they are getting up there in years where the deafness is going to start to show more than it used to."

"We have the diagnostic equipment to determine which dogs need them, and in which dogs the hearing aid won't work. Just sticking the aid in a deaf dog is not a guarantee that the dog will hear and benefit from it."

To determine how much hearing loss a dog has and of what nature, auditory-evoked potential testing is administered. A series of tones and clicks are set off in each ear to determine if brainwaves are generated from the sound.

Lutgen said the college is looking for dogs that have conduction deafness, in which the nerve is fully or partially intact, but needs help so it still can send messages and signals to the brain to consciously perceive

sound. This type of deafness can be treated with a hearing aid, she said. "Dogs that are nerve deaf, where there is permanent damage to the hearing nerve, or in young puppies that are born just without the nerve cannot be helped," Lutgen said.

Another way dogs lose their hearing is from infections that extend into the inner ear, she said. Conduction deafness usually begins when dogs are about 9 or older, she said.

of them are made with a straight stem," she said.

For size adjustment, there is a compressible foam and the aid is run through the center of it, she said. The foam is selected for the size of the dog's ear canal and then compressed to a small ball, she said, but once inside the ear, the foam expands to fill in any excess space.

The aid will work in any dog that weighs 10 pounds or more, Lutgen

Since dogs have to be trained to wear the aids, Lutgen recommends a basic four-week training program. The first day should be spent keeping the hearing aid in the dog's ear for 15-minute periods, while restraining the dog from immediately shaking his head or pawing the aid out, she said, and the periods should gradually increase to 30 minutes during the first week.

By the second week, the dog should wear the aid three continuous hours a day at an increased volume, she said.

During the remaining two weeks, the wearing time is increased until the dog can wear the aid all day, she said.

"People who are very willing to work with their dogs and are home enough to do it have a good success rate," Lutgen said. "We are getting about an 80 percent success rate with the first few dogs."

Lutgen said some dogs are too temperamental to tolerate the aid.

"They are the kind who probably never had their feet in wet grass and have never been disciplined in their life," she said. "And getting them to tolerate anything in their life has never been forced upon them either."

Lutgen said she doubts that a dog-whistle hearing level can be restored to any dog wearing the aid.

"Even though hearing is not restored to the original level, I think dogs like to hear the human voice," she said, "even if it is saying 'No, don't do that.'"

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— Dr. Patricia Lutgen, board-certified veterinary neurologist

Lutgen said her dog was about 12 when she noticed his significant hearing loss.

The dog hearing aid, made in Huron, Mich., has the same electronics as a regular human hearing aid, she said. It runs on a watch-size battery and has a volume control, she said.

However, she said, the dog aid will be less expensive than human hearing aids because they are mass produced.

"The difference in the dog hearing aid is that instead of each aid having to be molded specifically for the ear configuration of each dog, all

said. For smaller dogs, the outside bulb of the aid is too big, she said.

The aid costs \$250 plus state tax, and the basic exams and testing, which take about a day to complete, are no more than \$100, Lutgen said. The foam and the batteries are the only replacement costs, she said.

Lutgen said the foam currently lasts up to several months and costs just a few dollars for a month's supply. The batteries last about two weeks if the hearing aid is used only during the daytime hours and a week if the aid is used 24 hours a day, she said.

when a black man was burned at the stake on the county courthouse lawn.

District Attorney Peter Spears objected, saying the question was irrelevant, but was overruled.

Defense attorney Don Brown testified he thought former Montgomery County District Attorney Jim Keeshan tricked defense attorneys by saying if Brandley would go before a grand jury he wouldn't ask for high bond. His bond was set at \$30,000.

Then Keeshan turned around and filed a motion to revoke Brandley's probation for possessing a sawed-off shotgun, which was denied, he said.

Sheldon Eklund Olson, a University of Texas associate professor in sociology, testified that he did a study of Texas' death penalty in 1982-83 focusing on the first 10 years of its existence.

He said the most likely person to receive the death penalty is a black defendant with a white victim in a rape-homicide case.

# 2 ministers testify at hearing of convicted killer Brandley

GALVESTON (AP) — Two ministers testified Wednesday they attended the first two trials of convicted killer Clarence Brandley and said a hostile racial attitude was present.

"When you passed by a deputy or when you spoke to or asked a question, you could tell you weren't a welcomed guest or a first-class citizen," said the Rev. C. Anderson Davis of Houston, director of the National Emancipation Association.

When prosecutor Rick Stover asked Davis if his assumption was a subjective opinion, Davis said a Montgomery County sheriff's deputy told him during the trial that the case had been rigged.

The prosecution asked Davis to identify the deputy if he could, but defense attorneys objected, saying they didn't want to allow it if it meant the deputy would lose his job.

Visiting State District Judge Perry Pickett ordered a closed hearing with attorneys and Davis so he could further describe the deputy. Transcripts of the closed meeting will be filed and sent to the Texas Court of Criminal Appeals.

Pickett is considering evidence at the hearing moved to Galveston after defense attorneys complained that witnesses would feel intimidated in Montgomery County, Brandley's home county 90 miles to the north.

The judge must recommend to the appeals court whether Brandley should be granted a new trial, his third.

Brandley, 36, was convicted in 1981 of the August 1980 rape-strangulation of Cheryl Ferguson, 16, who was slain while at Conroe High School with her Bellville High School girls volleyball team. She was the team manager.

The Rev. J.J. Roberson, of Houston, who also attended Brandley's first two trials, said there was a prejudiced atmosphere, especially with an all-white jury. Brandley is black, Ferguson was white.

"We tried to sit there and look at the jury and try to find one face that might be favorable to Brandley, but we couldn't find that face," he said.

Defense attorney Mike DeGeurin asked Roberson if he thought things in Conroe had changed since 1980

## Technology could expand oil production

DALLAS (AP) — A huge potential exists to expand production in U.S. oil fields, but experts said overworked fields will remain top producers only if the industry puts a priority on technological advances.

During the boom times, "no one needed to do it better," said Frank Schuh, president of Drilling Technology Inc., at the annual meeting of the Society of Petroleum Engineers.

"The problem is that 80 percent of all the wells drilled in this country," Schuh said Tuesday. "We've found it all."

If the industry is going to "survive on these crummy fields," several new methods of drilling will have to be explored, such as advances in drilling technology, he said.

Robert C. Mills, vice president of Mobil Exploration and Producing Services Inc. said the industry's dedication to technology is just as necessary as its consolidation and retrenchment.

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