

Police Beat

The following were reported to the University Police Department between Oct. 20 thru Monday:

MISDEMEANOR THEFT:

- Six bicycles were reported stolen.

- A student reported that someone stole a set of surgical instruments from the veterinary school.

- A student reported that someone stole the tailgate from his 1982 Chevy pickup truck.

- Four metal parking signs were reported stolen.

BURGLARY OF HABITATION (Supplemental Information):

- A box containing jewelry and personal belongings was left on the front porch of the UPD building. A note in the box said the belongings had been taken from Mosher Hall residents during the 1986 fall semester. The belongings were returned to their owners, who were determined by police records.

HARASSMENT:

- In one hour, police received seven reports from five buildings complaining of obscene telephone calls.

CRIMINAL MISCHIEF:

- A student said he saw four people who appeared to be drunk walking on top of a 1985 Buick.

- Someone removed a Honda Spree from a bicycle rack near McInnis Hall and pushed it into shrubs on the north side of Parking Annex 3.

POSSESSION OF A CONTROLLED SUBSTANCE:

- A Crocker Hall resident told police that his roommate had been using marijuana in their room. Police searched the room and found marijuana residue in a bowl.

FELONY THEFT:

- A Kawasaki motorcycle was stolen from a parking lot in front of Aston Hall.

Lawyer declares candidacy plans for appeals court

AUSTIN (AP) — The president of the Travis County Bar Association declared his candidacy for the 3rd Court of Appeals on Tuesday, charging that incumbent Justice Jim Brady won the seat because of voter confusion over his name.

"His upset victory in 1982 came in the wake of a year of intense national press attention over the wounding of President Reagan's press secretary, Jim Brady, in the assassination attempt," lawyer Woodie Jones said.

"This seems to have been a clear case of name confusion," Jones said. Jones also charged that Brady's decision to issue a news release about a court ruling last week — which ended with the court withdrawing its ruling — raised questions about the judge's abilities.

"Ethical questions about Jim Brady's recent conduct focus appropriate attention on his integrity and judicial qualifications, as well as his initial election to the bench," the challenger said.

"Jim Brady's recent action appears to be a desperate attempt to rebuild name identification as the fa-

miliarity of his name fades," Jones said. "During the course of this campaign, I think we will find that last week's embarrassment was not merely an isolated incident, or a momentary lapse in otherwise good judgment, but part of a pattern which calls into question Jim Brady's ability to serve on the 3rd Court of Appeals."

Brady last week issued a news release shortly after the court had ruled in favor of the *Wall Street Journal* in a libel case. Brady's news release said the opinion, which he had authored, had "breathed fresh new life into the First Amendment freedom of the press..."

Chief Justice Bob Shannon of the 3rd Court the following day announced that the ruling and opinion were being withdrawn, and the executive director of the State Commission on Judicial Conduct said he intended to take the matter to the commission for its consideration.

Jones, 38, also a Democrat, said he already had enlisted more than 1,000 lawyers to serve on his campaign steering committee.

Man slated for death gets execution stay from federal judge

HUNTSVILLE (AP) — A federal judge granted a stay of execution Tuesday for Curtis Lee Johnson, a death row inmate slated for lethal injection after midnight for a slaying in which \$8 and a camera were taken.

U.S. District Judge Gabrielle McDonald in Houston granted the stay for Johnson, 33, who was to die for the September 1983 slaying of Murray Sweat, district court clerk Melissa Steinbacher said.

Sweat, 25, was shot and killed during a burglary of his Houston apartment.

Johnson's request for a stay was rejected Monday by the Texas Court of Criminal Appeals. His attorney, James F. Keegan, then took the motion to McDonald.

Keegan is challenging the presentation of evidence during the punishment phase of Johnson's trial, arguing that evidence presented during the guilt-innocence portion

should not be used again during the punishment phase.

If the judge had denied the stay, Keegan said he was ready to ask the 5th U.S. Circuit Court of Appeals for a stay. He already filed the appeal with that court in New Orleans.

Jones was convicted of burglary and robbery and is serving a 45-year prison term.

A former laborer, Johnson has a lengthy criminal record beginning in 1971 with arrests for auto theft, burglary and aggravated robbery.

At the time of his arrest for the Sweat slaying, Johnson was on parole after serving five years of a 15-year term for aggravated robbery.

Three other Texas death row inmates have execution dates pending this year. Texas has more than 250 men and three women with death sentences.

Since 1982, when the state resumed the death penalty, 26 men have been executed, including six this year.

Illegitimate-heirs claim wins \$500,000 estate for women

TYLER (AP) — In one of the first uses of a change in state probate law, a Smith County jury awarded two women an estate valued at as much as \$500,000 after they claimed to be illegitimate daughters of a Tyler man.

A county court-at-law jury deliberated about two hours Monday before deciding Nikita Rogers, 24, of Balch Springs, and Lepaula Lang Jarmon, 32, of Austin, are the biological children of Leport Walton.

The case is believed to be one of the first tried under provisions of House Bill 365, which makes it easier for illegitimate heirs to be declared legitimate for the purpose of inheritance.

The law took effect Sept. 1.

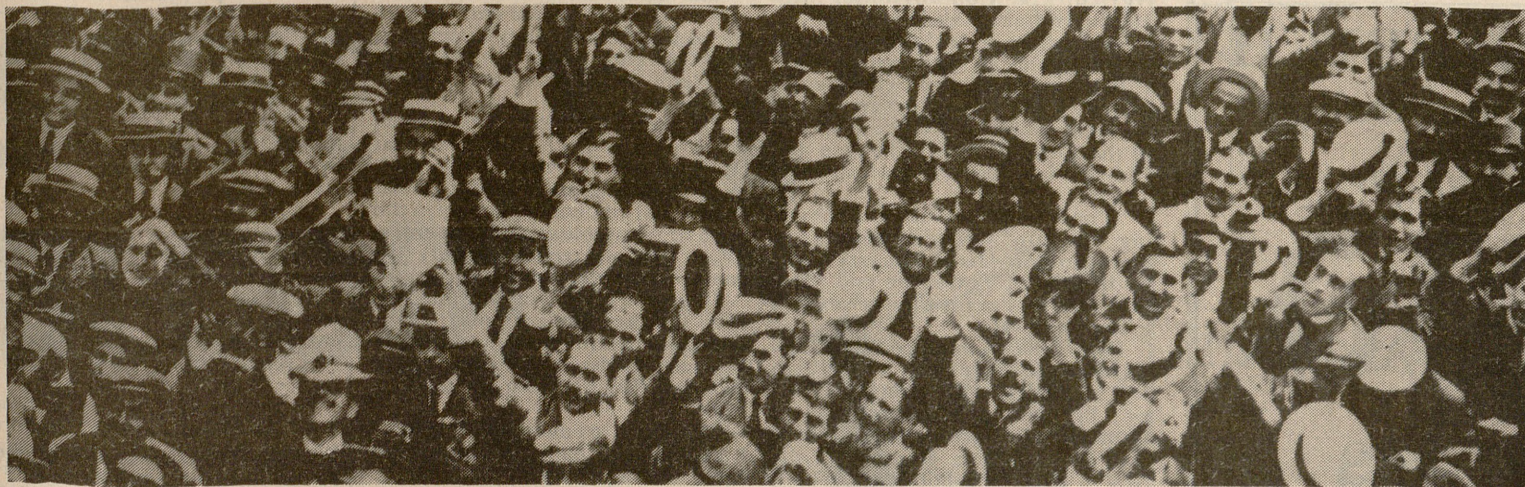
"I think this will encourage illegitimate children to come forward and claim rights of heirship," Chris Jackson, an attorney for Rogers, said after the verdict was read.

Attorney Ben Martin, representing Jarmon, said the change in the law permits illegitimate children to claim heirship without documentation from the deceased father.

During the five-day trial, Rogers and Jarmon testified they saw Walton regularly, that he sometimes gave them money and that he acknowledged he was their father.

But attorneys for the plaintiffs presented no written evidence that Walton, who did not leave a will, recognized the women as his children. Walton, 72, died Oct. 20 in Tyler.

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