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Sheriff says papers linked him to drugs, files suit against five

EDINBURG (AP) — Hidalgo County Sheriff Brigido Marmolejo Jr. filed a deceptive trade practices lawsuit Wednesday against five newspapers that the sheriff said un-foible linked him to druge treffiching Newspapers that the sheriff said unfairly linked him to drug trafficking.

The papers defamed him by printing "false, misleading and de-ceptive headlines that were not sub-stantiated by the corresponding story," according to the lawsuit filed in the 93rd District Court.

Most of the headlines accompanied articles published last March, saying the FBI had the record of a phone call to Marmolejo's home from the residence of Antonio Franco, who's now in federal prison in Texarkana on drug trafficking and residence to fast the federal prison in Texarkana on drug trafficking med residence to fast the federal prison in Texarkana on drug trafficking med residence to fast the federal prison in Texarkana on drug trafficking and racketeering convictions.

Marmolejo also accuses the five newspapers of conspiring with the federal government and the Repub-lican Party to politically assassinate (Marmolejo), a member in good standing of the Democratic party." It is not a libel suit, his attorneys

said He is seeking more than \$2 mil-lion in damages from the *Monitor*, in the Brownsville McAllen; Herald; Valley Morning Star, in Har-lingen, Corpus Christi Caller-Times and San Antonio Light.

Marmolejo also is seeking an injunction to prevent the newspapers from engaging in deceptive trade practices by printing misleading headlines.

A hearing on the injunction was set for Nov. 3

Douglas Hardie, executive editor the McAllen, Brownsville and Harlingen newspapers, all part of the Freedom Newspapers chain, said

Rose, executive editor of the Corpus Christi Caller-Times, declined comment because they had not seen the suit.

FBI agents used a pen register device in 1987 to record 1,765 phone calls from Franco's McAllen resi-

Franco's home to Marmolejo's residence in Edinburg, according to the affidavit cited in the stories.

Marmolejo's lawsuit said that at the time of the alleged phone call, the sheriff was not home and he has no knowledge of such a call. Marmolejo has said he knows Franco and once sold him a tractor, but was not involved in drug trafficking.

"It is my job to know people," Marmolejo said Wednesday.

His attorney, Dan Rutherford of San Antonio, said the stories were not libelous, but that the headlines written "to sell newspapers" were deceptive.

"The newspaper tricked him (the sheriff) into buying that newspaper with a false, misleading headline," Rutherford said.

The McAllen, Harlingen and Brownsville headlines accompanied an article written by a Brownsville Herald reporter.

the Freedom Newspapers chain, said he could not comment on the suit because he had not seen it. "It sounds to me like Marmolejo wants to be an editor in addition to

Academic pursuits

Industrial engineering professor Guy Curry attempts to steal the ball from mathematics professor Billy Rundell (left) during a soccer game at Simpson Drill Field Monday. Several Texas A&M

professors gather to play soccer during their lunch breaks.

Dallas papers continue bitter legal battk

DALLAS (AP) — The Dallas Times Herald turned to federal regulators Tuesday in its war with rival Dallas Morning News, asking them to revoke the license of a television station owned by the parent company of the Morning News.

The Times Herald asked the Federal Communications Commission to revoke WFAA-TV's li-cense because of A.H. Belo Corp.'s "naked and unjustifiable" actions in stripping the *Times Herald* of 26 popular features it had been pur-chasing from Universal Press Syndicate. Belo officials did not immediately entry

Belo officials did not immediately return calls Wednesday and could not be reached for com-ment on the action, which an FCC official called unusual.

As part of a joint venture between Belo and Universal Press, the larger Morning News won exclusive right in the Dallas market to the syndicate's features, which include Doonesbury, Érma Bombeck and Dear Abby.

The Times Herald has lost previous attempts in federal and state court to block the action, and most of the features have begun appearing in the Morning News. A trial on the Times Herald's anti-trust suit against Belo and Universal is pending in state District Court.

'Belo has used its newspaper-television combination to engage in conduct that severely under-mines competition between the Dallas Morning News and the Dallas Times Herald," says the pe-

tition to the FCC, which outlawed joint newspa per-television ownership since 1975, but allowed such ownership to continue in Dallas and other cities where it already was in place.

Photo by Phelan M. Ebenha

WFAA is the leading television station in th Dallas-Fort Worth market.

Under the joint venture announced in Augus Belo and Universal agreed to explore television programming possibilities for some of the synd-cate's features.

The Times Herald's FCC petition said the joint venture "is nothing more than a sham to cover Belo's real agenda, the elimination of its only competitor.

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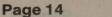
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