

PreDental Society Meeting

Dental Student Panel

TONIGHT!
September 22, 1999
7:00 p.m.
Rudder 410

Contact: Steven Alaniz 764-7578

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Convicted killer asked to be executed early

HUNTSVILLE, Texas (AP) — Convicted killer Richard Wayne Smith was executed Tuesday evening for the 1992 robbery and slaying of a schoolteacher moonlighting as a store clerk.

Smith, 43, dropped all appeals to his conviction for the Baytown murder of Karen Birky, allowing the state to execute him instead of waiting to die from advancing hepatitis C.

When a warden asked whether he had a final statement, Smith said, "No, sir." With a tear stain glistening under his right eye, Smith licked his lips, closed his eyes and exhaled twice before dying.

Smith was pronounced dead at 6:25 p.m., eight minutes after the flow of lethal drugs began.

He was the 25th convicted killer put to death in Texas this year and the fourth this month.

Defense attorney Guy Womack said Smith had not wavered from his decision late last year to die. Smith had used a wheelchair since May because of his failing liver.

"When I tried to dissuade him from dropping his appeals he told me, 'Guy, you don't understand that I'll be much happier dead and not suffering. If I win the appeal, what does that mean?'" Womack said.

"You don't understand that I'll be much happier dead and not suffering."

— Richard Wayne Smith
 Death row inmate

Smith declined to be interviewed by Associated Press.

According to prosecutors, Smith is seen on a Dec. 2, 1992, surveillance videotape robbing

the convenience store where he worked so she could buy supplies for special education students at Lamar East in nearby Houston.

Birky complied with Smith's demands for money before he apparently walked the parking lot. Witnesses testified Smith shot one into Birky's neck and fled in a Jeep Cherokee.

The victim bled to death aboard a police helicopter.

Police later that night found the apartment complex of Smith's ex-wife. She woke up after sleeping in a nearby car arrested in possession of a .32-caliber handgun tied to the killing and three \$5 bills from the store.

Smith, a Bowie County, Ark., native, Louisiana parolee in and out of prison for life, has said he was impaired and remembers nothing. Womack said Smith had a chance at winning an appeal but was intent on dying yesterday.

GOP seeks to expand investigation

WASHINGTON (AP) — The special counsel investigating a possible Waco cover-up is seeking to talk to lawyers suing the government on behalf of the deadly siege's survivors while Senate Republicans sought yesterday to expand their inquiry to other Justice Department controversies.

Moving to resolve an impasse over the scope and leadership of the Senate's proposed Waco investigation, Republicans suggested creation of a five-member bipartisan task force to investigate "whether or not the Justice Department is serving the American people" in its handling of controversies from Waco to Chinese nuclear espionage, said Senate Judiciary Committee Chairman Orrin Hatch, R-Utah.

The task force would move forward only if Senate Democratic Leader Tom Daschle and the Judiciary Committee's top Democrat,

Sen. Patrick Leahy of Vermont, agree by Thursday, Hatch said. Absent their support, the proceedings would take place in the Judiciary Committee.

While Daschle and Leahy did not nix the GOP plan outright, Leahy expressed concern over the scope and likely price tag of such proceedings.

"Many would treat this as a way of getting at [Attorney General] Janet Reno rather than who in the FBI withheld information" during earlier Waco investigations, Leahy told reporters after the private meeting in Senate Majority Leader Trent Lott's office.

Danforth, who took a personal tour Monday of the Texas site where the 1993 standoff occurred, wants his staff to meet within the next two weeks with lawyers pressing a wrongful-death lawsuit against the government on behalf of surviving Davidians and rela-

tives of the dead.

In a letter to the lawyers Monday, obtained by Associated Press, Danforth wrote: "The purpose of the meeting would be to obtain information from you on any issues relevant to my investigation."

Danforth requested the attorneys' views on the FBI's use of pyrotechnic tear gas canisters, the "allegedly improper use of the U.S. armed forces," how certain evidence and testimony was presented to Congress, and who are the most important witnesses and evidence bearing on those issues.

The wrongful-death lawsuit, which accuses the government of using excessive force, had been set to begin next month. But U.S. District Judge Walter Smith in Texas last week postponed the trial's start to give the government more time to produce the evidence he has demanded. A new court date has not been set.

Agents seize marijuana from trailer

EAGLE PASS, Texas (AP) — Customs agents found 1,400 pounds of marijuana behind a false wall of a trailer truck that pulled into inspection at the Eagle Pass port of entry.

Jose Martinez, 26, Piedras Negras, Mexico, was arrested Monday and charged before a federal magistrate Tuesday morning in Del Rio. He was accused of smuggling marijuana into the United States.

Bond was set at \$50,000 and he was jailed at the Del Rio Verde County Detention Center.

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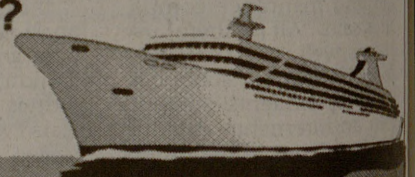
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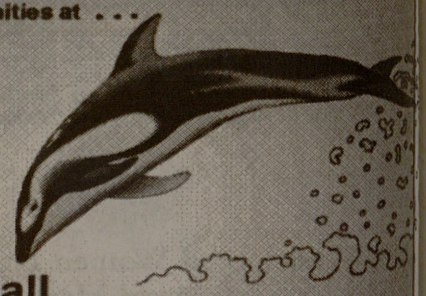
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