

Killer sentenced in Del Rio Ex-carnival-worker-turned-convict faces jury

DEL RIO (AP) — A poised but tearful 11-year-old girl told jurors how she lay in bed terrified as an intruder slashed the neck of her friend before coming after her.

Next the jury heard videotaped and written confessions from Tommy Lynn Sells, a 36-year-old drifter and former carnival worker.

After three days of testimony, jurors were set to begin deliberations Monday in the capital murder trial of Sells, who has confessed to at least a dozen murders across the country over the last two decades.

Sells has been charged only in two cases — the slayings of 13-year-old girls in Lexington, Ky., and just outside of Del Rio, on the border 160 miles west of San Antonio. His trial in the Dec. 31 killing of Kaylene Harris began last week in Del Rio.

The ex-convict is accused of breaking into her family's mobile home while her father, an acquaintance of his, was out of town. If Sells is convicted, he would face lethal injection or life in prison.

Sells admitted climbing into a window and going

to the girl's room while her mother and four other children slept elsewhere in the house.

He said he got into bed with the girl and sexually assaulted her, then cut her throat with a butcher knife. He said he then slashed the neck of a girl who was sleeping above Kaylene on a bunk bed — Krystal Surles, who was visiting from Kansas.

Krystal, who survived and provided investigators with a description that led to Sells' arrest, at times cried and at other times looked Sells in the eye as she recounted the attacks for jurors.

Sells pleaded guilty to attempted murder for the attack on Krystal but pleaded innocent to capital murder in Kaylene's death. For Sells to be convicted of capital murder, jurors must find that he committed another felony in the process, such as sexual assault or burglary.

Sells' court-appointed attorney, Victor Garcia, worked to show that there was no evidence of sexual assault and suggested that Sells was pressured into making the admission.

Conroe smog hearings criticized

CONROE (AP) — Plans to end Houston's dubious distinction as the nation's smog capital by restricting highway speeds and limiting construction work were criticized at a public hearing on the matter Monday.

"Someone is missing the boat," Jay Hubbard, 76, said of restrictions on morning work for construction. "Whoever wrote the limits hasn't been working in our 108-degree weather."

Proposals under consideration would bring Houston and the seven surrounding counties into compliance with federal clean air standards by imposing, among other things, unprecedented restrictions on highway speeds, limits on when construction crews could operate heavy equipment and when homeowners could use gas-powered lawn mowing equipment.

"Very few are not controver-

sial," Ralph Marquez, commissioner of the Texas Natural Resource Conservation Commission said last week. "I expect more criticism than compliments."

"I might need a bodyguard," he added, laughing.

The Conroe hearing, which drew about 150 people Monday, was the first of 14 hearings over the next eight days. Commission officials said they anticipated large turnouts, but not a terribly friendly welcome.

"Generally speaking, when you have a clean air plan that goes as far as this one does, we're now entering the arena where you're actually affecting an individual's activity during the day," said Patrick Crimmins, a spokesman for the commission. "Can he mow his lawn? How expensive does gas get?"

Houston replaced Los Angeles

last year as the city reporting most days in violation of federal smog standards, a notoriety that became campaign fodder against Gov. George W. Bush, a Republican presidential nominee. And after returning the ozone earlier this year to Los Angeles, Houston this month reclaimed its title as the nation's smog capital for a 37th day.

State officials in December presented a plan to the Environmental Protection Agency or risk of losing federal highway money, limits on industrial growth or takeover of the state plan by a federal agency.

The plan is designed to comply with the federal Clean Air Act, which requires states to bring levels of ground-level ozone, a respiratory irritant, below the national health standard by 2007 in eastern Texas counties.

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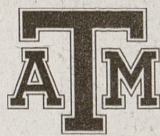
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