

# Penn State QB cleared of charge

STATE COLLEGE, Pa. (AP) — Penn State quarterback Rashard Casey was cleared Tuesday of a charge he beat an off-duty police officer unconscious outside a New Jersey bar.

Casey's lawyer, Dennis D. McAlevy, said he yet been able to tell his client the news because he was at practice.

Casey and Desmond Miller were charged in May with aggravated assault on Patrick D. Fitzsimmons as the officer left a bar in Hoboken, N.J.

Ed DeFazio, deputy first assistant prosecutor for Hudson County, N.J., said the grand jury did not find probable cause to return an indictment against Casey, but returned an assault charge against Miller.

A message left for Miller's lawyer, Alfonso Robinson III, was not immediately returned Tuesday night.

The grand jury's action ends the case against Casey, although the quarterback could be called as a witness against Miller, DeFazio said.

Last week, several newspapers reported that Casey had been indicted by the grand jury. Prosecutors said at the time they could not comment until the grand jury had completed its business.

"Virtually every newspaper in the state erroneously reported last week that Mr. Casey had been indicted," said Penn State president Graham B. Spanier. "Shame on the news media for their atrocious handling of this story."

**"They looked at five days of testimony and rewarded my faith in Rashard (Casey) and Joe Paterno's faith in Rashard."**

— Dennis D. McAlevy  
Rashard Casey's lawyer.

"He never hit anybody," said. "There's no question that the chief of police of knew that, and he's the reason it happened."

Chief Carmen LaBruno was what surprised" at the grand jury said "I must respect that decision."

LaBruno said three eyes said they saw Casey hit the officer who is not yet ready to return to work.

McAlevy praised the grand jury's action. "They looked at five days of testimony and rewarded my faith in Rashard and Joe Paterno's faith in Rashard," McAlevy said.

McAlevy said they will file a suit against Casey by Fitzsimmons who seeks an unspecified amount of money as compensation for "severe and painful injuries."

Police said Casey punched Fitzsimmons, and Miller kicked Fitzsimmons' head after he left a bar on May 14. Police said they were angry that Fitzsimmons, who is white, was with a black woman.

# Clemens appeals fine

NEW YORK (AP) — Roger Clemens decided Tuesday to appeal a \$50,000 fine for throwing the jagged barrel of Mike Piazza's bat toward the Mets' catcher during Game 2 of the World Series.

Tuesday was the deadline for the New York Yankees' pitcher to let the players' association know whether it should file an appeal with the commissioner's office.

"The excessiveness of the fine suggests that they believe he intended to hit Piazza when Roger knows he did not," said Clemens' agent, Randy Hendricks.

Clemens was not ejected by umpires, but Frank Robinson, baseball's vice president in charge of discipline, decided punishment was necessary.

"It was a reckless type of action on his part," said Robinson, who agreed that Clemens did not intend to throw the bat at Piazza.

"The size of the fine is a de facto determination that he did have intent," said Gene Orza, the No. 2 official of the players' association. "The magnitude of it is a backdoor way of saying he did have intent, even though they said he didn't have intent."

The fine matched the largest ever levied against a player, equaling the amount Albert Belle was penalized

for his profane tirade toward a TV reporter during the 1995 World Series.

"In the absence of intent, why is the fine \$50,000?" Orza said. "When Albert Belle was fined \$50,000 for his confrontation with a reporter, he did have that intent."

Appeals of fines and suspensions this year have been heard by Paul Beeston, baseball's chief operating officer. As president of the Toronto Blue Jays, Beeston signed Clemens to a \$24.75 million, three-year contract after the 1996 season. Because of that, Beeston may bow out of the Clemens case.

"We would be amenable to that as long as it's not someone from the baseball operations department who is designated to hear it," Orza said.

That would mean the union does not want Sandy Alderson, executive vice president of baseball operations, hearing an appeal of a decision made by Robinson.

Clemens, who beamed Piazza with a pitch last July, said he did not deliberately throw the bat in front of Piazza during Game 2 on Oct. 22, but said he was pumped up with emotion.

"Roger just wants an opportunity to state his side of the case," Orza said. "He wants Piazza to know that he did not even see Piazza when he threw the bat."

# Stars goal pleads guilty apologizes

DALLAS (AP) — Dallas goalie Ed Belfour pleaded guilty Tuesday to a misdemeanor charge arising from a scuffle with a security guard at an upscale Dallas restaurant. Belfour, 35, also apologized for the incident.

Dallas County Criminal Judge Phil Barker sentenced Belfour to two years of probation and a \$3,000 fine. He ordered Belfour to visit high schools within the next year to warn students about alcohol abuse.

"I'm real sorry for the incident that took place," Belfour told four Dallas police officers who were involved in his arrest. "I was present for the sentencing and won't let it happen again."

Jim Burnham, Belfour's attorney, said the goalie had asked the officers to be present so he could apologize to them.

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