h weekday The Battalion Ten Corps of Cadets members e streets," were stopped by police shortly before good to do 5 a.m. Tuesday on Rock Prairie Road parents." with a 30-foot pine tree protruding

mega Dela from the back of their pickup. The tree, apparently taken from s. He said Brazos County land, was taken by all him the cadets with an intent to "decorate the quad," said College Station ne typicalo Police Department (CSPD) Sgt. nd getting Dan Jones

"They appeared to be going all

Earlier in the week, University frican-Am Police Department (UPD) officials were alerted to a rash of stolen christmas decorations in the Colallen said lege Station area. A resident said the f her groun offenders were cadets, and UPD began searching Corps dorms to re-

mmunity.

ce to be here

In a room on the fourth floor of Dorm 7, police found three of the stolen decorations, Wiatt said. Three cadets, whose names have not been released, admitted to taking the decorations, he said. The items were a wreath and two reindeer lawn ornaments.

According to the Corps of Cadet Headquarters, that floor is the residence of Company P-2, a Navy and Marine unit.

P-2 and Corps leaders were not available for comment.

No charges have been filed for either offense, Jones said. Besides the traffic violations involving the pine tree, which took up two lanes of traffic and dropped branches on the road, no criminal offense has

may face charges from the Brazos County Sheriff's office if it is determined that the tree was taken from

"They have admitted that it was simply a stupid, foolish Christmas prank."

**UPD** director

private land. One cadet was involved in both offenses, Jones said. "The property involved is not of

"But things like Christmas decorations involve a deal of sentimental value. Simply because of the quantity of offenses and the number of items taken, it's too early to say that nothing will be done about this. There will be some type of

The names of the three cadets who took the ornaments have been turned over to the Department of Student Life for possible disciplinary action, Wiatt said.

"They have admitted that it was simply a stupid, foolish Christmas prank," he said.

The cadets involved will face disciplinary action from the Office of the Commandant, said assistant Commandant for Corps Discipline Col. Rick Mallahan.

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# Appeals court reverses dismissal ruling on A&M regent's misconduct conviction

/ednesday reversed a lower court's ruling that had rown out the official misconduct conviction of a rmer Texas A&M University regent

The Texas Court of Criminal Appeals said the ower appeals court was wrong when it ruled that he evidence against Ross D. Margraves was inufficient and that the state law used to convict him, as unconstitutionally vague.

Brazos County District Attorney Bill Turner, ho prosecuted the case, said the ruling stopped short of reinstating the conviction, but ordered the lower court to reconsider Margraves' case.

Turner said he hoped the ruling would prompt the lower court to uphold the conviction. "The point of the case was that the rule of the aw applies equally to everyone regardless of their

status," Turner said. Margraves' attorneys could not immediately be

eached for comment. Margraves served on the A&M Board of Reents from 1989 to 1994 and was chairman in 1993 when he used a University airplane for a trip to

Louisiana State University (LSU). His son was graduating from LSU that weekand Margraves and his wife made the trip,

which cost taxpayers \$1,435. Margraves, charged with using the plane for law used to prosecute Margraves. Other regents sonal trips," the court said.

personal reasons, testified during his 1996 trial that and University officials were aware of the trip, the main reason for the trip was business. He said he went to discuss the possibility of A&M changing athletic conferences.

He said the graduation was the secondary

Margraves was convicted of a third-degree felony of official misconduct. A plea agreement or-

"The point of the case was that the rule of the law applies equally to everyone regardless of their status."

> - Bill Turner Brazos County district attorney

dered him to be placed on four years probation, fined \$3,000 and pay \$1,435 in restitution.

The 14th Court of Appeals in Houston, howev-

er, reversed his conviction in 1999. The lower court questioned the clarity of the

that it would subject officials to prosecution for innocent behavior, such as playing golf while at-

tending a conference or lunching with a relative while out of town on official business. Clearly unconvinced by Margraves' claims of a business trip, the Court of Criminal Appeals said such trips would not be converted into personal ones any more than his personal trip was turned into a business trip by his "trivial or sham

considered it vital and sanctioned it, the court said.

Prosecutors had dismissed the talks with LSU

as an excuse that was created only after an inquiry

started. They also countered that the law was still

broken because state property can be misused on

The lower court had said the law was so vague

business conduct. The high court also said the law used to convict Margraves was not vague.

The responsibility to distinguish between personal and business expenses "has long been familiar to those who own or run a business and file their tax returns," Judge Paul Womack wrote for

'It is not a great imposition on public officials to ask them not to charge the state for their per-



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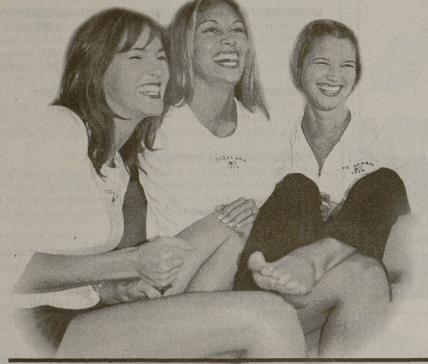
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