

# Fetch for fitness



SueAnn Stutheit and her pug Jake participated in Fetch for Fitness in early October. The event was held at Tweed Park. Many people participated in the dog obedience class throughout the month.

—Telegram photo by Dana Paxton

# Incubator

(Continued from Page 1) fices into the same building will allow for better communication. "It just seemed like the right thing to do," he said. Stiles agreed the move will allow better collaboration. "Ultimately, our goals are to serve the businesses in Norton," Stiles said.

Stiles has been working on the building since March 2008 when she asked the city council not to demolish it. In June Stiles recieved a grant to work on the project. Work on the building is not expected to be completed until 2010.

# SCHOOL CALENDAR

**Norton Community High School**  
**Sunday**  
 1 p.m. FCCLA Window Washing  
**Monday**  
 9 a.m. FCCLA Fall Conference in Hoxie  
 7 p.m. KAY Board Meeting  
**Tuesday**  
 7:30 a.m. Jay Singers  
 8:15 a.m. KAY Regional Conference in Stockton  
**Wednesday**  
 8:30 a.m. Gifted Seminar @ Bethany College  
 A.P. S.A.C.  
**Thursday**  
 A.P. Jay Singers  
 7 p.m. FCCLA Board Meeting  
**Friday**  
 REGISTRATION DEADLINE for the Dec. 12 A.C.T.  
 A.P. Senior Announcement Presentation  
 A.P. Sophomore Class Ring Delivery  
**Saturday**  
 Concert @ 3:30 p.m. KMEANW District Convention I @ Hays  
**Junior High School**  
**Monday**  
 A.P. KAYS  
**Tuesday**  
 Kay Regional Conference in Stockton  
 A.P. Stuco  
**Wednesday**  
 7:30 a.m. Team Meeting  
**Thursday**  
 4 p.m. Basketball @ Stockton  
**Friday**  
 1:30 p.m. - 3:30 p.m. JAY DAY  
**Saturday**  
 Concert @ 3:30 p.m. KMEANW District Convention I @ Hays  
**Elementary School**  
**Wednesday**  
 3:40 p.m. Faculty Meeting  
**Thursday**  
 IEP Day  
 3:40 p.m. 3/4 Grade Level Meeting

**Tuesday**  
 Breakfast: Coffee cake, fruit or juice or cereal, toast, milk  
 Lunch: Pizza casserole, bread sticks, garden salad, rosy applesauce, chocolate cake or chef salad, milk  
**Wednesday**  
 Breakfast: Monkey bread, fruit or juice or cereal, toast, milk  
 Lunch: Slivered ham sandwich, lettuce and tomato, corn, fruit peanut butter bar or chef salad, milk  
**Thursday**  
 Breakfast: French toast sticks, fruit or juice or cereal, toast, milk  
 Lunch: Salisbury steak, mashed potatoes, carrots, bread, fruit or chef salad, milk  
**Friday**  
 Breakfast: Breakfast pocket, fruit or juice or cereal, toast, milk  
 Lunch: Hamburger, lettuce and chopped tomato, french fries, fruit or chef salad, milk  
**Elementary School**  
**Monday**  
 Breakfast: Golden waffles, warm maple syrup, fruit cocktail, milk, apple juice  
 Lunch: Mrs. Lambrecht's Japanese Lunch - Yaki soba with turkey, root veggie, Japanese dark bread, oriental fruit cake, bovine juice  
**Tuesday**  
 Breakfast: Breakfast burrito, peaches, milk, orange juice  
 Lunch: Corn dog, tater tots, baby carrots, fruit cocktail, cookie, milk  
**Wednesday**  
 Breakfast: Warm cereal w/toppers, grape juice, milk  
 Lunch: Scalloped chicken, corn, sweet heart pears, celery stick, dinner roll, milk  
**Thursday**  
 Breakfast: Canadian bacon/cheese biscuit, apple juice, milk  
 Lunch: Beef burrito, cheesy broccoli, rosy applesauce, blonde brownies, milk  
**Friday**  
 Breakfast: Warm pumpkin bread, rosy applesauce, milk, orange juice  
 Lunch: Beef and noodles, whipped potatoes, green beans, mandarin oranges, cheese rolls, milk  
**Northern Valley**

# Pick-em

(Continued from Page 1) overturned, could request time for rebuttal afterwards.

Hill said he and his fellow judges would be asking questions of the attorneys throughout their arguments, not to poke holes in their cases, but to help them better understand the issues.

"The Greeks had it right when they said 'all truth comes from the dialectic,'" Hill said. "That is, all justice hinges on questions and answers."

The cases are not decided at the hearing.

Of the 15 cases the court heard on Tuesday and Wednesday, several dealt with driving while under the influence.

In State of Kansas v. William Smith, the issue was whether or not the suspect was under arrest when he confessed to being intoxicated. Attorney Daniel Walter said Smith was driving down a state highway, pulling a farm implement when he was pulled over by a Kansas Highway Patrol trooper for having a tail light out. Smith had gotten out of his vehicle to talk to the trooper and in the course of that conversation, the trooper noticed an alcohol smell on Smith's breath and that his eyes were bloodshot.

The trooper told Smith to sit in his patrol car and asked him some questions, eventually getting him to admit he had been drinking. The trooper then searched the vehicle, finding several alcohol containers and administered a sobriety test.

Walter argued that the trooper could not legally use that confession to further the investigation, since the trooper had not verbally placed Smith under arrest and had not read him his Miranda rights.

Hill asked what the definition of being "under arrest is" and whether or not Smith felt he was under arrest after being put in the patrol car. Walter said most people have a reasonable expectation that if they are put in a patrol car, they are under arrest.

"You don't get put in a patrol car to get a warning for a tail light,"

Walter said. "Once he smelled the alcohol, the tail light no longer mattered. It became a DUI investigation."

Walter said the officer exploited the non-mirandized confession as part of his probable cause that Smith had been drinking, and that any action after that would be unconstitutional. Attorney Doug Sebelius, representing the state, disagreed.

"Even if we throw out the confession," he said. "The officer had reason to look inside the car once he smelled the breath."

Sebelius said the trooper read the Miranda rights to Smith correctly when he officially placed him under arrest after administering the sobriety test.

Another case, Chelsey Juenemann v. The Kansas Department of Revenue, hinged on whether the department had the authority to suspend driver's license if the person has a blood alcohol level of .15—nearly twice the legal limit—or more, for more than a normal suspension.

John Shultz, attorney for the Revenue Department, said the Kansas legislature recently changed the law, allowing for more lengthy suspensions for so-called "superfailures." Shultz said the law said the department "shall suspend (the license) for one year and shall require an interlock device."

However, in the Jeunemann case the court found that the department didn't have the authority to enforce that suspension. Shultz argued that if the department didn't have jurisdiction to order the suspension, the court didn't have jurisdiction either.

Juenemann's attorney, John Lindner, disagreed, saying the court did have the authority to determine whether or not the department could enforce a greater suspension. Lindner further argued that the current paperwork does not properly inform a defendant that they "superfailed" a blood alcohol test.

A third case, Brent Christensen v. Department of Revenue, also dealt with a traffic stop that be-

came a drunk driving investigation.

In this case, said Christensen's attorney Michael Holland, the officer had suspicion that Christensen had been drinking and requested a blood alcohol test. Holland argued that the officer didn't have probable cause to request a test, because he had not administered the field sobriety test.

James Keller, attorney for the Revenue Department, argued that the officer did have probable cause to arrest Christensen be-

cause he had smelled alcohol on his breath and saw his eyes were bloodshot.

This is the second year that the court has sent a panel of judges to Colby. The court usually hears cases in Topeka, but last year decided to send the judges out rather than have all the attorneys have to make the trip. The judges court has not yet published opinions on any of these cases. Opinions are published on Fridays, and are available online at www.kscourts.org.

Construction crew for native limestone 100+ year old house restoration, located in SW Norton County. Replace, repair, refinish: structure, roof, walls, floors, plumbing, electrical. Estimated 6-8 weeks five workers, April-May 2010. Salary \$17 Dlls/hr. approx. Several years old stone house restoration experience and hand tools required. Owners to supply supervision and materials. Email interest to lhickert@yahoo.com

## Norton Lions Club

**Sat., Oct. 31**

7:30 a.m.-3:00 p.m.

## Norton American Legion

# PANCAKE FEED

*Serving:*  
 Pancakes, Sausage,  
 Orange Juice  
 and Coffee

\$4.00 . . . . . Adults  
 \$2.50 . . . . . 12 & Under  
 FREE . . . . . 5 & Under

# Land and Homes FOR SALE

• **NORTON** •

**801 N. WABASH** — 2 Bedrooms, 1 Bath House, Contract Pending

**703 N. WABASH** — 3 Bedrooms, 1 Bath, 2 Garages: 1 Attached and 1 Detached

**409 N. WABASH** — 2+ Bedrooms, 2 Baths, Just Completely Remodeled

**907 HARTFORD** — 3 Bedrooms, 2 Bath, Very Quiet Neighborhood

**308 N. GRAVES** — 2 Bedroom Starter Home or Rental, 2 Car Garage

**14999 W. HWY. 36** — Very Large 2 Bedroom with Acreage and Out-buildings

• **LOGAN** •

**204 E. NORTH** — 2 Bedrooms, 1 Bath, Large Deck with Extra Lots and Wood Shop, Make an Offer

**501 W. MAIN** — 3 Bedrooms, 1 Bath with Guest House

**315 W. MAIN** — 4 Bedrooms, 3 Bath Home, Completely Updated

**503 W. LOGAN STREET** — Large 2

Bedroom Home, Updated with Six Car Shop

**(2) METAL BUILDINGS** — On 6 Lots

• **LENORA** •

**340 FULTON** — 4 Bedrooms, 2 Baths

• **JENNINGS** •

**308 PENNSYLVANIA** — 5 Bedrooms, 3 Baths

• **LAND** •

**480 ACRES** — West of Logan, Farmland and Pasture

**175 ACRES** — Northwest of Agra, Grass, CRP, Cropland

**240 ACRES** — South of Norton, CRP

**80 ACRES** — South of Norton, CRP

**80 ACRES** — ~~SOLD~~ of Norton

• **COMMERCIAL** •

**NORTON:** 108 S. Kansas; 101 S. Kansas

**LOGAN:** Logan Bar and Grill and Logan Hardware

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**LOGAN**  
**223 W. Main**  
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**LARRY RIGGS, BROKER • JOLENE WEISER, SALESPERSON**

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