



COLBY FREE PRESS

8 pages

Hospital employee who recanted story, now files civil suit

By **PATTY DECKER**
Free Press Editor

Along with an ongoing situation between a Colby physician and the Citizens Medical Center's board of directors regarding allegations of misconduct, a new civil lawsuit was filed Tuesday — this time by the employee at Citizens Medical Center who initially brought forward the complaint and then recanted it some six months ago.

Margaret Ann Staats, through her attorney, Charles Worden of Norton, is now asking for a judgment in the Thomas County District Court against Dr. Victor H. Hildyard alleging that she and her husband, Troy, have suffered severe emotional distress and damage because of his conduct.

Staats in her lawsuit is asking for in excess of \$75,000 for the alleged actions by Dr. Hildyard and in a second cause of action, is requesting the court to grant her husband, Troy Kent Staats, also in excess of \$75,000. The monetary remedy is based on the doctor's alleged damage causing them both "severe emotional distress and damage."

The petition filed also alleges that the doctor's actions "were extreme and outrageous in nature."

In a prepared statement, which Staats said earlier this morning that she sent to The Hays Daily News on Tuesday and today was requested by the Colby Free Press from her attorney, noted that she was afraid after reporting the original complaint.

"Today (Tuesday) I have filed suit against Victor Hildyard for what he has done to my family and me. I know it has been reported that I recanted my original statement, but what I originally stated was true," the prepared statement said.

"When I recanted that statement, I felt threatened and I was scared and just

wanted everything to go away and felt that would make it happen. I am not so interested in the money, but I do not believe he should be able to get away with what he has done to me and to protect the others in the community," the statement said.

Staats said today that she didn't feel like she had anything to "share" with the Colby Free Press. She did confirm; however, that there was a "written press release" received by The Hays Daily News. She would not give any other details, but did say that the quotes were taken from the statement. She also did not confirm whether or not other newspapers in the area received the statement.

Her attorney, Worden, said later this morning that after speaking with his client, she agreed to release her statement to the Colby Free Press.

The next step in most civil suits is generally a response from the defendant, who in this case would be Dr. Hildyard; however, his attorney was unavailable as of press time for comment.

The civil suit comes only weeks before an administrative hearing between selected Citizens Medical Center board members, a medical attorney, Dr. Hildyard, his attorney, Michael O'Neal of Hutchinson, and any witnesses that could appear to testify. The purpose of the hearing, which is not open to the public, will address an injunction against the doctor and a decision will be made on Nov. 20 by that panel as to whether or not to allow Hildyard to continue seeing his patients.

Vern Schwanke, president of the Colby hospital board said late last week that the hearing will be subject to grievances only from the original allegations made by Staats back in late April of 2002.

Brewster's lone grocery store to shut its doors

By **DARREL PATTILLO**
Colby Free Press

The only grocery store in Brewster is shutting its doors, at least under the current ownership, as soon as inventory gets low enough. Marilyn Schindler, who along with husband Arnold, have owned and operated Brewster Grocery since February of 1991, said that the store is "day by day. As soon as we get rid of everything, we're going to close it down."

Mrs. Schindler said that she and her husband have been putting their Social Security money into the store, and that competition from Colby has hurt the Brewster business.

"Dillons really hurt us," she said. "And the Wal-Mart SuperCenter as well."

Brewster mayor Mike Baughn said that a steering committee was formed after approximately 40 Brewster residents attended a town meeting in late September. The committee, headed by Paul Bange of Colby, who is the vice-president of Farmers Bank & Trust in Brewster, is attempting to find a way to keep the store open.

"We're discussing the situation with a couple of individuals right now," Bange said. "They're in the process of deciding if it will be profitable for them to keep the store open. Hopefully, we'll know something by the end of next week."

Meanwhile, the grocery store will stay open until the shelves are emptied.

"Everything's twenty-five percent off," Mrs. Schindler said.



Colby Grade School teacher Julie Ross and her first-grade class were busy this morning making 'Spider Safety' hats, which contain 8 safety

tips for Halloween. Kids will be making the "Trick-or-Treat" rounds Thursday evening. The weatherman says it'll be cold.

DARREL PATTILLO/Colby Free Press

KIDS PROMOTING HALLOWEEN SAFETY

By **DARREL PATTILLO**
Colby Free Press

As always, safety is a major issue when it comes to sending the kids out trick-or-treating on Halloween. First-graders at Colby Grade School made "Spider Safety" hats this morning, under the tutelage of Julie Ross.

The hats, made from construction paper, consisted of a headband with eight "legs", each containing a safety tip, to ensure that the kids have a safe and happy Halloween, said Ross. Those eight safety tips are:

1. Plan your trick-or-treat route ahead of time. Pick streets that are well lighted and have neighbors that you know.
2. Take a parent, or older sister or brother with you trick-or-treating. If someone older cannot go with you,

trick-or-treat with a group.

3. Trick-or-Treat when it is still light outside, if possible.

4. Wear a costume that makes it easy for you to walk and can be seen after dark.

5. Carry a flashlight and use reflective tape on your costume so people driving cars can see you.

6. If you wear a mask, take it off before crossing streets. If possible, wear make-up instead of a mask.

7. Cross only at corners. Never cross the street between parked cars or in the middle of a busy block.

8. If there are no sidewalks, walk facing the traffic to make sure you can see the cars.

And also remember: do not eat your candy until you get home and an adult can check it over for safety.

New federal charges filed against sniper suspect

GREENBELT, Md. (AP) — New federal weapons and extortion charges against sniper suspect John Allen Muhammad added to the questions over which jurisdiction will be the first to prosecute him and his alleged partner in the attacks.

Muhammad, 41, and John Lee Malvo, 17, are already charged with murder in Maryland and Virginia in the attacks that left 10 people dead and three others critically wounded. They are also charged with an Alabama slaying last month and are suspected in a February killing in Washington state. The federal case could take precedence, though Attorney General John Ashcroft said negotiations over where the two men will first stand trial are continuing.

Montgomery County State's Attorney Douglas F. Gansler, who filed six murder charges against the two on Friday, said the ultimate decision rests with the federal government, which has the suspects in custody.

"They hold all the cards," he said. Federal prosecutors charged Muhammad under the Hobbs Act, a 1946 union corruption law the government uses against people accused of trying to extort money or disrupt interstate commerce. The charge was based on a note, found at the scene of one of the shootings, demanding \$10 million.

However, Justice Department officials said prosecutors believe the firearms charges would make the best death penalty case at this point because they have the best evidence — a weapon linked to the killings.

"I believe the ultimate sanction ought to be available here," Ashcroft said, adding that the sniper slayings are "an atrocity."

Former Maryland U.S. Attorney Jervis Finney said the case is stronger in federal court because it combines

crimes committed across the different jurisdictions. He said federal prosecutors made a statement by filing charges.

"Normally it means that the federal government intends to go first," he said.

But Gansler argued the federal case is weaker than the state cases, which directly charge the suspects with first-degree murder. He said prosecutors will have a hard time proving extortion was the primary motive for the shooting spree. Malvo was not charged in the 20-count criminal complaint, but he is identified as a John Doe in the supporting affidavit.

she had seen several polls in recent days, and The Star's poll showed the race closer than any of them.

"We expected things to tighten as we got closer to the election," she said.

Latest poll gives Sebelius a 9-point edge going into final days of the race

KANSAS CITY, Mo. (AP) — A newspaper poll of Kansas voters showing Democrat Kathleen Sebelius leading Republican Tim Shallenburger by 9 points in the governor's race won't

change either candidate's strategy, aides said.

The poll of 602 likely voters, conducted for The Kansas City Star by the newspaper's marketing research de-

partment, showed Sebelius leading Shallenburger 46 percent to 37 percent, with 15 percent undecided.

Libertarian Dennis Hawver and the Reform Party's Ted Pettibone each re-

ceived 1 percent.

The telephone survey was conducted in conjunction with the Market Research Institute from Oct. 23 through Tuesday. The poll had a mar-

gin of sampling error of plus or minus 4 percentage points.

A spokeswoman for Sebelius said she was not surprised by the findings. The aide, Nicole Corcoran-Basso, said

she had seen several polls in recent days, and The Star's poll showed the race closer than any of them.

"We expected things to tighten as we got closer to the election," she said.

WeatherWatch Colby-Oakley area

The numbers
Tuesday's high, 41
Low this morning, 21
Year ago today, 65 and 31
Soil temperature, 44
24-hr. precipitation, 0.32
24-hr. snowfall, 1/2 inch
Month's total, 3.10
Records for Oct. 30, 88 in 1950, 4 in 1952 (coldest October reading on record for Colby)
The forecast
Snow chances for tonight and Thursday remain at 30 percent. Lows tonight around 20, highs on Thursday around 30. Thursday night, expect another 30 percent chance for snow, with lows around 25.

Briefly

Safety tape for safe Halloween

The VFW Ladies Auxiliary will be applying safety tape on kids' Halloween costumes from 4-6 p.m. Thursday at Dillons. This is a free service and all parents are asked to take advantage of the auxiliary's safety-mindedness and generosity.

School fun night is Thursday

The public is invited to the Fall Festival and Family Fun Night hosted by Heartland Christian School in Colby on Thursday from 6:30-9 p.m. "Join us for an evening of games, prizes, and fun for the entire family at 1995 West Fourth Street," said a school spokesman. For more information call the school at 462-6419.

Library 'site' benefit is underway

The Western Prairie RC&D is conducting its annual quilt raffle to benefit the "Cooperating Collection Site" at Colby's Pioneer Memorial Library. The site is a collection of reference materials for grant seekers to use to make searching for grant funding

sources easier and more successful. The quilt was donated by the Kansas Prairie Quilter's Club and is on display at the library through the week and at various locations on the weekends. The drawing will be held Dec. 16. Tickets (\$1 each or 6 for \$5) can be purchased at the library or by calling Western Prairie RC&D at (785) 462-2602.

Cut-A-Thon to aid Colby woman

Carousel Beauty Salon, 1175 S. Range (next to Colby Bowl), is sponsoring a "Cut-A-Thon," with all proceeds going to Marcy (Helus) Carter, who is employed at the salon, and was recently diagnosed with Hodgkin's-Lymphoma Disease. The special donation drive at the salon is planned from 7 to 10 p.m., Tuesday, Nov. 5, and all \$10 haircuts during that time will be donated to Carter. According to co-workers, she is currently taking daily treatments in Hays. Appointments are encouraged, but walk-ins are welcome the evening of the drive. Carter is a lifetime resident of Colby and she and her husband, Rick, have two sons, Shane, a junior at Colby High School and, Cade, a sixth grader at Colby Middle School. Donations are also welcome.

Methodist Ladies need your help

As part of their "Experience Christmas Tour" on Dec. 8, the Methodist Ladies of Colby hope to have a Christmas/Winter Art Show in the Fellowship Hall, and to that end they are asking anyone who has a Christmas or winter painting or other artwork — such as cross-stitch or embroidery pictures of that season of the year — if they would share those with the public. Please contact Marj Brown at 462-3515 as soon as you can. The artwork submitted does not have to be the work of the person sharing it, and you do not have to be a member of the Methodist Church to share.

Advanced voting continues

Tracey Perkins, Thomas County Clerk/Election Officer, reminds voters that advanced voting continues, and those picking up ballots may mark them at the courthouse at the time they pick them up. She said it isn't necessary that they take their ballots home to mark them, unless they desire to do it that way.

Ballots must be returned before the polls close at 7 p.m. on Tuesday, Nov. 5.

