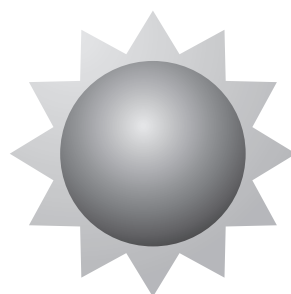


Weather Corner



National Weather Service
Tonight: Mostly clear, with a low around 32. South wind between 10 and 15 mph.
Tuesday: Mostly sunny, with high near 57. Breezy, south wind 10 to 15 mph increasing to between 20 and 25 mph. Winds could gust as high as 30 mph.
Tuesday Night: Mostly cloudy, with a low around 37. South wind between 10 and 15 mph.
Wednesday: A 20 percent chance of rain after 1 p.m. Cloudy, with a high near 56. South wind around 15 mph.
Wednesday Night: Rain likely and possibly a thunderstorm. Cloudy and breezy, with a low around 44. Chance of precipitation is 60 percent.
Thursday: A chance of rain. Mostly cloudy, with a high near 50. Chance of precipitation is 40 percent.
Thursday Night: A slight chance of snow showers. Mostly cloudy, with a low around 27. Chance of precipitation is 20 percent.
Friday: Partly sunny, with a high near 43.
Friday Night: Partly cloudy, with a low around 27.
Saturday: Sunny, with a high near 51.
Saturday Night: Partly cloudy, with a low around 28.
Sunday: Mostly sunny, with a high near 47.
 Friday: High, 55; Low 28
 Saturday: High, 67; Low 39
 Sunday: High, 48; Low 28
 Precip: Friday 0.00 inches
 Saturday 0.07 inches
 Sunday 0.00 inches
 Month: 2.42 inches
 Year: 24.50 inches
 Normal: 19.19 inches
 (K-State Experiment Station)
Sunrise and Sunset
 Tuesday 8:07 a.m. 6:49 p.m.
 Wednesday 8:08 a.m. 6:47 p.m.
 (U.S. Naval Observatory)

Kansas Court of Appeals hears alcohol cases in Colby

From "APPEALS," Page 1

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 un-

constitutional. Norton County 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 Juennemann v. the Kansas Department of Revenue, hinged on whether

the department had the authority to suspend a 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 period.
 John Shultz, attorney for the 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 Juennemann case, the trial 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.
 Juennemann'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 became a drunk-driving investigation. In this case, said Christensen's attorney, Michael Holland, the officer suspected 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 because 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 lawyers have to make the trip. The judges have not yet published decisions on any of these cases. Opinions are published on Fridays, and are available online at www.kscourts.org.

Former Norton musician opens guitar shop in town

From "SHOP," Page 1

instead of expensive brands like Fender.
 "Some people out here can't afford new guitars. Here they can buy a less expensive used guitar," he said, adding that his connections with musicians have helped him get many of the used instruments. He said his guitars are the best used ones you can get.
 His store may be centered around the guitar, but he also sells amplifiers, sound systems, strings, microphone stands and microphones, motorcycle helmets and

harmonicas, among other things. He said he will eventually have drum equipment.
 Leiker said he has been visited by several groups in town, including Southwind owners Linda and Tuffy Taylor and members of the Chamber of Commerce and the Thomas County Economic Development Alliance.
 Leiker said there are talented musicians right here in Colby who have visited as well.
 Thunder Cord will be holding a ribbon cutting on Wednesday, he said.

State marks blizzard anniversary

MANHATTAN – Kansas will soon mark the anniversary of one of the worst blizzards in recent memory.
 "While October of 1995 and 1996 had early fall snow storms, 1997 is the year people will use as a benchmark," said climatologist Mary Knapp. "On Oct. 25, 1997, snow accompanied by 50-to-60-mph wind produced near zero visibility and wind chills of 20 degrees below zero. By the end of the storm, snowfall ranged from 10 to 24 inches."
 Knapp, who runs the Kansas Weather Data Li-

brary based at Kansas State University, said that snow drifts on that fateful day in 1997 ranged from 6 to 10 feet, with some reaching 25 feet.
 "There were even drifts of one to two feet in the attics of houses," she said.
 More than 35,000 head of cattle were killed, but fortunately there were no reports of human fatalities, Knapp said.
 Information about Kansas weather is available on the Weather Data Library Web site: www.ksre.ksu.edu

Good harvest weather expected this week

From "WEATHER," Page 1

onto its side. The driver also was taken to Citizens.
 From Jan. 1 to Oct. 22, the Weather Service office in Goodland reports a total of 21.17 inches of moisture, compared to 19.15 inches a year ago. Normal precipitation for the year is 18.24 so far. The average soil temperature at a four inches Thursday was at 44 degrees; normal for this time of year is about 39 degrees.
 Areas around Levant reported from 2.60 to three inches of rain last week.
 "We finally got our wheat plot in the ground on Monday," said Clint Milliman, Thomas County Extension agent, "and it could be the first of November before we see any of it come through the ground."
 The first of November isn't that

far off, though, and although the weather has been disagreeable, if the temperatures stay cool, the ground won't be as likely to crust over the emerging plants.
 Milliman said he didn't see any discouragement yet among the farmers he has talked to, but there is a lot of frustration about not being able to harvest fall crops.
 "The fact that the crop is still standing is a good sign," he said. "We're fortunate we didn't get the 12 inches of snow they got west of here. We thought last year we were late getting the crops in, and this year, we are barely started into the harvest."
 The forecast is for near normal temperatures for the next six to 14 days, with little precipitation, and the weather is expected to stay that way for most of the next three months.

Sebelius says there will be enough vaccine

From "VACCINE," Page 1

the vaccine, while conceding that's millions of doses below the amount needed.
 Sebelius said she couldn't predict just how widespread the virus will be. Roughly a thousand people have died from it so far in the United States. But she also said officials do not believe there is yet any cause to close down schools and cease other daily activities.
 President Barack Obama declared a health emergency over the weekend to give hospitals and health professionals more leeway from federal regulations to respond to the illness. And on Sunday, Senate Republican Leader Mitch McConnell of Kentucky said Congress would be happy to provide additional support and money on a bipartisan basis, if the need arises.
 Said Sebelius: "If we had found the virus a little earlier we could have started a little earlier."
 Asked what advice she would give to people who have waited futilely in line for shots, the secretary replied, "I want them to come back."
 "I hope that people aren't discouraged," she said. "I know it's frustrating to wait in line and particularly if you end up with no vaccine. We wish this could have been smoother, that we had a larger supply. We knew it would come in waves."
 Dr. Anne Schuchat, who heads the Immunization and Respiratory Diseases Division of the Centers for Disease Control and Prevention, said it's hard to predict how long the H1N1 wave will continue, so even getting vaccinated a few months from now won't be too late.
 "It wouldn't be too late," she said. "We don't know how long this increase will go on. ... We might see another wave after the first of the year. I think it's important for people to take steps to protect themselves."

Meadow Lake Golf Course & Lounge

HALLOWEEN PARTY & DANCE

Friday, October 30th
 8:30 - 12:30 PM

COSTUME CONTEST WINNER \$50
DRINK SPECIALS ALL DAY

785-460-6443
 1085 E Golf Club Rd
 Colby

CALLING ALL VETERANS

Looking for all the Veterans in the area who are not affiliated with VFW or American Legion. Please give us their names and we can recognize them in the upcoming Veterans Tribute in the *Colby Free Press*.

Name: _____

Name: _____

Name: _____

Name: _____

Please fill out the Dog Tag and Return to the *Free Press* before Friday 10am Nov 6

Deadline is Friday Nov. 6 by 10 a.m. Mail to: *Colby Free Press*
 155 W. 5th Street
 Colby KS, 67701

God bless all those who answer our nation's call to defend our great country's freedoms!

- Vet, SSgt. Matthews USMC 3rd Recon Bn.

LOCAL TV LISTINGS

sponsored by the

Tuesday Evening											October 27, 2009			
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30				
KAKE/ABC	Great Pumpkin		Dancing-Stars		the forgotten		Local	Nightline	Jimmy Kimmel Live					
KBSL/CBS	NCIS		NCIS: Los Angeles		The Good Wife		Local	Late Show-Letterman	Late Late					
KSNK/NBC	The Biggest Loser				The Jay Leno Show		Local	Tonight Show	Late Nigh					
KSAS/FOX	You Can Dance				Local									
Cable Channels														
A & E	The First 48		Parking	Parking	Parking	Parking	Parking	Parking	Parking	The First 48				
AMC	Halloween 4				Halloween 5					Buffy-Slayer				
ANIM	Weird	Weird	Weird	Weird	Lost Tape	Lost Tape	Weird	Weird	Lost Tape	Lost Tape				
BRAVO	Flipping Out		Flipping Out		Flipping Out		Flipping Out			\$1M Listing				
CMT	The Singing Bee		Caddyshack					Smarter		Smarter	Caddyshck			
CNN	Campbell Brown		Larry King Live		Anderson Cooper 360					Larry King Live				
COMEDY	Scrubs	Scrubs	S. Park	S. Park	S. Park	S. Park	Daily	Colbert	S. Park	S. Park				
DISC	Dirty Jobs		Dirty Jobs		Ghost Lab		Dirty Jobs			Dirty Jobs				
DISN	Halloweentown High			Phineas	Phineas	Montana	Wizards	So Raven	Life With	Cory				
E!	Courtney Cox: THS		Miami	Miami	Lamas	Lamas	Chelsea	E! News	Chelsea	Lamas				
ESPN	30 for 30		World Series		Lamar Series		SportsCenter			Baseball Tonight				
ESPN2	College Football						30 for 30			SportsNation				
FAM	The Haunted Mansion				Funniest Home Videos		The 700 Club			Greek				
FOOD	Cakes	Cakes	The Next Iron Chef		Chopped		Good Eats	Unwrapped	The Next Iron Chef					
FX	Premonition				Sons of Anarchy		Sons of Anarchy		Nip/Tuck					
HGTV	My First	My First	House	Buck	House	House	Property	My First	House	Buck				
HIST	Modern Marvels		The Universe		Underworld		Underworld		Modern Marvels					
LIFE	Medium		Wife Swap		Sherr	Rita Rock	Will	Will	Frasier	Frasier				
MTV	MTV Spec	Jackson	The Hills	The City	The Hills	The City	The Hills	The City	Super Psycho					
NICK	Malcolm	Malcolm	Chris	Chris	Lopez	Lopez	The Nanny	The Nanny	Malcolm	Malcolm				
SCI	Scare	Scare	Scare	Scare	ECW		Joy Ride 2							
SPIKE	Ways Die	Ways Die	Ways Die	Ways Die	Scream 2009				Scream 2009					
TBS	Office	Office	Office	Office	Office	Office	Seinfeld	Seinfeld	Sex and t	John Q				
TCM	Poltergeist				The Power				The Haunting					
TLC	Cake Boss	Cake Boss	18 Kids	18 Kids	Little	Little	Cake Boss	Cake Boss	18 Kids	18 Kids				
TNT	NBA Basketball				NBA Basketball									
TOON	Total Dra	Total	6TEEN	Goosebmp	King-Hill	King-Hill	Fam. Guy	Fam. Guy	Chicken	Aqua Teen				
TRAV	America Haunts 2		Halloween Ext.		Bizarre World		Bizarre World		America Haunts 2					
TV LAND	3rd Rock	3rd Rock	3rd Rock	3rd Rock	3rd Rock	3rd Rock	3rd Rock	3rd Rock	Roseanne	Roseanne				
USA	Law & Order: SVU		Law & Order: SVU		Law & Order: SVU		Law & Order: SVU		Law & Order					
VH1	Master P	Special	Tool Academy		My Antonio		Behind the Music		Real Chance of Love					
WGN	The Rage: Carrie 2				WGN News at Nine		Scrubs	Scrubs	S. Park	S. Park				
Premium Channels														
HBO	The Women	Bored	Bored	Bored	REAL Sports		Curb	24/7	I Am Legend					
MAX	Eagle Eye				Black Knight			Life Top	Sin City Diaries					
SHOW	Browns	Bon Jovi: We Were Beautiful			Dexter		Californ	Californ	Movie Awards					

Wednesday Evening											October 28, 2009			
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30				
KAKE/ABC	Brown	Middle	Family	Cougar	Eastwick		Local	Nightline	Jimmy Kimmel Live					
KBSL/CBS	Christine	Gary	Criminal Minds		CSI: NY		Local	Late Show-Letterman	Late Late					
KSNK/NBC	Pumpkins	Pumpkins	Law & Order: SVU		The Jay Leno Show		Local	Tonight Show	Late Nigh					
KSAS/FOX	MLB Baseball				Local									
Cable Channels														
A & E	Dog	Dog	Dog	Dog	Dog	Dog	Extreme Paranormal		Dog	Dog				
AMC	House on Hill				Return to House									
ANIM	Untamed and Uncut		Headline Attacks		River Monsters		Untamed and Uncut		Headline Attacks					
BRAVO	Top Chef: Las Vegas		Top Chef: Las Vegas		Top Chef: Las Vegas		Top Chef: Las Vegas		Top Chef: Las Vegas					
CMT	Smarter	Smarter	Nat'l-Christmas				Comedy	Comedy	Smarter	Smarter				
CNN	Campbell Brown		Larry King Live		Anderson Cooper 360				Larry King Live					
COMEDY	Scrubs	Dunham	S. Park	Michael	S. Park	Secret Gi	Daily	Colbert	S. Park	Secret Gi				
DISC	MythBusters		MythBusters		Time Warp		MythBusters		MythBusters					
DISN	Return to Halloweentown		As the Be		Phineas	Montana	Wizards	So Raven	Life With	Cory				
E!	Sexy Vegas Job		Jenna Jameson				Chelsea	E! News	Chelsea	Girls				
ESPN	NBA Basketball				NBA Basketball									
ESPN2	World Series		World Series		World Series		SportsCenter		Baseball	NFL Live				
FAM	Hocus Pocus				Funniest Home Videos		The 700 Club		Whose? Whose?					
FOOD	Extreme Sweets		Flay	Flay	Dinner: Impossible		Good Eats	Unwrapped	Flay					
FX	I, Robot				Nip/Tuck		Nip/Tuck		Sunny	Sunny				
HGTV	Property	Property	House	Income	House	Renovatn	Haulin	My First	House	Income				
DIY DRAMA CONTEST														
Share your DIY blooper Win \$5,000 www.startrightstarthere.com														
START RIGHT. START HERE.™														
HIST	MonsterQuest		The Real Wolfman		MonsterQuest		MonsterQuest		MonsterQuest					
LIFE	Medium		Practical Magic				Will	Will	Frasier	Frasier				
MTV	Super Psycho				Real World-Rd		Real World-Rd		Gone Too Far					
NICK	Malcolm	Malcolm	Chris	Chris	Lopez	Lopez	The Nanny	The Nanny	Malcolm	Malcolm				
SCI	Ghost Hunters		Ghost Hunters		Destination Truth		Ghost Hunters		Destination Truth					
SPIKE	UFC Unleashed		UFC Unleashed		The Ultimate Fighter		The Ultimate Fighter		Prisoners-Ctrl					
TBS	Payne	Payne	Payne	Payne	Browns	Browns	Payne	Payne	Sex and t	Sex and t				
TCM	Targets		Harold and Maude						Easy Riders					
TLC	Pregnant	Pregnant	King	King	Cake Boss	Cake Boss	Pregnant	Pregnant	King	King				
TNT	Bones		Bones		Leverage		Dark Blue		Leverage					
TOON	Scooby-Doo! The Mystery Begins		Goosebmp		King-Hill	King-Hill	Fam. Guy	Fam. Guy	Chicken	Aqua Teen				
TRAV	America Haunts 3		Man/Food	Man/Food	Man/Food	Man/Food	Man/Food	Man/Food	Man/Food	America Haunts 3				
TV LAND	Hogan	Hogan	M*A*S*H	M*A*S										