

Witnesses tell about fatal evening

By **KIMBERLY DAVIS**
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Before a packed courtroom Friday, four witnesses told details of what happened in the evening hours and early morning of Oct. 16 leading up to the shooting death of a young serviceman home on leave.

Prior to entering the courtroom in the Decatur County Courthouse, witnesses, family members, friends and others had to walk through a metal detector.

The two-hour preliminary hearing for Dylan R. Coryell Jr., 24, had been postponed several times, at least once at the request of attorneys, and once because of bad weather.

Friday morning, the state called four witnesses with Nicole Romnie, an assistant attorney general, and Margaret Mahoney, a deputy Decatur County attorney, asking questions about the night of Oct. 15 and morning of Oct. 16 when Airman 1st Class Corey R. Cook died.

First up to the stand was Ryan McEvoy, who said Mr. Cook had been his best friend.

Man bound over for trial in murder

An Oberlin man was bound over for trial on murder charges after a two-hour preliminary hearing Friday in Decatur County District Court.

Magistrate Judge John Bremer listened to witnesses questioned by both the state and the defense about the Oct. 16 shooting of a serviceman home on leave at a rural Decatur County home.

Since that date, Dylan R. Coryell Jr., 24, has been held in the Decatur County Jail on charges of first-degree murder, aggravated battery and aggravated burglary in connection with the fatal shooting of Airman 1st Class Corey Ryan Cook, 22.

Nicole Romnie, an assistant attorney general who is prosecuting for the state, and Margaret Mahoney, a deputy Decatur County attorney, called four witnesses Friday morning, including Ryan McEvoy, Dakota Cook, Sarah Campbell and Everett Urban.

Defense attorney Justin Barrett of Colby said in closing that the state's evidence had fallen short of proving a murder charge is justified. All of the evidence, said Mr. Barrett, shows only the intent to cause a fight. This tragic accident is just that, he said, an accident.

He argued that the evidence doesn't show an inherently dangerous felony. Mr. Coryell, he said, had been told he could stay

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ing it outside earlier in the evening.

Defense attorney Justin Barrett asked if Mr. McEvoy owned the house. Mr. McEvoy said his grandmother owns the house, but he lives there. He said he didn't pay rent, but took care of the yard and buildings.

The defense went on to talk about the house, where Mr. McEvoy on occasion allowed people to stay overnight, including Mr. Coryell, who stayed one time.

Answering the defense attorney's question, Mr. McEvoy said those at the home that night were drinking beer, although he didn't know how much anyone drank other than himself. He said he had less than a six-pack.

The group played drinking games in the basement, he said.

Mr. Barrett asked about the shotgun they had been shooting in the yard. Mr. McEvoy said he had been holding the shells and leaned the gun up against the gun cabinet when they were done, after the last shell was shot for the evening.

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Senator says carnivals face regulations

State Sen. Ralph Ostmeyer told people at a "town hall" meeting here Saturday that people in northwest Kansas will have to fight again to save their home-owned carnivals from state regulation.

Rural representatives succeeded in exempting small, home-operated carnivals from regulation two years ago, he said, but an accident last year in Norton County brought the issue up again.

The new secretary of labor, former state Sen. Karin Brownlee of Johnson County, is pushing a bill to revoke the exemption and require carnival operators to be trained in safety and rides to be inspected.

That could kill many small carnivals, the senator said, adding that he'd hoped to get the bill killed without a hearing in committee.

"I found out that a secretary does have a certain amount of power," he said, "and that bill will get a hearing."

He said he caught Gov. Sam Brownback in the hall last week and asked him to set up a meeting with Secretary Brownlee on the issue. He will be meeting with them soon, he said, and hopes to set up a teleconference between the secretary and carnival operators in his area.

He said he's sure none of the state officials pushing the bill has ever been to a home-owned carnival or understand how they operate, but the accident gave them a chance to change the law. He said commercial carnival operators undoubtedly complain about "unregulated competition," even though they had a reputation for not serving small,

Crime presses Cassidy

First-term state Rep. Ward Cassidy told people at a "town hall" meeting Saturday at the Decatur County courthouse that he's surprised at how much he's enjoying his new job.

"I don't trust any politicians," he said, "and now I am one."

Cassidy, a former school administrator and counselor, said he's found some people in Topeka he doesn't trust.

"It's an amazing game," he said of the Legislature, "and part of being successful is learning how to play the game."

He said he's still getting used to living in downtown Topeka. (See CRIME on Page 6A)

rural counties very well.

"I don't think they understand what these home-owned carnivals are to western Kansas," he said, adding that he does not think the bill will pass either house.

He said he also plans to fight any change in the law requiring a judge in each county, but feels urban interest will continue to chip away at the rule. The state Judicial Department (See SENATOR on Page 6A)

Budget fights loom as Legislature opens

By **STEVE HAYNES**
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While plenty of bills have been filed in the state Legislature and some big issues loom on the horizon, state Rep. Ward Cassidy told a group at the "town hall" meeting in Oberlin on Saturday, "we haven't done anything exciting yet."

The St. Francis Republican said the state has had a remarkable turnaround in its finances. Last year, he said, the budget started out \$550 million in the red, and this year the governor is talking about meeting the statutory requirement for a 7.5 percent cushion, or ending balance.

That could mean nearly \$400 million in reserves, an easy target for those who want to spend more.

After years of tight money, he said, nearly every agency and most probably needs more. The Legislature will have to sort out who gets some of the state's rising income while trimming requests to build the required cushion.

As a new member of the House Appropriations Committee, he said, he's been learning a lot about the state budget and trying to represent western Kansas, since he's the only one on the 23-member panel from this region.

He said he's become known as "the guy from western Kansas," but he feels he has to speak up for this area as the committee goes through the budget for every agency.

"If something affects western Kansas," he said, "I highlight it. Otherwise, I just go with the governor's recommendation."

The Legislature now has separate tax reform plans from the governor, the Senate and the House Taxation Committee, he said, but there's no telling what will happen. The governor wants to eliminate or reduce the state's income tax to make Kansas more "business-friendly."

"Everything I see keeps coming back to more property taxes," he said. "With the governor's tax plan, over a 10-year period, our property (See BUDGET on Page 6A)



Families have fun at party

MARDI GRAS TIME at Sacred Heart Catholic Church parish hall in Selden on Sunday saw Jordyn Fleckenstein, 6 (above), daughter of Mindy and Eric Fleckenstein of Jennings, put her ticket on No. 5 in hopes of winning the wrapped-up prize there in a spin-the-wheel game. Over at the fish pond (right), Brenlynn Rath, 22 months, daughter of Davis and Terra Rath of Selden, got some help from Tristan Schwarz of Rexford. About 100 people attended the party, which also included a biscuits-and-gravy lunch.

— Herald staff photos by Cynthia Haynes



Farmer wants payment

Police shot new calf found in road ditch

By **CYNTHIA HAYNES**
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A newborn calf got separated from its mother, wound up in a ditch and eventually was shot by Oberlin police officers, who thought it had been hit by a car and the owner wants the city to pay him for the animal.

Torrey Morford, the calf's owner, told the City Council on Thursday that one of his cows in a pasture south and east of town had her calf sometime between 1 and 6 a.m. on Jan. 12, when the wind and weather were terrible.

Somehow, he said, the calf got separated from its mother, and although he looked for it, it could not be found, so he went to feed the rest of the herd.

Someone found the calf in a ditch, he said, and called the police. The chief, thinking the animal had been hurt, shot it, Mr. Morford said.

Police Chief Wade Lockhart later said the calf was outside a pasture fence on the entrance road to the golf course off U.S. 36.

Mr. Morford said that he was unhappy that no one had called him. (See FARMER on Page 6A)

By George: holiday still just for him

By **STEVE HAYNES**
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Whether you had the day off or had to work — and most of us who aren't government employees probably did — you probably thought the holiday Monday was called Presidents Day.

If so, technically, you'd be wrong.

The federal holiday has been observed on the third Monday of February, rather than on George Washington's birthday, since 1971. In a nod to sentiment, however, Congress kept the name Washington's Birthday, says an article in the website Wikipedia; it was only later that advertisers began to call the day Presidents Day and use pictures of Washington and Abraham Lincoln, whose birthday on Feb. 12 never was a holiday.

The good bureaucrats at the National Weather Service, however, know the difference. Their forecast this week used the legal term, Washington's Birthday.

One interesting sidelight: The third Monday in February can never fall on Feb. 22, ol' George's actual birthday, or for that matter, on Feb. 12. It comes between the 15th and the 21st.

So there you have it: Washington's Birthday. But you probably had to work anyway.

