

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

10, 2, 30, 27, 28

DAILY 3

Afternoon picks: 5, 7, 5

Evening picks: 2, 1, 9

DAILY DERBY

1st Place: 7, Eureka

2nd Place: 12, Lucky Charms

3rd Place: 10, Solid Gold

Race Time: 1:46.05



NEWS OF THE WEIRD

by Chuck Shepard

In a deposition earlier this year as part of his divorce proceedings (and released in November), the president's brother, Neil Bush, admitted that he had had sex with several women while on business trips in Asia, but that he did not seek them out, insisting that they simply came to his door. Asked his ex-wife's lawyer, "Mr. Bush, you have to admit it's a pretty remarkable thing for a man just to go to a hotel room door and open it and have a woman standing there and have sex with her." Responded Bush, "It was very unusual."



QUOTE OF THE DAY

"In many ways the saying 'know thyself' is lacking. Better to know other people."

— Menander



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Councilman sued in small claims court

Party is Green with envy over \$10,000

BY JOHN WOOD

Daily Press Staff Writer

SM COURTHOUSE — The LA Green Party isn't giving up on the \$10,000 it claims a city councilman took three years ago, suing Mike Feinstein in small claims court and demanding he return a January 2001 donation intended for the party. Feinstein allegedly deposited the funds into a personal account.

The confusion surrounding the \$10,000 check has caused a lot of discomfort for the Green Party, as well as Feinstein. The former Santa Monica mayor has maintained all along that he used the money to pay rent on an unsanctioned party office on Pico Boulevard. Party officials admit some of the money was used for rent, but said Feinstein still owes them in excess of \$6,800.

While one Green Party member's efforts prompted a police probe of Feinstein in March, the Los Angeles District Attorney's Office has decided not to prosecute.

Bill Pietz, the man who wrote the \$10,000 check in question, said Thursday that Feinstein ought to give the money back. The donation was intended for the Green Party of LA County and was supposed to be used as

See FEINSTEIN, page 6

Drive-by shooting puts man in hospital

By Daily Press staff

PICO NEIGHBORHOOD — A man was hospitalized on Thursday with multiple gunshot wounds, the victim of an apparent gang-related drive-by shooting.

The victim, who police say wouldn't cooperate with detectives, was shot by two or three Hispanic men while he was sitting in his car on Euclid Avenue, between Pico Boulevard and Michigan Avenue. Police said the victim was shot in the shoulder area and has at least two gunshot wounds.

Santa Monica Police responded to the scene at 8:07 a.m., after a resident reported shots fired. While officers were conducting a preliminary investigation, they were notified that the victim had driven himself to a local hospital. Officers went to the hospital and spoke to the victim, who said two or three men drove up to his vehicle and shot at him. The victim wouldn't provide any other details to police.

The suspects' vehicle is described as an older-model blue compact vehicle.

Anyone with any information regarding the incident is asked to call the Santa Monica Police Department at (310) 458-8491.

Eyes on the prize



Del Pastrana/Daily Press

Haley Hyatt, 5, appears distracted while trying to score points in a game of cannonball at the Santa Monica Pier arcade one recent afternoon.

Manhole victims' cases had no leg to stand on

BY JAMIE WETHERBE

Special to the Daily Press

LOS ANGELES — Governments aren't responsible when citizens stroll into an open manhole, Santa Monica jurors said Thursday, unless officials have enough "notice" and time to fix the problem.

The verdict frees Los Angeles County from claims of almost \$500,000 from the two plaintiffs, both of whom walked into the same manhole on Dec. 31, 2001, on Beverly Boulevard in West Los Angeles.

The 12 jurors took nine hours to rule unanimously that while an open manhole can represent a foreseeable risk, Los Angeles police couldn't have responded in time to protect the plaintiffs from injury.

The first complaint to police about the hole lacking a cover came about the same time that Avraham Gottesman partially fell in and sprained his left knee. Just minutes later, Barbara Bubar broke her ribs and shoulder blade after "disappearing" up to her chest in the same hole.

Santa Monica Superior Court Judge Richard Neidorf oversaw the week-long, civil trial, where both the county's and

"We were all unanimous. The only thing we were hung up on was if the county had enough time to fix (the manhole),"

— HERMAN DISHMAN
Jury foreman

plaintiff's arguments revolved around the time issue.

The uncovered manhole at the center of the suit was situated on a public sidewalk. Testimony in the case established that such holes can range anywhere between three and seven feet in depth.

Bubar claims she was housebound for three months and treated for depression following the incident.

Attorneys for the pair, whose com-

See MANHOLE, page 6

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Start your weekend, Taurus



JACQUELINE BIGAR'S STARS

The stars show the kind of day you'll have:

★★★★★-Dynamic ★★★★★-Positive ★★★-Average
★★-So-so ★-Difficult

ARIES (March 21-April 19)

★★★★ You might start the day confused, but you'll end it most satisfied. Work with people individually, and you'll find that you are able to inspire each other and connect on a level that is meaningful. Examine the pros and cons of a partnership or money association. Tonight: Make nice.

TAURUS (April 20-May 20)

★★★★ Let others spout their ideas, but you really know what you want and where you are going. In fact, you don't need to say much, because by the end of the day, others have a similar conviction. A meeting could be important. Tonight: Split and start your weekend.

GEMINI (May 21-June 20)

★★★ You have great ideas, but don't try to realize them by yourself. Investigate new possibilities that surround travel or perhaps office gossip. You also need to verify before running with anything. Be your own PI. Tonight: Take it easy.

CANCER (June 21-July 22)

★★★★ You might want to understand more of what you want from a key relationship, be it with a child, a flirtation or other relationship. Sometimes you confuse others. If you walk in another's shoes, you'll understand a lot more. Tonight: Kick up your heels. Paint the town red.

LEO (July 23-Aug. 22)

★★★★ Focus on home and family. You might find that everything gets a bit out of whack without your immediate clarity. Some might think that what another is saying is gibberish, and they might not be far from wrong. Tonight: Treat a loved one to dinner or a night out on the town.

VIRGO (Aug. 23-Sept. 22)

★★★★ Listen, inform and get informed. In this manner, you will be able to get the messages across that others cannot. If you want, make plans for the upcoming weekend. You could be a bit uncomfortable around a co-worker. Tonight: Split work.

LIBRA (Sept. 23-Oct. 22)

★★★ Review recent financial developments. You will be able to take a strong stand because of your sixth sense about such matters. Allow your imagination to go to new levels. Share more of your inner voice with those who care about you. Tonight: Your treat.

SCORPIO (Oct. 23-Nov. 21)

★★★★ You might want to rethink more carefully a decision that surrounds a friendship. Though on some level this person might feel like family, he or she might not be as clear as you would like. Could there could be skeletons in your closet? Tonight: Keep smiling.

SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ You might want to try another approach before you decide what is impossible. You need to take a stand, whether you're comfortable with it or not. Listen well to a friend who cares. Tonight: Rest up for what could be a wild weekend.

CAPRICORN (Dec. 22-Jan. 19)

★★★★ Make do with what is going on right now. You could have pushed someone away. Ask appropriate questions. Walk in another's shoes. You will get the answers you're looking for. Stay light and easy with those around you. Tonight: Only where you want to be.

AQUARIUS (Jan. 20-Feb. 18)

★★★ Your creativity might not evoke the response you desire. Don't let it get to you, but rather follow through on what you need to do. Investigate different approaches carefully. You could have a case of distorted vision. Tonight: Leader of the gang.

PISCES (Feb. 19-March 20)

★★★★ Avoid sabotaging yourself. You have that tendency, whether you want to or not. Verify what you hear before you act on it. Your mind could be drifting to other lands, especially this weekend. Tonight: Split ASAP.

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LOCAL



COMMUNITY BRIEFS

Saint John's gets an earful in naming new president

By Daily Press staff

A Santa Monica plastic surgeon has been named president of the Saint John's Health Center medical staff.

David Butler — also an ear, nose and throat specialist, and affiliated with Saint John's Health Center for nearly 20 years — this month will begin his two-year term.

As president of the medical staff, he will guide and advise the more than 800 physicians affiliated with the hospital on issues, including patient care, hospital practices and medicine trends. He also will lead the physicians' transition to the new Saint John's Health Center, scheduled to open this year.

"At Saint John's we're lucky to have a great medical staff with many highly accomplished physicians and specialists," Butler said. "I see my role as a kind of touchstone — a central place where they can give suggestions, opinions and input on the practices at the hospital."

A leader at Saint John's Health Center for many years, Butler in 1991 began serving on the executive committee of the medical staff. He has been active on several committees, including the design committee, where he was instrumental in giving input from the medical staff to the design team for the new Saint John's Health Center, according to hospital officials.

"Dr. Butler's fine leadership abilities, as well as his firm commitment to the health and well being of patients and Saint John's Medical Center make him well qualified to lead the medical staff here," said Bruce Lamoureux, the chief executive officer of Saint John's Medical Center. "We're looking forward to the contributions he'll make as president of the medical staff."

Butler, who also specializes in facial plastic and head and neck surgery, is an assistant clinical professor of head and neck surgery at UCLA School of Medicine. He has written numerous papers and lectured internationally on facial plastic surgery techniques, sinusitis and related topics.

A board-certified head and neck surgeon, Butler is in Alpha Omega Alpha — an honor medical society that elects its members. He is a member of the American Academy of Otolaryngology and Head and Neck Surgery and has been an executive board member in both the Bay Surgical Society and the Pacific Oncology Society.

Afternoon delights at Midnight Special

By Daily Press staff

Local authors will serve up free love and sex at the Midnight Special Bookstore. The bookstore at 5 p.m. on Sunday, Jan. 25, will host a literary reading entitled "All About Love." The bookstore has a new location at 1450 2nd St. in Santa Monica. The free reading will explore aspects of love and sex, and the readers — all local, published authors — include Cecilia Brainard, Eve LaSalle Caram, Aimee Liu, Kambon Obayani and Greg Sarris.

Brainard is the author and editor of "When the Rainbow Goddess Wept," "Magdalena," "Growing Up Filipino: Stories for Young Adults" and other books. She teaches at a UCLA writers program and has lectured and performed in universities and literary arts organizations, such as the University of Southern California, University of Connecticut, University of the Philippines, Shakespeare and Company, Paris and others.

Caram has published a set of "Corpus Christi" novels, authored the short novel "Wintershine," and is the editor of "Palm Readings, Stories from Southern California." She teaches fiction writing at the Writers' Program, UCLA-Extension and has taught writing at a number of colleges and universities, including California State University at Northridge, Los Angeles City College, Stephen's College, the

University of Missouri and USC. Liu authored "Flash House," "Cloud Mountain," "Face" and the acclaimed memoir of anorexia nervosa, "Solitaire." She teaches creative writing at the UCLA-Extension school in Los Angeles. Obayani authored "The Colours Quartet," and "Bird Island." Obayani also is a playwright with 15 produced plays and co-edits literary magazine "FlashBopp," and directs the Rebuild Crenshaw Arts Committee, a music-radio show. He teaches English, creative writing and literature and music at both California State University at Northridge and Pierce College. Sarris authored "Watermelon Nights" and "Grand Avenue" and is a professor at Loyola Marymount University. He is also the chairman of the Federated Indians of the Graton Rancheria — formerly known as the Federated Coast Miwok — which explores American-Indian life.



New W swell starts to arrive throughout the day today, with most spots showing surf in the 3'-5' range. Best breaks pick up the West swell early and see bigger waves before sunset.

OUTLOOK: This swell will hold overnight and by Friday morning the west-facing spots will see some serious bombers. It drops Saturday.

Write us at wood@smdp.com and tell us what the surf is doing today at your local break.

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59°

	LOW TIDES		HIGH TIDES	
	LOW ONE	LOW TWO	HIGH ONE	HIGH TWO
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SUNDAY	4:32 AM	5:48 PM	12:04 AM	10:35 AM
MONDAY	5:32 AM	6:23 PM	12:43 AM	11:21 AM
TUESDAY	6:49 AM	7:06 PM	1:24 AM	12:15 PM
WEDNESDAY	8:31 AM	7:48 PM	2:07 AM	1:41 PM
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OPINION

LETTERS

Lights in City Hall appear pretty dim

Editor:

Again, we see why politicians and lawyers are not always the brightest bulbs in the world. In regard to the Farmers' Market crash, City Attorney Jeanette Schachtner says that the bollards would not have stopped Russell Weller's car (SMDP, Jan. 15, page 4).

That may be, but they sure could have:

A) Slowed him down. He was, according to the report, "gaining speed," which means that the bollards may have stopped him since he was at a lower speed.

B) Caused him to swerve and crash before he mowed down more people.

C) Cut the electrical system of the car, bringing it to a stop, or at least blown out the tires.

D) Caused a jerking in the car or pedals that would have taken Weller's foot off the gas pedal, causing the car to stop.

Last, but not least, her argument that the bollards would be a problem for emergency vehicles is a lie for in the entire time that the Farmers' Market has been there, no vehicle has gone down Arizona Avenue. They either parked at Second or Fourth streets, the alleys or the Third Street Promenade. Councilman Bob Hollbrook's echo doesn't hold water for the same reasons as stated above, yet, when they were installed on Third Street, it was stated that the bollards would keep people safe on a Third Street. Comparing hair against steel is the stupidest thing I have heard in a while. Santa Monica politicians and lawyers say the dumbest things.

Which earns them the "Huh?" Award.

Brian Gray
Santa Monica

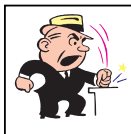


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Homeless services: If we build it, they will come



MY WRITE

By Bill Bauer

I was recently challenged by the head of Santa Monica's largest homeless services provider because I accused it of giving free handouts to vagrants with no questions asked.

John Maceri, executive director of Ocean Park Community Center's Access Center, responded to my allegation last month and characterized my column as being whiny, spreading misinformation and spewing venom.

"Anyone can receive basic services for years on end with no questions asked," I argued. Maceri disagreed, countering that OPCC's clients are required to register and are tracked through the system.

But that's not what happened on Dec. 17, or the days to follow. One of my friends went to OPCC's Access Center, signed in under three different names on unsupervised clipboards and received three sack lunches. He was given a toothbrush, clothing and bus tokens and asked to come back later and talk to a counselor.

He volunteered that he had no identification and was told how to replace it. He was even offered a voucher to pay for it. He was advised about services including a

mailbox and was given a voucher for clothing. The barber was unavailable so a haircut would come later.

My friend revisited the Access Center on Jan. 6, was handed a clipboard by a volunteer and he signed in as "John Maceri." No one reviewed his sign-in. He received another sack lunch and was invited to return for counseling as if he'd never been there.

There are transients who've been on our streets for 10, 15, 20 years or longer — most of whom have been enabled by OPCC's Access Center and outreach programs such as OPCC's "Night" Light program that provides hot soup, condoms, socks and toothbrushes to homeless youth "no questions asked."

Some services do get people off the streets. I've always been supportive of life changing programs that require clients to stay off drugs and alcohol, go to school, look for work and try to get back into productive society as a condition of receiving continuing benefits. That includes OPCC's Sojourn for Battered Women and Turning Point Transitional Housing, as well as programs offered by other providers.

Over the last 20 years, the number of homeless here on a daily basis has doubled, despite hundreds of millions of our dollars spent on services. And the vast majority of those receiving services are from out of town and out of state, here for

help they can't get "at home."

Santa Monica is a magnet because of 22 city-supported programs by 10 different service providers and free food handouts in the parks — something not available in Manhattan Beach, Inglewood, Redondo Beach, El Segundo and most other communities. It's why they don't have 1,100 to 1,400 transients nightly to deal with and we do.

Maceri criticized other communities for their inaction. Yet, when agencies such as the Los Angeles Homeless Services Agency tried to channel funds to other municipalities in 2000, city officials wrote LAHSA to "continue funding proven programs (in Santa Monica)." How can other communities "do their fair share" when Santa Monica sucks up resources?

When it comes to "spreading misinformation," homeless service providers themselves frequently color the facts and propagandize to sell their viewpoint and acquire funding.

While doing community outreach for \$7.4 million in city funding for OPCC's proposed expanded shelter and drop-in center on Cloverfield Boulevard, Maceri described his clients as "homeless" to a Chamber of Commerce group, as "disabled persons" to the Disabilities Commission and then as "homeless" to the Social Services Commission within one week.

Statements were made at many public meetings that OPCC had contacted

Cloverfield neighbors, including Crossroads School and the Bergamot Station arts complex and that they were "OK with the project," only to be refuted when they said they hadn't been contacted, nor was the project "OK" with them.

Going back a few years, OPCC was the source of widely publicized information that there were hundreds of homeless "youth" in Santa Monica (OPCC describes "youth" as anyone under 25 years of age). A White Paper commissioned by the city's own Social Services Commission found only 40 to 60 "youth" in Santa Monica over the year. It turns out OPCC was counting youth from all over the Westside — of which only a handful were 17 or under.

There's a tendency for service providers to get defensive when criticized. Maybe that's why Maceri dismisses me as "not an authority on the subject." While he knows nothing about me or what I know, it still doesn't take a genius to see that something's terribly wrong here. I'm not laying all the blame on OPCC for the mess because the buck really stops at the City Council dais.

Anyone who lives, works or visits in Santa Monica would probably agree with me that our "continuum of care" system is not working and needs to be changed.

(Bill Bauer is a longtime Santa Monica resident and a freelance writer).

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OPINION



The Q-Line

Stashing cash for schools stirs debate

This past week, Q-line asked:

"Should the schools have a set amount of money put aside every year or should the discretion be left up to the City Council?"

Here are your responses:

■ "I am very much opposed to educating children under the pretense of money, money, money. The Council already gave the schools \$3 million. Then, they gave another \$2.5 million. DZ now wants to incorporate all the fundraising programs toward the schools. What about children from other cities? What about the students that are bused in from other districts? Shouldn't these families contribute to the City of Santa Monica? Do they not have a responsibility to our city? Santa Monica is not a fat cow anymore. The City Council should be concerned about reelection in November. They are biased in more ways than one. They are partial to certain groups and care very little about the citizens and the students."

■ "The money for the schools should be set aside because the City Council will just waste it tearing up perfectly good streets or end up spending it on the bums."

■ "I think the schools should definitely have some money set aside. However, you never, never leave it to the discretion of this City Council. We have the worst City Council in the United States as far as I'm concerned and we shouldn't trust them with one penny. To leave anything up to them would be a real bad thing."

■ "No, this proposal does not belong in the City charter. Besides being questionable on other grounds, it seems to me illegal that Santa Monica citizens should have to foot the bill for schools in another, much wealthier city."

■ "I don't think we would need any extra money if we didn't have so many kids bused in to our school system. They don't live here, but we should pay for them to be educated here? When my children were small, they had to go to the local school. There were no other options. I have to say that I wish there were schools all over the country that were safe for all kids. I don't think I should have to pay for a few hundred kids to learn in my area."

■ "Considering that the state of California earmarks money for the schools through Proposition 98, it hardly seems like a bad idea for the City of Santa Monica to do the same. It will be a comfort knowing that the money is there."

■ "Definitely, the discretion should be left up to the City Council as to how

much money should be put aside every year for schools. The idea that an amount of money should be guaranteed per year when no money will be guaranteed to the Council is ludicrous. The schools will probably be asking for escalators next."

■ "I believe that schools should have a set amount of money put aside per year. It should not be left to the whims of a City Council that has its own political agenda. It is not the city's fine treatment of the homeless that keeps nice families moving to Santa Monica. I believe it is the schools that make the community. If we want to keep the families here, we better keep the schools at the high quality level the people are accustomed to."

■ "The district relies on money from the City Council. My children have been in school for five years and the money is desperately needed. We moved here because Santa Monica funds their own schools. If they did not, the schools would be in terrible shape and property values would plummet. It is in the best interest of the city to fund its schools."

■ "Our schools should have money from the City set aside every year. We have an exemplary school system with dedicated teachers and principals. They cannot do the important job of educating our children without this help. They work hard and they deserve our help."

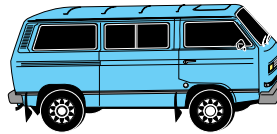
■ "Someone needs to remind the educators and their supporters that they are only entitled to state-mandated funding for their budgets. It is ludicrous, at best, that the city has ever given them any money at all. There are too many programs and too many people on the payroll to accommodate any budget. The city should not give the schools one red cent."

■ "The schools should just be allocated that money and the city should not have a word to say about it. If someone asked for this money to help the homeless, they'd hand it right over. Allocate funds to anything but the schools. (Council) want their fingers in everybody's pie. Give it to the schools and let them figure out where to put it."

■ "In regards to the officials at City Hall, I think it's about time they all hit their recliners. They won't clean up the City and now they want to steal from our schools. What could possibly be next?"

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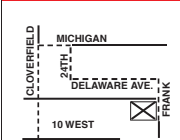
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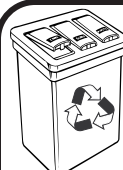
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LOCAL

Green Party looking to recoup just a portion of missing \$10K

FEINSTEIN, from page 1

members saw fit, presumably to recruit new Greens and pay office expenses, Pietz said.

"I'm completely out of it now," said Pietz, who quit the party primarily because of the money flap. "In my mind, Mike ought to give the Los Angeles Green Party the funds he misappropriated."

Feinstein disregarded a request last summer from the state Green Party that he bow out of Green Party business and failed to respond last fall when the LA Green Party asked for its money back. Feinstein did not return calls seeking comment for this story.

Green Party officials said they were left with little choice but to sue.

"He may have spent the money, but he hasn't accounted for how he spent the money," said Dave Tait, a County Councilman of the L.A. Green Party. "And if he would do that, we would probably resolve the issue pretty quickly."

Nancy Pearlman and Joe Crompton, co-coordinators of the LA County Greens, agree.

"Since a large donation to the LA County Green Party was received by Mike Feinstein over three years ago, the County Council has attempted to put the funds into an appropriate account," Pearlman said. "The case in small claims court ... has occurred because other avenues have been pursued in the past, but did not result in a satisfactory outcome ... It has been frustrating that the situation

**"We don't want Mike's reputation.
We don't want Mike's money.
We just want our money."**

— KEVIN MCKEOWN
Santa Monica City Councilman

has gone on for so long and we are hoping that it can come to a conclusion."

While the \$10,000 dispute plays itself out in a new arena, fellow Green Party member and City Councilman Kevin McKeown said he's disappointed with the entire ordeal.

"I'm surprised this is back in the papers," he said. "The Green Party County Council agreed not to publicize it. The small claims court is not a venue for accusation, but for resolution. We don't want to try this in the press."

"We don't want Mike's reputation. We don't want Mike's money. We just want our money."

It's apparently a less expensive dispute now. The limit for a small claims court award is \$5,000.

Jurors feel police responded to open manhole adequately

MANHOLE, from page 1

plaints were tried together, argued that LA County didn't respond quickly enough to the report of the missing manhole cover.

The first documented call to notify the county about the hazard came in at 9:35 a.m.

Gottesman fell in about that time and Bubar's mishap came about ten minutes later. The plaintiffs argued that there had to have been prior unlogged calls to report the open manhole, allowing the county ample time to respond.

But jurors didn't see it that way.

"We were all unanimous. The only thing we were hung up on was if the county had enough time to fix (the man-

hole)," said jury foreman Herman Dishman. "We thought (police) got there as soon as they could."

Gottesman sought more than \$68,000 for medical bills and pain and suffering. Bubar sued for more than \$400,000.

Bubar, who was 69 at the time of her fall, wiped her eyes after the verdict was read.

"The only thing (the jury) disputed was the time element," Bubar said, adding that where she fell was about two minutes from the sheriff's station.

Her attorney also was disappointed.

"I don't agree with this decision, but I respect it," Armond Marcarian said. This case "wasn't about injuries, but about sufficient time to respond."

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DID YOU KNOW?: Dracula is the most filmed story of all time, Dr. Jekyll and Mr. Hyde is second and Oliver Twist is third.

STATE



CALIFORNIA BRIEFS

Ex-Salvation Army captain charitable to himself

By The Associated Press

VICTORVILLE — A former Salvation Army captain charged with embezzling money from the sale of cars donated to charity pleaded no contest to one count of forging an employee's signature on title documents.

Emmanuel Henry-John, 54, of Victorville, will be sentenced Aug. 5 to 18 months probation as part of a deal with prosecutors, defense attorney Richard Ewaniszky said. The judge will decide at the sentencing hearing whether the no-contest count is a felony or a misdemeanor.

As part of the plea deal this week, other embezzlement charges filed against Henry-John in October 2002 were dropped.

"I think it was a good disposition. It would appear that he has acknowledged the guilt on his part," Supervising Deputy District Attorney Ron Barbatoo said.

Henry-John sold used cars donated to the Salvation Army so he could purchase a Microsoft PowerPoint projection system and a digital camera to solicit donations from other organizations and groups, his attorney said.

"Essentially, the case involved a violation of the Salvation Army's policies and procedures in connection to Salvation Army donated vehicles," Ewaniszky said. "Once it was discovered that the amount he sold the vehicles for equaled the amount used to purchase the equipment, they realized he didn't profit personally."

High schooler slayed in gang-related shooting

By The Associated Press

BELLFLOWER — A Bellflower High School student was shot to death near a bus stop behind the campus athletic fields after school in an apparent gang-related killing.

The 15-year-old victim, whose name was withheld, was shot several times at 3:15 p.m. Wednesday while standing among a group of more than 20 kids who had gathered outside an apartment complex on Woodruff Place.

The area is a popular after-school gathering spot for kids who live in the area or wait for buses.

Witnesses said the teenager was confronted by three males in a dark sport utility vehicle. The occupants in the SUV asked him if he had a problem with a member of their gang, and he was shot, witnesses told investigators.

The SUV was last seen speeding north on Woodruff Place, said Deputy Rich Pena of the Los Angeles County Sheriff's Department.

Power shift: DWP commissioner steps down

By The Associated Press

LOS ANGELES — Department of Water and Power commissioner Leland Wong has resigned amid allegations he improperly used his employer's money to sponsor campaign fundraisers and give gifts to politicians.

Wong, 46, quit this week as commission vice president and from his job as Kaiser Permanente's director of government and community relations in Southern California.

Councilwoman Cindy Miscikowski, leader of a proposal to ban commissioner fund-raising activities, said the Wong allegations provide an example of why reform is needed.

"This totally adds credibility that these commissioners are movers and shakers, and shows an inside ball game. That's not what we want in the best of citizen commissioners," Miscikowski said.

Mayor James K. Hahn said Wednesday he hadn't talked to Wong, who previously served on the Airport Commission for Hahn and former Mayor Richard Riordan as well as other commissions dating back to former Mayor Tom Bradley.

Hahn said he favors greater disclosure by appointees but he's still opposed to the proposed ban because it would create "different rules for different classes of people."

Kaiser spokesman Jim Anderson said Wong was asked to resign after company compliance officers and lawyers investigating an unrelated complaint in late October determined Wong had used staff to help organize at least three political fund-raisers in violation of company policy and laws governing nonprofit organizations.

San Clemente may jump on 'no smoking' ban wagon

By The Associated Press

SAN CLEMENTE — A proposed beach and pier smoking ban will be considered by the San Clemente Parks and Recreation Commission on Feb. 10.

During a hearing this week, the commission considered several options proposed by anti-smoking groups and city staff on ways to prohibit cigarettes and cigars on beaches. A ban would be the first of its kind in Orange County.

Discarded cigarette butts are the main issue behind the proposal.

Commissioners directed staff to return with more information about the costs and enforcement of a ban. Their vote next month will be a recommendation to the City Council.

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Entertainment

‘Polly’ want a comedy? Then she should look elsewhere

Review

BY DAN DUNN

Special to the Daily Press

Ben Stiller and Jennifer Aniston star in a by-the-numbers romantic comedy that shows some early promise, but ultimately sags due

What's Playing

BY DAN DUNN

Special to the Daily Press

CHASING LIBERTY

Despite a disregard for verisimilitude, this is an undeniably pleasant fairy tale about an 18-year-old girl coming of age under highly unusual circumstances.

MONSTER

Serves as a grim reminder of humanity's very real and limitless capacity for evil. Charlize Theron delivers a career-defining performance.

BIG FISH

If you're willing to lose yourself for a few hours in a surrealist fish story, well, it's hard to imagine anything better than what Burton has conceived here.

HOUSE OF SAND AND FOG

Manages to be compelling, despite a host of implausibilities, thanks to the lead actors, both of whom bring such conviction to their roles that what transpires almost seems feasible.

CHEAPER BY THE DOZEN

An insipid flick about a dopey dad who can't control a pack of wild kids that seems to have been put together solely for the purpose of separating parents from their hard-earned dough.

CALENDAR GIRLS

Boasts an appealing British sensibility and echoes the uplifting themes that made "Billy Elliott" a surprise hit stateside a few years back.

THE COOLER

Wayne Kramer's lowdown on the desperate lives of lost souls in Las Vegas is easily one of the best bets this year.

THE BARBARIAN INVASIONS

An emotionally charged, and often hilarious tale about a dying man who reconnects with old friends and his estranged son.

THE RETURN OF THE KING

This film, the best of the year, seals the deal: Director Peter Jackson has delivered the most spectacular film trilogy of all-time.

SOMETHING'S GOTTA GIVE

If you enjoy lots of jokes about May-December romances and erectile dysfunction, this is the film for you.

STUCK ON YOU

Contains several laugh-out-loud moments and some surprisingly deft comedic performances.

IN AMERICA

An inescapably moving elegy about pain and loss and hope and renewal that unabashedly wears its broken heart on its tattered sleeve.

THE LAST SAMURAI

An entertaining film, but highly derivative of superior antecedents such as "Dances With Wolves" and "Unforgiven."

HONEY

With Jessica Alba leading the way, it's only a matter of time before the Crips and the Bloods trade in their colors and guns for tap shoes and ballet slippers.

to an absence of chemistry between the leads and a surprising shortage of crisp comedy. Surprising since "Along Came Polly" was helmed by John Hamburg — who co-wrote the very funny films "Meet The Parents" and "Zoolander" — and boasts an impressive cast of talented cutups. At least Hamburg was smart enough to give his prime-time players the space they needed to (nearly) make lemonade out of this lemon.

Reuben Feffer (Stiller) is one of the leading risk assessors in the insurance business and, as such, is not a guy disposed to taking chances ... ever. From the get-go, it's clear he's destined for a comfortable, yet, unremarkable existence in the 'burbs with his new wife, Lisa (Debra Messing). But when Lisa cheats on him on their honeymoon with a nudist scuba instructor (Hank Azaria), Reuben is thrust back into the dating world where — displaying remarkable resiliency — he instantly meets and begins courting pretty, but punchy Polly Prince (Aniston). This is the second romantic comedy, following her stellar performance in the drama "The Good Girl," in which Aniston is hamstrung by a dreadfully underwritten role. Whereas we can easily identify Reuben as the perennial fall guy, since it's a character Stiller revisits with wearisome regularity, we are never given a sense of who Polly is, why she's such a flake, and what in the world she sees in Reuben. This inscrutability is the primary culprit behind the aforementioned lack of magnetism — a disastrous shortcoming in a genre that demands, above all else, that we feel the love. Still, Jen and Ben are eminently watchable



Ben Stiller and Jennifer Aniston star in "Along Came Polly."

stars, and receive commendable support from Philip Seymour Hoffman and Alec Baldwin as, respectively, Reuben's ex-teen movie star best friend and his philandering boss. And there are a few decent laughs to be had throughout. Many people will certainly appreciate the film's unwavering commit-

ment to romantic comedy conventions, right down to the part when they cue the syrupy strains of Pete Townshend's "Let My Love Open The Door," and Reuben gets the girl.

(Rated PG-13 for sexual content, language, crude humor and some drug references. Running time: 90 minutes)

Jen and Ben discuss being smitten, bitten

BY DAN DUNN

Special to the Daily Press

There probably isn't much I can tell you about Jennifer Aniston or Ben Stiller that you don't already know. You've seen their movies. You've watched them on TV. You know Jen's married to Brad Pitt and that her 10-year run on the wildly popular sitcom "Friends" is coming to an end this season. And you're aware that Ben, with a resume that includes blockbusters such as "Meet The Parents" and "There's Something About Mary," is one of the biggest comedic stars in the world, and that he was mauled by a ferret on the set of "Along Came Polly" ... or maybe you didn't know about the ornery ferret.

Ben and his lovely "Polly" co-star sat down recently to discuss — among other things — what happens when animals attack on movie sets, the strain of shooting love scenes, and the end of the line for one of the most beloved television shows of all-time.

Question: You may not be aware of this, Jennifer, but you are featured in the current issue of "Ferrets" magazine.

Jennifer Aniston: I didn't know there was a "Ferrets" magazine. That's very exciting. You know, I feel bad for the ferret because I wasn't a big fan of the ferret, actually. It's not the warmest and cuddliest animal.

Ben Stiller: I don't feel bad for the ferret. **JA:** It bit you, that's why.

Wait, Ben, you were bitten by the ferret?

BS: I was holding him up, and he did this crazy turnaround thing and attached



Jennifer Aniston & Ben Stiller

himself to my chin. And then he didn't let go, and was just holding on to my chin. It was this surreal thing, because then I had to go and get a rabies shot.

Any idea why the ferret attacked? Was he angry that you had a bigger trailer than he did or something?

BS: I didn't provoke him at all. They're just rat-like creatures, let's face it.

JA: With all due respect to ferret lovers, at the end of the day they're just big rats.

Weasels, actually.
BS: Weasels! Great.

Actors, especially ones who are married, often claim that love scenes are difficult to shoot. Is it even more problematic doing one in a screwball comedy such as this?

JA: It's nerve-wracking. There's just no way around it — it's awkward. There's nothing sexy about it. But we had fun. We're really proud of ourselves for making it through that day.

BS: In this scene in particular, it is a comedic scene, which made it a little easier. But I've been involved in scenes that aren't like that, and it's a whole different vibe going on.

What was the best part of working with each other on "Along Came Polly"?

JA: With Ben, it's always real. There's never a moment when you feel he's playing comedy. That's what I hate about a lot of comedies, is that you can sense they're hitting a line, or (trying to) make it funny. Ben just pulls it right out from the truth, and it's brilliant.

BS: Jennifer really does have such impeccable timing as a comedic actress. And I don't think it's a premeditated thing, it's just in her bones. She has a real gift.

Jennifer, how are you feeling now that "Friends" is almost over?

JA: We have three shows left (to shoot), and we're just a bunch of raw nerves over there. Nobody really knows what to do. We're just kind of beside ourselves. It's hard because it's been 10 years with this incredible group of people, and it's weird because it's ending, even though it doesn't really feel like it needs to. But it does ...

ENTERTAINMENT

'Torque' should have been tweaked before test drive

Review

BY DAN DUNN

Special to the Daily Press

"The Fast And The Furious" franchise has been a cash cow for producer Neil Moritz, and he's intent on milking it for all it's worth. "Torque" is "The Fast And The Furious" with crotch rockets replacing the muscle cars. The feature debut of hotshot video director Joseph Kahn is an eye-popping, all-out assault on the senses that makes very little sense. But if you're the sort who'll take flash over substance any day, well, "Torque" will no doubt rock your world. The ever-thinning line between — don't laugh — art and commercialism is all but erased in what amounts to a big-budget shill for designer motorcycles, Budweiser and Mountain Dew, set to a kinetic soundtrack that features Jane's Addiction, Pennywise and Kid Rock (On sale now at record stores everywhere!).

Martin Henderson ("The Ring") stars as Cary Ford, a rugged drifter who returns to his old stomping grounds — a "Beyond Thunderdome"-like biker enclave in the barren California desert — after six months on the lam. Ford was forced to flee from Johnny Law after he unwittingly took possession of a shipment of methamphetamine belonging to a ruthless drug dealer named Henry James (Matt Shulze). As he attempts to clear his name and patch things up with his girlfriend Shane (Monet Mazur), Ford is framed by James for murdering the brother of fear-some gang leader Trey (Ice Cube), and finds himself running again ... or riding, that is. Riding very, very fast.



Martin Henderson and Jay Hernandez in "Torque."

Everything that passes for plot in "Torque" is merely a means of getting the scantily-clad, ethnically-diverse young cast's well-toned butts in the seats of their suped-up cycles for some of the most fantastic chase scenes ever put together. Though it's not clear where they're going or why most of the time, it's for damn sure they're in a hurry to get there. During the fleeting moments when they let up on the throttle, the actors grapple with some typically two-fisted dialogue that only serves to amp-up the anticipation for the next action sequence. And that's just fine here. After all, when it comes to mindless action flicks, who needs talk when you've got torque?

(Rated PG-13 for violence, sexuality, language and drug references. Running time: 81 minutes)

Lane, Grammer quite fetching in film about dog-eat-dog world

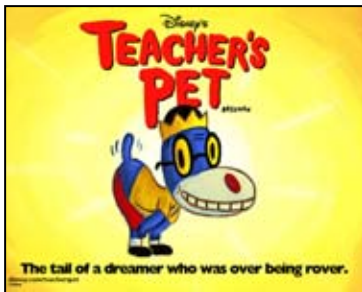
Review

BY DAN DUNN

Special to the Daily Press

Nathan Lane and Kelsey Grammer lead an all-star cast of vocal talent in this big screen adaptation of the Emmy Award-winning cartoon series about a talking dog whose ultimate wish is to become a real boy. It's kid stuff, to be sure, but with a piquancy similar to such edgy fare as "Ren & Stimpy" and "Pinky and the Brain" to keep the adults interested. Deftly paced and comically inspired, "Teacher's Pet" is an impressive feature film debut for director Timothy Bjorklund, bolstered by a spot-on script by former "Cheers" scribes Bill and Cheri Steinkellner.

Spot (Lane) isn't like most dogs. For one, he can talk. Secondly, he longs to be a creature of the two-legged variety, much to the dismay of his young master, Leonard Helperman (Shaun Fleming of "Kim Possible"), who yearns for the traditional "boy and his dog" relationship. The irrepressible Spot dresses like a lad and even attends school as Scott, the top dog in Mrs. Helperman's (Debra Jo Rupp) fourth grade class. At the onset of summer break, Spot gets wind of a mad scientist named Krank (Grammer) who claims he can morph animals into humans, and bee-lines it to Florida for a species-change operation. After Spot's pet pals Pretty Boy (an angry



bird voiced by Jerry Stiller) and Mr. Jolly (David Ogden Stiers as an agoraphobic cat) discover that Krank is a crackpot, they head South with designs on rescuing their canine companion.

Lane, Stiller and Grammer all succeed mightily, instilling soul into the animated oddballs created by artist Gary Baseman. They are given ample opportunity by the Steinkellners to generate laughs, and rarely do they miss the mark. "Will & Grace" star Megan Mullally and Paul "Pee-Wee Herman" Reubens are fantastic in minor roles as Krank's most notable failed experiments. The ending feels as though it may have been phoned in a bit, but everything leading up to it makes this family flick well worth the price of admission.

(Rated PG for some mildly crude humor. Running time: 68 minutes)



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STATE

Democrats give Bush unlikely boost

BY BETH FOUHY
 Associated Press Writer

SAN FRANCISCO — An improving economy and the capture of Saddam Hussein have boosted President Bush's approval ratings in California, a new poll found.

The nonpartisan Field Poll of registered voters found that 52 percent approved of the job Bush is doing as president while 42 percent disapproved. In September, a minority of voters — 46 percent — approved of Bush's job performance, while 48 percent disapproved.

"This is the first improvement in Bush's job approval since the 9/11 terrorist attacks, when he had stratospheric numbers followed by gradual erosion," said Mark DiCamillo, director of the Field Poll. "That's good news for a president in a re-election year."

Shifting views of Bush's job performance by Democratic voters accounted for much of the improvement in his approval ratings. In September, 75 percent of Democrats said they disapproved of Bush's job performance. That figure dropped 13 points in the latest poll, to 62 percent.

DiCamillo attributed much of Bush's rebound in California to the strengthening national economy. In September, fully 55 percent of registered voters disapproved of the president's handling of the economy, while just 39 percent approved. Now, 49 percent approve of his economic performance while 46 percent disapprove.

"The assessment of his handling of the economy and his job performance are intricately linked," DiCamillo said.

The capture of Saddam Hussein by American forces last month appears to have changed voter perceptions of Bush's handling of the Iraq war. But the war remains a highly divisive issue among California voters.

Fifty-one percent of voters in the latest poll said they approved of Bush's handling of the war, while 45 percent disapproved. In September those numbers were almost reversed, with 52 percent saying they disapproved of his handling of the war while just 40 percent approved.

Still, DiCamillo cautioned that the war remained a volatile matter for Bush, with women voters in particular still highly critical of Bush's decision to engage in military conflict in Iraq.

"Women are just much more reluctant to want to use military power, which is why the gender gap is so pronounced," DiCamillo said. "It's an issue Bush has to handle, because he's not getting a lot of benefit and there's a potential big down side."

The poll found that while 57 percent of men believed Bush made the right decision to go to war, only 40 percent of women agreed.

The telephone poll surveyed 400 registered voters over five days ending last Friday. Its margin of error was plus or minus 5 percentage points.

Schwarzenegger prompting Jones to come out swinging versus Boxer

BY BETH FOUHY
 Associated Press Writer

SAN FRANCISCO — Lending his considerable political clout to an ally, Gov. Arnold Schwarzenegger will endorse former Secretary of State Bill Jones' bid for the Republican nomination to challenge Democratic Sen. Barbara Boxer, sources close to the governor said this week.

The endorsement will take place in Los Angeles today, the sources said.

Jones, a Fresno farmer who spent more than two decades in public life before term limits forced him to step down in 2002, is the best-known candidate in a four-person field that includes former Los Altos Hills Mayor Toni Casey, former Assemblyman Howard Kaloogian and former U.S. Treasurer Rosario Marin.

Jones, who badly lost a race for the GOP nomination for governor in 2002, was an early and active supporter of Schwarzenegger during the recall campaign. He also served on Schwarzenegger's transition team after the actor was elected Oct. 7.

Schwarzenegger has hinted he was likely to support Jones — telling a Fresno radio show last month that he would "do anything for the guy" if Jones ran for the Senate. But the timing of the endorsement surprised some observers, who believed Schwarzenegger would only get involved in the race in the closing days before the March 2 primary, if he got in at all.

"Generally, most Republican governors usually stay out of a Senate primary," said GOP consultant Arnold Steinberg. "I think in this case, we're once again seeing Gov. Schwarzenegger being a different kind of governor by taking a position in a primary — and so shortly after he was elected himself."

Schwarzenegger's endorsement of Jones is a major blow to Marin, who like Schwarzenegger came to the United States as an immigrant and has built much of her candidacy on her up-from-the-bootstraps personal story.

"I am not surprised but deeply disappointed," Marin said in a statement released late Wednesday. "We have been repeatedly assured by the Governors representatives that he would remain neutral during the primary election, and I took that to heart."

Marin, who also promotes her ties to the White House political team while on the campaign stump, has fashioned herself as a moderate independent Republican in the Schwarzenegger mold. Jones opposes abortion rights in most cases, while Schwarzenegger and Marin say they favor abortion rights. Many observers believe a candidate cannot win statewide in California unless they support a woman's right to abortion.

"I'm very disappointed," said Ken Khachigian, a senior adviser to Marin. "I think that had the governor conferred with me, I would have advised him that Rosario Marin was more in the mold of Arnold Schwarzenegger. They have similar views, a similar history, and she's also a great admirer of the governor."

Jones, who was once considered something of a pariah among Republicans after he endorsed Arizona Sen. John McCain over then-Texas Gov. George W. Bush in the closing days of the 2000 California presidential primary, has seen his stock rise in recent months. At his formal campaign kickoff last week, Jones was joined on the podium by former Republican Govs. Pete Wilson and George Deukmejian, who are serving as his campaign co-chairs.

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WORLD BRIEFLY

Israel closes Gaza Strip after bombing

By The Associated Press

EREZ CROSSING, Gaza Strip — Israel shut down the Gaza Strip on Thursday after a female Palestinian bomber killed four Israelis at a Gaza crossing — the first time the Islamic militant group Hamas sent a woman on a suicide mission.

The aftermath of the Wednesday attack meant further hardships for Palestinians. Residents of the impoverished Gaza Strip depend on jobs in Israel for much of their income, and in a routine security move, Israel closed the crossing after the attack, turning workers away and shutting down the Erez industrial park where 6,000 Palestinians work.

Defense Minister Shaul Mofaz imposed a one-day closure on the Gaza Strip, the army said, adding that only humanitarian cases could pass through.

Brig. Gen. Gadi Shamni, the Israeli military commander in Gaza, indicated that Israel would hit back.

WHO wants to shoo birds with the flu

By The Associated Press

HANOI, Vietnam — Vietnam on Thursday reported four more suspected human cases of the bird flu that has infected poultry in three Asian countries, while China banned imports of chicken and the World Health Organization warned of an increasingly urgent situation.

Vietnam already has 14 confirmed human cases of avian flu, with three deaths. One of the four suspected new cases has died.

WHO experts and Vietnamese health ministry officials are discussing how to contain the outbreak. WHO lab tests have confirmed that the three people who died

were infected with Influenza A, or the H5N1 flu strain.

Bird flu has infected millions of chickens in Vietnam, South Korea and Japan, prompting those nations to order huge slaughters at poultry farms.

Beijing halted poultry imports from the three affected countries to the Chinese mainland, following similar measures by its Hong Kong territory and by Cambodia earlier this week.

The virus — highly contagious among chickens — is believed to spread to humans through contact with infected birds. There have been no reports of the disease being transmitted from one person to another.

Dems practice power of negative thinking

By The Associated Press

FORT DODGE, Iowa — Democrats locked in a tight presidential battle are going negative as decision day fast approaches in Iowa and New Hampshire, with Dick Gephardt suggesting that Howard Dean is a fake and Dean accusing Wesley Clark of being a closet Republican.

Polls show the races in both Iowa and New Hampshire tightening significantly.

The Dean campaign put out word Wednesday evening that the Democratic field is dropping to eight Thursday with former Sen. Carol Moseley Braun of Illinois dropping out of the race and endorsing Dean.

Gephardt, who has staked his candidacy on an Iowa victory, launched a new line of assault against Dean in the state where he and Sens. John Kerry of Massachusetts and John Edwards of North Carolina are the leading challengers to Dean in Monday's Iowa caucuses.

"To me, there is no room for the cynical politics of manufactured anger and false conviction," said

Gephardt, a Missouri congressman. "I believe in standing for something."

Dean singled out Clark, a retired Army general who is rising in the New Hampshire polls, for additional criticism of not being loyal to the Democratic Party. He noted that Clark has said he voted for Richard Nixon and Ronald Reagan and has helped raise money for Republicans.

Clark told reporters after a national security speech in New Hampshire, "I'm a Democrat."

Bigger Enron fish to fry

By The Associated Press

HOUSTON — With guilty pleas from former Enron Corp. finance chief Andrew Fastow and his wife firmly in hand, investigators can now set their sights on the top of scandal-ridden energy giant's corporate ladder.

"This is very significant to the Enron Task Force because whatever Andrew Fastow knows about what went on on the 50th floor, the Enron Task Force will now know as well," said Leslie Caldwell, head of the Justice Department unit investigating the company's downfall.

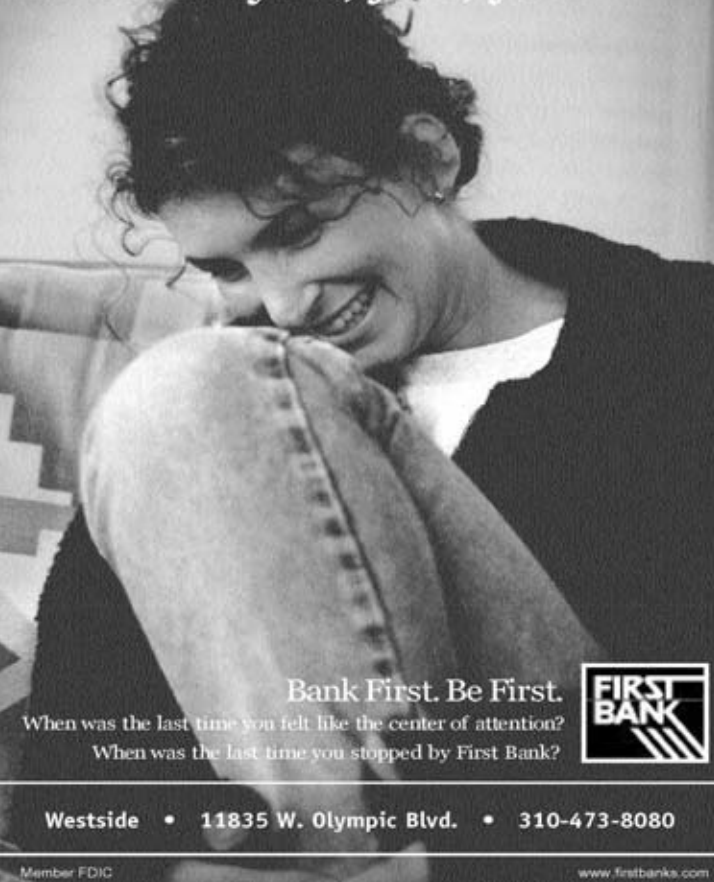
Fastow, whose off-the-books deals set Enron on a collision course for failure, entered his plea Wednesday in federal court in Houston and agreed to a 10-year sentence. He will help prosecutors pursue possible cases against the executives who once occupied the most opulent offices on the company's top floor: former chairman Kenneth Lay and former CEO Jeffrey Skilling.

Fastow's wife, Lea, pleaded guilty two hours later before a different judge to filing false tax forms. The Fastows remain free on bond and were scheduled for sentencing in April.

Both Lay and Skilling have maintained their innocence. Neither has been charged with a crime.

Andrew Fastow, 42, is the highest-ranking Enron executive charged in the 2001 collapse of the Houston-based energy company. Without a plea, he would have gone to trial on 98 counts of fraud, money laundering, insider trading and other charges. He pleaded guilty to two counts of conspiracy to fraud.

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PEOPLE IN THE NEWS

NBC's 'Friends,' 'Frasier' big on long good-byes

By The Associated Press

■ **LOS ANGELES** — "Friends" and "Frasier" are both getting the long good-bye from NBC.

The network said the two long-running comedies will get two-hour sendoffs on back-to-back weeks during the May ratings sweeps.

"Friends," which is likely to set a record for the sixth straight season as television's highest-rated comedy, will exit May 6. After a one-hour retrospective, the final episode will last another hour. It's being filmed this month in Los Angeles.

Meanwhile, Frasier Crane and his extended family will have the same treatment a week later, said Jeff Zucker, president of NBC's entertainment, news and cable group.

"The two Thursday nights in a row will give the proper send-off to these two classic comedies that have been as important to our history as any two shows," Zucker said this week.

■ **KUALA LUMPUR, Malaysia** — Malaysia's Muslim opposition party has urged the government to cancel an upcoming concert by Mariah Carey, saying her performance is immoral and promotes un-Islamic values.

"Everyone knows Mariah Carey presents herself in a sexy, unacceptable and almost vulgar manner," Ahmad Sabki Yusof, a leader of the fundamentalist Pan-Malaysian Islamic Party's youth wing, said Thursday.

"She is not an appropriate role model for young Malaysians," he told The Associated Press.

Party officials gave a letter of protest to Ministry of

Culture, Arts and Tourism officials Thursday urging that permission for the Feb. 22 concert at a 50,000-seat Kuala Lumpur stadium be withdrawn.

Ahmad Sabki pointed out that date of Carey's concert marks the start of the new year in the Muslim calendar, which is a religious holiday in Malaysia.

Deputy Culture, Arts and Tourism Minister Fu Ah Kiow last week said Malaysian officials supported the staging of the pop star's show, but reiterated the government's policy that foreign performers should "dress accordingly" to avoid offending anyone.

Concert organizers had reportedly assured the ministry that the 33-year-old Carey, who's known for her clingy, revealing outfits, would comply with any dress regulations.

■ **NEW ORLEANS** — A judge says arrest warrants will be issued for comedian Jamie Foxx and his younger sister if they don't show up in court Friday to answer charges from a scuffle with police at a casino.

Criminal District Judge Frank Marullo told attorneys for Foxx and Deidra Dixon on Wednesday that there's no provision in Louisiana law for them to be arraigned outside New Orleans or for arraignment by video.

Foxx, 36, and his sister are charged with two counts each of battery on a police officer causing injury, a felony, and one count of disturbing the peace, a misdemeanor.

Dixon also is charged with resisting an officer, another misdemeanor.

The charges come from a fight with police officers and security guards at Harrah's New Orleans Casino on April 26. Police said Foxx, Dixon and a group of their

friends refused to show identification at the door, then went into the casino and refused requests to leave.

Authorities said that when police tried to handcuff Dixon, she struggled, freed one of her hands and began swinging the handcuffs still attached to the other hand, hitting a police officer in the face.

Marullo said he'll rule Friday on a defense request to toss out the felony charges against Foxx and his sister.

■ **KINGSTON, Jamaica** — Grammy-winning dancehall rapper Beenie Man was in serious condition after an early morning car accident Thursday, a record executive said.

The 30-year-old suffered injuries including broken ribs and a broken nose when his Hummer flipped over after running off a Kingston highway, said Clyde McKenzie, an executive of Shocking Vibes Productions, which produces some of Beenie Man's music.

The rapper, whose real name is Anthony Moses Davis, was driving alone at the time, McKenzie said.

It was unclear what caused the accident or whether he was wearing a seat belt. Police couldn't immediately provide information, saying they were still investigating.

Beenie Man has been one of the biggest names in dancehall for nearly a decade. In 1998, he broke into U.S. charts with hit single "Who Am I" and accompanying album "Many Moods of Moses," which became a minor hit in the United States.

In 1999, Beenie Man signed with Virgin Records. "Art and Life," his first album for the company, won the Grammy Award for Best Reggae Album in 2001. His last album, "Tropical Storm," was released by Virgin in late 2002.

DID YOU KNOW?: Both writer Edgar Allen Poe and LSD advocate Timothy Leary were kicked out of West Point.

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