

Santa Monica Daily Press

A newspaper with issues

LOTTO

FANTASY 5

1, 13, 18, 5, 16

DAILY 3

Afternoon picks: 9, 6, 2

Evening picks: 8, 1, 5

DAILY DERBY

1st Place: 1, Gold Rusht

2nd Place: 11, Money Bags

3rd Place: 4, Big Ben

Race Time: 1:41.23



NEWS OF THE WEIRD

by Chuck Shepard

■ Joseph Tomaino of Neptune, N.J., won \$3 million from a jury because a side effect of penile surgery was an erection that lasted for three days, which an appeals court later found did not interfere with most of his daily activities. (The trial judge, who wanted to give Tomaino even more money, had the case taken away from him by the appeals court in November.)

■ Passenger Ivette Jones, who said she was traumatized in the October Staten Island ferry collision and couldn't sleep because she was so distraught, filed a \$200 million lawsuit against New York City, \$80 million more than claimed by a woman who lost both legs in the accident.



QUOTE OF THE DAY

"Trust in Allah, but tie your camel."

— Arabian proverb



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Special delivery



Nicky Five Aces/Special to the Daily Press
UPS delivery man Louie Ramos of Pacific Palisades plays 'Santa' by delivering loads of boxes Tuesday afternoon on the Third Street Promenade.

Victim's mother coping with pain by giving back

BY CAROLYN SACKARIASON

Daily Press Staff Writer

The mother of a slain local woman returned to Santa Monica Tuesday to proceed with plans to keep her daughter's memory alive and give back to the community that helped her.

Terry Wark, whose daughter, Kristi Johnson, was found dead on March 3 at the bottom of a ravine in a remote neighborhood in the Hollywood Hills, relied heavily on the Santa Monica community to help find her only daughter.

During the two weeks that Johnson was missing, Wark turned to St. Augustine-By-The-Sea Episcopal Church on Fourth Street for support and guidance. The church offered her reassurance, provided support and gave her strength during the stressful days of the search.

"I truly appreciate all the efforts to help

See MONUMENT, page 6



Carolyn Sackariason/Daily Press
Terry Wark, mother of Kristi Johnson, who was murdered earlier this year, stands with sculptor David Middlebrook in the courtyard of St. Augustine-By-The-Sea, where a fountain will be erected in Johnson's memory.

PI hired to investigate SM murder

Parents of slain Jalonnice Carter grew frustrated with police investigation

BY JOHN WOOD

Daily Press Staff Writer

PICO NEIGHBORHOOD — Frustrated by the lack of answers surrounding their teenage son's murder, the parents of Jalonnice Carter, who was shot near his home here in September, have hired a private investigator.

Retired Los Angeles Police Department detective supervisor Jim Vuchsas said he and two other investigators are working Carter's eastside Santa Monica neighborhood for leads. Vuchsas said he also is pushing for more action from local police, who are still investigating Carter's murder.

Police said they were unlikely to share any information with Vuchsas and questioned the effectiveness of his effort.

Carter, 19, was fatally shot in an alley east of 20th Street in the Pico neighborhood on Sept. 2. Police arrested a neighbor, 22-year-old Arthur Archuleta, but so far haven't produced enough evidence to press charges against him, according to the LA District Attorney's Office.

The lack of an established suspect has left Carter's mother and stepfather, Shirley and Larry Joseph, desperate for answers. So the family hired Vuchsas to act on their behalf and to interact with local police.

"It has made a big difference," said Shirley Joseph, who had no comment on the Santa Monica Police Department's work before Vuchsas was hired. "They seem like they're doing their job now. So far, it seems like they are trying now."

Vuchsas said his group has met with about 10 community members in the Pico neighborhood, including parents, educators and religious leaders, but has uncovered no leads worthy of passing on to the SMPD. He said he is limiting the amount of work his team does to keep the bill low for the Josephs, who rent a small apartment on 20th Street.

"They came to us out of a sense of frustration. Their frustration was that they were not getting any answers out of the police department regarding the death of their son,"

See INVESTIGATION, page 5

Federal court OKs medical marijuana in some cases

BY DAVID KRAVETS

AP Legal Affairs Writer

SAN FRANCISCO — A federal appeals court ruled Tuesday that a law outlawing marijuana

may not apply to sick people with a doctor's recommendation in states that have approved medical marijuana laws.

The 9th U.S. Circuit Court of Appeals, ruling 2-1 in a rare late-

afternoon filing, said prosecuting these medical marijuana users under a 1970 federal law is unconstitutional if the marijuana isn't sold, transported across state lines or used for non-medicinal purposes.

"The intrastate, noncommercial cultivation, possession and use of marijuana for personal medical purposes on the advice of a physician is, in fact, different in

See MARIJUANA, page 6

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

HAPPY BIRTHDAY for Wednesday, December 17, 2003:

Use this year to zero in on what you want. Don't be surprised if you have to explain yourself to others more than once. Sometimes people really don't get the message, and vice versa. You need to be very careful with your choice of words, and don't stand on ceremony with others. Your creativity is unusually high, drawing the results you want. If you are single, you might date a lot, networking and meeting new people. You will go through a process of growing and discovering what you want. If you are attached, your relationship will develop if neither of you stands on ceremony. LIBRA is your pal.

♈ ARIES (March 21-April 19)

★★★★ Hold on tight, as misunderstandings run rampant for the next few weeks. In fact, wise Rams might not want to sign any agreements until the holidays are past. You could be overly exhausted from what goes on around you. Tonight: Say "yes" to an invitation.

♉ TAURUS (April 20-May 20)

★★★★ Dig into work with gusto, but be careful about the details. You could come across a mistake that might have serious long-term implications. Others might not work with you as well as usual. Tonight: Relax at home.

♊ GEMINI (May 21-June 20)

★★★★★ Your playfulness could irritate others but delight you right now. Careful! With your ruler going retrograde the next few days, you might have more problems than you would like. Tonight: Find a fun playmate.

♋ CANCER (June 21-July 22)

★★★★ You might feel better working from home. Everyone understands the need for a day off or a day spent in quieter circumstances. Don't push your luck during a talk. You could find that another has a totally different opinion or just doesn't "get" you. Tonight: Put your feet up.

♌ LEO (July 23-Aug. 22)

★★★★ You might have to go after what you want rather than depending on others. Whether your message gets confused on its way or others just don't get it makes no difference. You're the most competent person to get the job done. Tonight: Find your friends.

♍ VIRGO (Aug. 23-Sept. 22)

★★★★ Not everyone gets the gist of your messages or actions in the next few weeks, as your ruler goes retrograde. Don't get too frustrated and take any major action. You visualize a work situation far differently from many. Tonight: Don't push yourself.

♎ LIBRA (Sept. 23-Oct. 22)

★★★★ Though you might be feeling on top of the world, apparently others are floundering. Run in and help right now, especially if it involves a domestic matter. A close associate might be feeling a lot more than you are aware of. Tonight: Be careful with a work-related crush.

♏ SCORPIO (Oct. 23-Nov. 21)

★★★★ Take your time making a decision that involves a discussion or a new purchase. Also, others suddenly seem to be working against you. Take your time right now and observe the lay of the land. Be ready for some surprises. Tonight: Check out another's opinion.

♐ SAGITTARIUS (Nov. 22-Dec. 21)

★★★★ Meetings carry a sense of disruption that could be quite distracting. You also discover that agreements arrived at right now could backfire quickly. Understand more of what you need from others, but don't expect immediate results. Tonight: Where the crowds are.

♑ CAPRICORN (Dec. 22-Jan. 19)

★★★ You might need to take a stand while others flounder left and right. In the next few weeks, you might need to work extra hard to get your message across. Once more, your intuition comes through financially. Lucky you. Tonight: A must appearance.

♒ AQUARIUS (Jan. 20-Feb. 18)

★★★★ Read between the lines. It is what someone isn't saying that is significant. A partner might have difficulty expressing his or her feelings, but so might you. Use caution with those close to you in the next few weeks. Tonight: Consider a trip.

♓ PISCES (Feb. 19-March 20)

★★★★ Deal with someone close, letting him or her know exactly what you want from a situation. Partners and associates could be a bit off as they try to explain their feelings. Don't get frustrated when dealing with others. Tonight: Be with your favorite person.

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LOCAL



COMMUNITY BRIEFS

Give a toy and help a kid

By Daily Press staff

For the 11th straight year, the American Red Cross of Santa Monica will be collecting toys to distribute to local needy families in time for the holidays. Once again partnering with the Santa Monica Fire Department and KABC, the Red Cross will assist those who have been hard-hit financially and might not otherwise receive any gifts. To participate, drop off a new, unwrapped toy at the Santa Monica chapter at 1450 11th St. or at any of the Santa Monica Fire stations between now and Dec. 24. For the location of additional collection sites, please call the Red Cross of Santa Monica at (310) 394-3773.

Firefighters help needy families

By Daily Press staff

Continuing a 20-year tradition, Santa Monica Fire Fighters Local 1109 has announced its "Holiday Gift Program" for the city's low-income families.

They will give Santa a hand and award gift certificates at Santa Monica Place to help families in need complete their holiday shopping.

The families have been invited to pick up their gifts on Third Street Promenade and Broadway Sunday, Dec. 21, from 10 a.m. to 2 p.m. A fire engine will be on display, and many volunteers will be out to greet the families and wish them a happy holiday.

Discover the future of Santa Monica's economy

By Daily Press staff

Although the news might turn your stomach, City Hall wants residents to listen to Santa Monica's economic forecast at a breakfast next month.

Jack Kyser, chief economist at the Los Angeles County Economic Development Corporation, will speak to local civic and business leaders Jan. 7 at 7:30 a.m. in the Santa Monica Civic Auditorium, east room, 1855 Main St., on the state of Santa Monica's economic future.

Although Kyser, a well-known economic forecaster, will present his take on the short- and long-term outlook for the state and region, his primary focus will be on Santa Monica — unique economic issues affecting the city, the financial challenges and opportunities facing various segments of the community and City Hall, and how best to use resources to guarantee a solid financial future.

Cost for the "Santa Monica 'Piers' into the Future" event is \$15 per person, payable at the door. It includes a continental breakfast. Call the City of Santa Monica finance department at (310) 458-8281 to make reservations.

Book club features Santa Monica writer

By Daily Press staff

The Berlin Stories by former resident Christopher Isherwood is the featured book for Santa Monica Citywide Reads this spring.

Scheduled for April 17 through May 1 and sponsored by the Santa Monica Public Library, Citywide Reads is a community reading program that invites residents and visitors to read "The Berlin Stories" (New Directions Paperback). Participants then join in free book discussion groups in libraries, parks and other public venues such as bookstores, coffeehouses, and on a Web site to create a "citywide" book club.

Citywide Reads 2004 celebrates Santa Monica's own rich literary heritage by featuring Isherwood. 2004 marks the 100th anniversary of the author's birth and he is being commemorated by a major exhibition, "Christopher Isherwood: A Centenary Celebration," at the Huntington Library in San Marino from June 12 to Oct. 3. Isherwood was born in England in 1904, immigrated to America in 1939 and lived in the Santa Monica area until his death in 1986.

Although he wrote many influential novels and memoirs in America,

See BRIEFS, page 5

surf report

Expect the surf to be a bit slow this morning but by the afternoon a new NW swell will be on the rise. The first signs of new, long period swell show midday, with sets overhead by sundown. This swell will peak overnight into early Thursday.

OUTLOOK: Those waves will be on the way down by Friday, but still good.

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

Today the water is:

57°

**Sunrise: 6:59 a.m.
Sunset: 4:53 a.m.**

	LOW TIDE				HIGH TIDE			
	Morning	Height	Evening	Height	Morning	Height	Evening	Height
SATURDAY	4:26	3.1	6:42	0.1	1:15	3.4	(10:46)	5.2
SUNDAY	5:40	3.3	7:32	0.3	2:17	3.6	(11:37)	4.8
MONDAY	7:31	3.2	8:23	0.6	3:07	3.9	12:47	4.3
TUESDAY	9:21	2.8	9:14	0.8	3:45	4.2	2:21	3.8
WEDNESDAY	10:40	2.0	10:04	1.1	4:20	4.7	4:00	3.6
THURSDAY	11:39	1.1	10:52	1.3	4:54	5.3	5:24	3.6
FRIDAY	(12:30)	0.1	11:39	1.6	5:30	5.9	6:35	3.8

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The Q Line

U.S. officials and its allies celebrated the capture of former Iraqi dictator Saddam Hussein over the weekend. Hussein was discovered in a cramped hole near one of his sumptuous palaces, a humiliating fate for one of history's most brutal dictators.

During the arrest of Saddam, U.S. troops discovered "descriptive written material of significant value," a U.S. commander told The Associated Press. He declined to say whether the material related to the anti-coalition resistance.

Saddam, who waged and lost two wars

against the United States and its allies, could face trial before a new Iraqi tribunal for war crimes. Many feel his capture could have a detrimental effect on the insurgents' resisting occupation.

Will the coalition's capture of Saddam Hussein turn the tide in the war with Iraq?

Call (310) 285-8106 with your response before Thursday at 5 p.m. We'll print them in Friday's paper. Please limit your comments to a minute or less. It might help to think first about the wording of your response.



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OPINION

Youthful angel defines the meaning of Christmas



INCITES

By Ed Silverstein

In celebration of the holidays and to close out the year, I wanted to write the quintessential holiday column. My goal was to create a masterpiece that would encapsulate the very essence and spirit of the season. Somehow words would spring forth that would bring joy to all, define the true meaning of Christmas and leave us all with a deeper understanding of our fellow man.

Though I dredged deep into the emo-

tional loam, alas, my efforts proved woefully inadequate. It was apparent that this column would require the talents of someone far more sage.

I turned to Samantha Delapenha, my niece. She is 10 years old. Her dad was killed in the 9/11 tragedy. Samantha wrote the following story for her fifth-grade class.

CHRISTMAS ANGEL

BY SAMANTHA DELPENHA

One morning I woke up, and I was a Christmas angel on the top of a Christmas tree. I had a pocket of GOLDEN coins and a slip of paper that said I may give these coins to people and that it will grant them one wish. So I flew off the

Christmas tree to start my journey.

I started off by flying over New York. I saw a lot of people on the street. So I flew down and gave some of them a GOLDEN coin. I told them that it would grant them and their family one wish.

Next I flew to California where the wild fires were going on. I found some families that had nowhere to go, so I flew down and gave each family a GOLDEN coin.

After my California journey, I flew to Iraq and saw many soldiers fighting for our country. So I flew down and gave them a GOLDEN coin. I told them that it would grant the entire troop one wish.

I was going home, and I forgot that I was not visible, and I saw my mom crying, so I made myself visible and flew down and gave her my last GOLDEN coin. I told

her that our family could make one wish, and so we did. We wished that My Father was still alive. Then there was a flash of light and poof IT WAS MY DAD!!

Our family was so happy! I looked in my pocket, and I found four more coins and gave one to my brother, one to my sister, one to my mom and one to my dad. That night we flew around all the places I had gone to, and heard everyone making their wishes. My dad was able to stay, and that was the BEST CHRISTMAS EVER!!!

Happy Holidays.

(Ed Silverstein is a freelance writer living in Santa Monica. Samantha Delapenha is a future Pulitzer Prize winning author living in New Jersey. Both can be reached at edsincites@aol.com).

Back to our regularly scheduled programming ... please



LEGAL VIEWS AND NEWS

By David Pizarra

Saddam Hussein has been captured, so now the president will get a boost in his ratings, have some good campaign fodder and can return to the job he agreed to do in the first place. Take care of the United States of America, not spend four years campaigning, building his war chest and sacrificing our men and women so that he can look good on election day.

At first blush it appears that the president is planning to have the now-deposed tyrant tried and convicted in Iraq by the Iraqi people for some version of crimes against humanity, abusing his people, destroying their economy and a few murders. This is to prove what an evenhanded and rational man the president is and how fair we as a country are.

Hussein has been shown to be the coward that everyone thought he was. His capture was welcome news, for hopefully it will speed the end of the occupation of Iraq and the formation of a new government, one that can provide basic human rights to its people.

The weapons of mass destruction have

not been found yet. Remember them? They were the original reason that this war was started. Perhaps now the defiant and sarcastic Saddam Hussein will give up the truth, but he maintains that there were no WMDs and that his country had no links to Al Qaeda. Time will tell.

All of this occurs on the eve of the Afghan national congress. In Afghanistan the people are attempting to fashion a new constitution and a new government after we destroyed their old one. There, each tribe has elected representatives, the men have theirs, and the women theirs. It shall be interesting to see in the years to come how these two countries develop.

Evidently Mr. Bush is a big believer in the theory that a leader is supposed to serve the people. He appears to believe that the lowliest Iraqi is entitled to a free and democratic society. One in which their voice is heard and respected. The same goes for the Afghans.

Mr. Bush has put forth a plan for other countries; his efforts to protect the lowliest and weakest of other countries is laudable. His goals are noble. It is clear that he is attempting to bring a sense of stability to a region that has politics that change as fast as the sands of the desert.

The lives that have been lost in this effort will hopefully not have been in vain. Many Americans have made the supreme sacrifice for Mr. Bush. He has

asked much of our country.

How ironic then that he has so little time for his own people.

A leader is supposed to work for the will of the people. He or she should be a visionary for the way that a society should be structured to benefit that society the most. This is a great responsibility and as a leader, it falls on the shoulders of those in charge to enact laws that are fair to all and designed to protect those whose voices cannot be heard easily. As a leader, it is his job to fight for the downtrodden, to provide them cover in the battle to be heard.

Unfortunately, Mr. Bush would prefer to do this on the international level rather than on the domestic level. He would rather protect the people of Iraq and Afghanistan, provide jobs for the Chinese and make sure that there is a steady supply of raw materials for the multi-nationals that contributed to his \$100 million war chest than protect the rights of the citizens of the United States.

As president, Mr. Bush is the leader of his party, much the way that Mr. Hussein was leader of his party. Of the party that Mr. Bush leads, much can be said. It is the party of Lincoln, a man whose name has become synonymous with greatness and vision. It is the party that used to stand for small government, that wanted the government out of peoples lives.

Of his leadership, he has shown great

conviction in his actions. Conviction that will either make him a great man in the eyes of history, one who saw a Middle East with stable governments that are at a minimum acceptable to the United States' diplomatic mission, or at best sympathetic to our needs and goals. Alternatively, he may be shown to be a reckless and shallow thinker whose actions did nothing to produce long-term benefits to either the world or the United States.

As president, he is sworn to protect and defend the Constitution to the best of his ability. His latest win, with the capture of the butcher of Baghdad, will give a needed boost to his sails, and perhaps now he can focus on the country he leads and our problems at home.

We have a society that is in desperate need of a health care plan, some new manufacturing jobs, perhaps a review of our civil rights and government infringing, and a good environmental policy. Someone needs to take him out to the people and show him the way we, the proletariat, live. How our world really works. Enough of his caretaking the rest of the world.

Now can we take care of ourselves?

(David Pizarra is a partner in the Santa Monica law firm of Pizarra & Grist. He welcomes questions, and can be reached at (310) 664-9969 or e-mailed at dpizarra@pizarra.com).

Opinions expressed are those of the writer and do not necessarily reflect those of the Santa Monica Daily Press staff. Guest editorials from residents are encouraged, as are letters to the editor. Letters will be published on a space-available basis. It is our intention to publish all letters we receive, except those that are libelous or are unsigned. Preference will be given to those that are e-mailed to sack@smdp.com. All letters must include the author's name and telephone number for purposes of verification. Letters also may be mailed to our offices located at 1427 Third Street Promenade, Suite 202, Santa Monica, 90401, or faxed to (310) 576-9913. All letters and guest editorials are subject to editing for space and content.

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LOCAL



Family of homicide victim still waiting for answers

INVESTIGATION, from page 1

Vuchsas said. "(The police) have got to open up, because that's the way today's days are. You've got to be able to communicate to people, communicate to your victims and the community at large."

But police officials said there is a reason why they have remained tight-lipped.

"The Santa Monica Police Department shares confidential information with other law enforcement agencies — period," said SMPD Lt. Frank Fabrega, later adding, "Our detectives are very responsive to contacting family members. However, our detectives do not release confidential information to family members who may compromise the investigation ... Any information released may hinder the investigation."

SMPD Chief James T. Butts, Jr., dismissed claims that officers weren't working actively for Carter's family. And he extended his personal services to victims' families.

"We have a long history of sensitivity and interaction with our victims and the families of our victims," Butts said Tuesday. "I have personally taken calls from grieving loved ones and will always be open to doing so."

In a recent interview, Butts pointed to a practice he recently established called "Neighborhood Centered Policing," which focuses on prevention, education and open communication between law officers and community members.

Though the SMPD hasn't gathered enough evidence for a conviction, police said Archuleta is still a key suspect in the crime and that's why he has been targeted and taken into custody twice for parole violations. Butts said police have taken Archuleta off the streets to make the community safer and to show criminals that there are real consequences for their actions.

Parole violators go in front of a hearing officer from the State Board of Prison Terms, who then decides whether the offender should serve time for their parole violation. Archuleta, who was picked up in November for riding in a car with a firearm in it, remains in custody and awaits the Board of Prison Terms hearing.

Butts questioned whether an independent detective would be able to uncover any new information. He added that the SMPD has a network of specialists working on the investigation around the clock and added that they are open to tips from the public.

Vuchsas said his goal wasn't to do the

police work by himself. He said he simply wants the SMPD to share more information with Carter's family. In the meantime, he has filed formal requests for information relating to the crime that might be available, including crime reports and other documents.

"We're holding up."

— SHIRLEY JOSEPH
Mother

"They have yet to respond to any of it," Vuchsas said Tuesday. He added that the most recent request, filed under the Freedom of Information Act, was recently given to police. "They may give us pages of redacted info that's all black, which is fine. We just want some response."

"We're not out for any kind of glory. We just want answers."

Fabrega said police documents have special protections that keep them from being distributed publicly. If Vuchsas wants police reports or documents, he might have to ask a judge to release them, Fabrega added.

"An ongoing criminal investigation is not releasable — to anybody — regardless of what the charges are," he said.

Vuchsas declined to say how much money he has been paid. He said one of Shirley Joseph's sisters paid a retainer to his company and that he would like to return as much of it as possible. Vuchsas charges \$150 an hour for his time, \$90 an hour for investigators and \$40 for administrative help.

If he does find any leads, Vuchsas said he will immediately turn them over to police. But SMPD officers might not reciprocate, Butts said. He added that any information uncovered must remain confidential in order to protect the integrity of the ongoing investigation.

In the meantime, the Josephs are growing anxious while they wait for answers. It has been nearly 15 weeks since the .22-caliber bullet struck Carter's back. It pierced his heart and killed him.

"We're holding up," Shirley Joseph said. "We're taking it one day at a time. One day is good, and the next day is bad."

"It's hard when it's close to Christmas, with the holidays and the family gatherings and Jalonné's birthday passing," she added. "It's hard not to have him around. It's hard."

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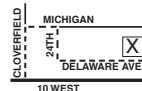
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COMMUNITY BRIEFS

BRIEFS, from page 3

Isherwood's fictionalized account of life in Berlin between the two world wars is his best-known work. His vivid descriptions of Germany during the tumultuous Weimar period were later adapted to the stage and popularized in the musical film "Cabaret."

"Isherwood makes pre-World War II Germany come alive in ways that no objective historical account ever could. Viewing this world through the eyes of a young Englishman — who distinctly resembles the author — I felt as though I had experienced those days myself," says Carol Jago, Santa Monica High School's English department chair and member of the Citywide Reads Advisory Committee.

Related programs, including "Isherwood in Context," a panel presentation by experts on Isherwood and Weimar Germany on April 17, and a jazz performance, are being planned. Citywide Reads concludes with special events at the Santa Monica Festival on Saturday, May 1.

For more information, contact Santa Monica Citywide Reads, Santa Monica Public Library, 1324 Fifth St.

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Community fundraising for foundation in initial stages

MONUMENT, from page 1

during the search for Kristi and afterwards for embracing me," Wark said. "People extended themselves so warmly and generously. There were so many people that gave of themselves that didn't even know Kristi."

Johnson, 21, disappeared on Feb. 15. The search for Johnson and the Santa Monica Police Department's investigation in finding her alleged killer, Victor Paleologus, gained national media attention. Paleologus, a convicted felon described by police as a known predator, is in custody and awaiting trial on capital murder charges. His trial is expected to begin next spring.

Wark, who lives in Los Gatos, Calif., came back to Santa Monica this summer to work with the church in designing the Kristine Johnson Fountain of Joy, which will be built in St. Augustine's courtyard. On Tuesday, she brought with her artist David Middlebrook, who will design the sculpture. The intent of the visit was to look at the site and meet with those involved before designing the sculpture.

"It's very site specific and project specific," Middlebrook said. "More than any project I've worked on, what it can be will have a lasting effect on what this case is about."

Wark hopes the fountain will serve as a place where the community as a whole can come to find peace, meditate, reflect or renew their faith.

It also will serve as a respite for Wark, who said she'll need something positive to focus on during the upcoming trial. It was emotionally taxing on Wark this summer when she came to Los Angeles for Paleologus' preliminary trial. SMPD investigators testified for two days. They provided details to Johnson's murder while Wark sat just feet from Paleologus, who has pleaded not guilty to the charges.

"When the trial does start and I come to Los Angeles to support the prosecution, I will incorporate the fountain-of-joy project while I am here," she said. "The only way I know how to deal with this is to combat it with positive energy. This will provide a counterbalance to sitting in the courtroom."

The monument, which is designed as a

woman with her arms raised up with water cascading down her, will celebrate the life of not only Johnson — but of all women.

"People extended themselves so warmly and generously. There were so many people that gave of themselves that didn't even know Kristi."

— TERRY WARK
Mother

During the search for Johnson, St. Augustine opened its doors for a candle vigil on Feb. 27, which also was Johnson's birthday. Wark also held a memorial service at St. Augustine shortly after Johnson was buried during a private service in Los Gatos, where she was born. She is buried in a cemetery there near Mark Bingham's grave. Bingham, known for his last words of "Let's roll," died on the plane believed to be headed for the White House but crashed in a Pennsylvania field on Sept. 11, 2001, after Bingham and others took the controls from terrorists.

Wark said she felt a strong unity with the Episcopal church because the memorials occurred simultaneously in Santa Monica and Saugatuck, Mich., where she grew up.

When Johnson's body was found, Wark said she felt she had to do something for the church and the Santa Monica community, so she began thinking about ways to channel money into the project on Johnson's behalf.

Wark, along with the church's parishioners, are embarking on a fundraising effort within the Santa Monica community to help fund the construction of the fountain. Donations can be sent to: St. Augustine Episcopal Church, 1227 Fourth St., Santa Monica, Calif., 90401, Re: Kristine Johnson Fountain of Joy.

Court contends that limited marijuana use is acceptable

MARIJUANA, from page 1

kind from drug trafficking," Judge Harry Pregerson wrote for the majority.

The court added that "this limited use is clearly distinct from the broader illicit drug market, as well as any broader commercial market for medical marijuana, insofar as the medical marijuana at issue in this case is not intended for, nor does it enter, the stream of commerce."

The decision was a blow to the Justice Department, which argued that medical marijuana laws in nine states were trumped by the Controlled Substances Act, which outlawed marijuana, heroin and a host of other drugs nationwide.

The case concerned two seriously ill California women who sued Attorney General John Ashcroft. They asked for a court order letting them smoke, grow or obtain marijuana without fear of federal prosecution.

The case underscores the conflict between federal law and California's 1996 medical marijuana law, which allows people to grow, smoke or obtain marijuana for medical needs with a doctor's recommendation.

A U.S. District judge tossed the case in March, saying the Controlled Substances Act barred him from blocking any potential enforcement action against medical marijuana patients Angel Raich and Diane Monson. Tuesday's ruling sends the case back to the district judge.

Alaska, Arizona, Colorado, Hawaii, Maine, Nevada, Oregon and Washington state have laws similar to California, which has been the focus of federal drug interdiction efforts. Agents have raided and shut down several medical marijuana growing clubs.

The appeals court, the nation's largest, does not have jurisdiction over Colorado and Maine.

STATE

Drug czar: Marijuana guards endanger lands

BY DON THOMPSON

Associated Press Writer

SACRAMENTO — Mexican cartels have taken over much of California's marijuana farming, boosting both the potency of the drug and the propensity for violence from armed guards protecting the crop, the nation's drug czar said.

They're planting huge marijuana plots on public lands, creating a growing danger to hikers and hunters stumbling into the line of fire, said John Walters, director of National Drug Control Policy, in advance of appearances Tuesday in Reno and South Lake Tahoe, Nev.

California's Bureau of Narcotics Enforcement estimated that 84 percent of plants seized this year were controlled by Mexican gangs, in what the bureau called "a major strategic and organizational shift" from recent decades.

"Many people think of marijuana growing as just run by a bunch of guys who are Cheech and Chong in the movies, kind of fun-loving guys," Walters said in an interview with The Associated Press. "These are violent organizations. They're using violence without hesitation — it's part of doing business to them."

The multibillion-dollar Mexican cartels have discovered it's safer and more profitable to grow marijuana in the United States than to try to smuggle it across the border, he said. Instead, they're often importing guards and handing them firearms with orders to shoot at anyone coming by.

They're also branching into methamphetamine production, often using what authorities have dubbed "super labs." And this summer authorities for the first time discovered 40,000 opium poppies growing in a remote area of the Sierra National Forest bordering Yosemite National Park. The poppy plants originated in Mexico, Drug Enforcement Administration spokesman Richard Meyer said Monday.

"The public lands have become a preferred area of operation for these organizations that are increasingly violent and sophisticated," Walters said. "People think they're hiking in a remote wilder-

ness area, and they come across these plots or these labs and they're run by armed and violent criminals."

Three-fourths of the marijuana gardens discovered by California authorities this year were on public lands like state and national parks and forests. As recently as 2001, the majority of plants were seized from private land.

California's recent harvest season was one of the most violent in years.

In just one deadly week in September, law enforcement officials in Northern California fatally shot four armed guards protecting marijuana plantations. San Luis Obispo County sheriff's deputies were shot at as they entered a garden; a hunter walking near a marijuana grove in Los Padres National Forest was shot at by three men armed with automatic weapons; and guards tending a Ventura County garden shot at a backcountry hunter.

Walters addressed federal, state and local officials from California's Campaign Against Marijuana Planting (CAMP) Tuesday, but said he also wants to hear more from them about the trends they're discovering, which appear to be spreading to other states. Earlier in the day he is scheduled to tour Step 2's Lighthouse of the Sierra drug treatment program in Reno.

Federal, state and local drug agents are working up models that can better predict where the drugs will be grown or made, Walters said. In addition, the U.S. Forest Service, Park Service and Bureau of Land Management are making drug enforcement a bigger priority, which he said should make next year a record year for fighting drug activity on public lands.

Improved intelligence is the greatest need, he said. The Mexican government under President Vicente Fox is targeting drug cartels that pose that nation's greatest risk of domestic terrorism and corruption, and has improved its drug operations to the point that U.S. and Mexican authorities now share sensitive information they wouldn't have dreamed of disclosing a few years ago.

"We've had a greater cooperation in the last several years than we'd had the last

20," Walters said. "These groups have been using the border as a shield. We're increasingly taking away that shield."

Squeezing the balloon in Mexico pushes more of it into the United States. The size of marijuana plots discovered in California has grown, as has the potency of the drug, Walters said.

Twelve California raids netted seizures of at least 10,000 plants this year, and one plantation had more than 70,000 plants. The average raid resulted in a seizure of 2,500 plants. The CAMP program seized a record 466,054 plants this year — up 100,000 plants from last year with a street value law enforcement officials estimated at \$1.9 bil-

lion. They also seized 50 weapons.

State and federal agents said growers are using a higher grade sinsemilla marijuana with much more of the active component tetrahydrocannabinol, or THC.

Marijuana that had a 1 percent concentration of THC in the 1980s and perhaps 4 percent in the 1990s now has a national average of 7 percent to 9 percent. The potency can reach 13 percent to 15 percent in marijuana grown outdoors, and near 30 percent indoors, Walters said.

Those high concentrations mean more profit per pound as well. Marijuana that went for \$2,000 a pound in 1983 sells for \$4,000 to \$10,000 per pound 20 years later.

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Westside | Real Estate

A primer on architecture and how it relates to homes



DAYS ON THE MARKET

By Jodi Summers

When it comes to identifying home styles, most people know generic terms such as Victorian, Bungalow and Spanish. But identifying the true theme of a home is more of a challenge.

Victorian architecture developed in England out of the picturesque movement of the 1840s — a rebellion against the formal classical styles that had dominated art and architecture for the previous 200 years. There are four major styles of Victorian architecture, and they are easy to tell apart.

The Italianate Victorian style was the predominant architectural styles in the United States between 1840-1885. A reinterpretation of Italian Renaissance country villas, Italianates feature a balanced, symmetrical façade, à la the Italian architect Andrea Palladio. Homes often feature a low-pitched or flat roof with wide overhanging eaves and decorative brackets or

cornices. Balcony and porch railings are supported by a row of repeating balusters.

There might be side bay windows or double doors with elaborate molding, often times highlighted by segmented arches. If it looks like an Italianate but has a steep roof with two slopes on each of the four sides, it's Mansard or Second Empire in style. Mansard roofs were considered to be very practical because they allowed usable living quarters to be placed in the attic. Second Empire is a tall, narrow style that was especially suitable for urban settings.

If the Victorian has a square bay window, skinny proportions and a porch with lots of linear wooden gingerbread, it's a Stick, also known as Eastlake. The most important feature about Stick buildings is in the wall surfaces. Instead of three-dimensional ornamentation, Stick's emphasis is on patterns and lines. Decorative details are often lost when Eastlake Victorians are remodeled.

Of all Victorian house styles, Queen Anne, known for windows with colored glass borders, a few curved walls or a turret and a porch with lots of decorative spindles, is the most elaborate and eccentric. The Queen Anne was the architectural fashion of the industrial revolution of the 1880s and

1890s, and proudly featured factory-made, pre-cut architectural parts combined to create innovative, and sometimes excessive homes.

Bungalow is a generic term describing any home that's built close to the ground and has a low-pitched roof. The American Craftsman Bungalow was most popular from 1890-1920, but it has its roots in India. Native houses in the province of Bengal were called banga. British colonists adapted these one-story thatch-roofed huts to use as summer homes, and dining rooms, bedrooms, kitchens and bathrooms were arranged around central living rooms. This effective floor plan became the prototype for America's Craftsman Bungalows.

Two California architects, Charles Sumner Greene and Henry Mather Greene, popularized the Craftsman by adding square porch columns and built-in cabinets, shelves and seating. If a bungalow has wood siding or shingle, often with stone or clinker brick trim, it's a Craftsman bungalow. If it has stucco on the outside, it's a California bungalow.

Spanish influence is strong in California architecture. It first appeared between 1890-1920 in Mission architecture. Romanticizing the simple Spanish churches

of colonial America, Mission homes feature red tile roofs, parapets, decorative railings and carved stonework.

Mission style evolved into Spanish Revival homes from 1915 to 1940. Wild and expressive, this new fashion borrowed from the entire history of Spanish architecture, from Moorish to Byzantine to Renaissance.

The terms "Tudor" and "Elizabethan" have been used interchangeably to describe English-inspired homes. Tudor-style homes usually have brickwork combined with restrained half-timbering, steep gables, a massive and prominent chimney and relatively small windows. An Elizabethan-style home has large leaded windows divided into grids or into the familiar Olde English diamond pattern, along with half-timbering in repeating motifs.

The large developments that grew up after WWII are often known as neo-traditional, but it takes quite a bit of time for style names to stabilize. So it might take time before this style of home gets named.

(For questions about real estate, e-mail Jodi Summers at jodis@boardwalkrealty.com, or call at (310) 309-4219).

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SOLD	2517 6TH ST	SANTA MONICA	90405
Sold Date	SqFt: N/A	List Price: \$799,000	Bed: 2
12/08/2003	Lot Size: 3,044	Sold Price: \$799,000	Bath: 1
SOLD	622 25TH ST	SANTA MONICA	90402
Sold Date	SqFt: 2,410	List Price: \$1,575,000	Bed: 3
12/12/2003	Lot Size: 8,698	Sold Price: \$1,596,000	Bath: 3
SOLD	261 18TH ST	SANTA MONICA	9040
Sold Date	SqFt: 3,298	List Price: \$1,895,000	Bed: 4
12/10/2003	Lot Size: 8,938	Sold Price: \$1,895,000	Pool Bath: 4
SOLD	249 16TH ST	SANTA MONICA	90402
Sold Date	SqFt: 2,956	List Price: \$1,995,000	Bed: 4
12/10/2003	Lot Size: 7,500	Sold Price: \$2,035,000	Bath: 3.5
SOLD	327 EUCLID ST	SANTA MONICA	90402
Sold Date	SqFt: 4,400	List Price: \$2,695,000	Bed: 5
12/09/2003	Lot Size: 7,496	Sold Price: \$2,665,000	Bath: 5.5
SOLD	1125 PICO BL #104	SANTA MONICA	90405
Sold Date	SqFt: 556	List Price: \$289,000	Bed: 1
12/12/2003	HOD: \$138	Sold Price: \$288,000	Bath: 1
SOLD	2427 CENTINELA AVE #A	SANTA MONICA	90405
Sold Date	SqFt: 854	List Price: \$325,000	Bed: 2
12/11/2003	HOD: \$155	Sold Price: \$311,000	Bath: 1
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SOLD	201 OCEAN AVE #1008P	SANTA MONICA	90402
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SOLD	1118 3RD ST #205	SANTA MONICA	90403
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12/12/2003	HOD: \$267	Sold Price: \$726,000	Bath: 2
SOLD	1111 16TH ST #4	SANTA MONICA	90403
Sold Date	SqFt: 1,794	List Price: \$799,000	Bed: 3
12/12/2003	HOD: \$350	Sold Price: \$777,000	Bath: 2.5
SOLD	101 OCEAN AVE #B300	SANTA MONICA	90402
Sold Date	SqFt: 2,902	List Price: \$1,850,000	Bed: 2
12/10/2003	HOD: \$1,372	Sold Price: \$1,750,000	Pool Bath: 3
SOLD	2914 HIGHLAND AVE	SANTA MONICA	90405
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REAL ESTATE



Tips on holding over, possessing early, delaying a lease



IN YOUR SPACE

By Christina S. Porter

When committing to a lease, one of the less-complicated conditions is how long the term of the lease will be — when it will commence and when it will terminate. There are a couple of variables that could apply, and they are the possibility of “early possession” and “delay in possession.”

Early possession is a provision in a lease that benefits the lessee. The lessee is permitted to occupy the space for a period of time prior to lease commencement without payment of base rent. Most of the time (unless negotiated differently) all other terms and financial obligations of the lease apply. Financial obligations of a lease,

other than paying base rent can be paying for common area expenses, property taxes, utilities, property insurance and property maintenance, if applicable. Early possession is in addition to the lease term and does not affect the lease commencement or termination date. Early possession is usually granted to prepare the space for occupancy, such as installing a computer network and other tenant improvements.

Delay in possession is a provision that benefits the lessor. Most leases allow for unforeseen delays in the ability of the owner to deliver the property to the lessee on the commencement date. A couple of obvious reasons that this could happen are if the owner is providing tenant improvements for the lessee and they are not completed on schedule, or if there is an existing tenant that does not vacate on time.

Both of these provisions could have a serious impact on your company's ability to function. The biggest problem with

moving is the down time. Early possession could make the move less painful by allowing you to get the office ready for occupancy prior to having your employees and equipment moved in.

Delay in possession could have no affect or be a complete disaster. Consider the possibility of how long you can hold over in your current space should your landlord, for the new space, have to exercise the right to a delay in possession and limit the amount of time that possession can be delayed. Do your own tenant improvements so you have control of this and use early possession or rental abatement for the time to construct them. Nip it in the bud and request that the delay and possession clause be taken out completely. If there is a tenant occupying the space you intend to occupy, this is a red flag. Find out if the current tenants have a place to go and exactly when they are scheduled to be out. I would make sure that you are allowed to

hold over in your current space and negotiate with your new landlord to provide any extra funds necessary should you have to hold over in your current space.

In many leases there is a hold-over clause. This clause provides for the tenant to stay beyond the lease-termination date with all other lease terms and conditions in full force — usually at an added cost. I have seen hold-over provisions that cost nothing and others that can be as much as 200 percent of the rent at the time of the hold over.

The above-mentioned should be explained in more depth prior to committing to a lease and are just a few of the many things to think about when entering into a lease negotiation.

(Christina S. Porter is a senior associate at NAI Capital Commercial Real Estate, where she specializes in leasing and selling office and industrial buildings.)

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Entertainment

'Return of the King' best film this year

BY DAN DUNN
Special to the Daily Press

After all these years, Frodo (still) lives. And thanks to the preternaturally talented writer-director Peter Jackson, he's living very well these days. There is one big problem with "The Return Of The King," the third installment of Jackson's sweeping adaptation of JRR Tolkien's saga "The Lord Of The Rings" — it ends. Though it's one of the lengthier films ever made, I assure you that after seeing it, most everyone will agree that 200 minutes have never passed so quickly. At the risk of offending other triptych virtuosos and their fans, in this observer's mind "Return Of The King" seals the deal: Jackson has delivered the most spectacular film trilogy of all time.

"The Return Of The King" begins with a bit of a surprise departure from the source material, which I won't give away, then picks up where "The Two Towers" left off. Frodo (Elijah Wood)

and Sam (Sean Astin) have been led by Gollum (Andy Serkis) to the edge of Mordor, where — should they somehow find a way past legions of orcs and other nasty creatures — all sorts of unknown treachery awaits. Having defeated the enemy at Helm's Deep, Gandalf (Ian McKellen) et. al, track down the hobbits, Merry (Dominic Monaghan) and Pippin (Billy Boyd), and celebrate victory over Saruman at Isengard. The party is short-lived, however, because the Dark Lord, Sauron, is gathering his forces for an all-out attack on Middle Earth. So the Fellowship rallies again, preparing for what will be the final battle of good versus evil.

As in the previous two films, the visuals in "The Return Of The King" are simply breathtaking — from the monumental battle sequences at Minas Tirith and the Black Gate of Mordor, to Frodo's frightening encounter (won't give that one away either) in the dark-

est depths of the most sinister place imaginable. It's all so stunning to behold, and a crowning achievement in cinema. Surely, from here on out epic fantasies will be judged by a wholly different set of criteria. As for the performances, I'm of the opinion that Ian McKellen was robbed of the Best Supporting Actor Oscar in 2002. Perhaps this time around, he'll fare better. The rest of the cast, well, they all became big, big stars riding this franchise and with good reason. Wood and John Rhys-Davies (Gimli) are stand outs in the finale. One more thing: You might want to bring some tissue along, because the tear ducts are practically guaranteed to overflow at the end.

Simply put, if a better film than "The Return Of The King" has been released this year, I haven't seen it.

(Rated PG-13 for intense epic battle sequences and frightening images. Running time: 201 minutes)

Andy Serkis: 'Cyber acting' is here to stay

BY DAN DUNN
Special to the Daily Press

British actor Andy Serkis has appeared in "24 Hour Party People" and "Topsy Turvy," but the films he is best known for are the ones in which he is the least recognizable. In "The Lord Of The Rings" trilogy, Serkis plays Gollum, an entirely performance-based digital creation unlike any in cinematic history. Though Serkis' performances were digitally "remade" in post-production by a team of animators, it's to his credit that Gollum carries as much reality and emotional

weight as the "real" characters in the series. Dan Dunn sat down with the actor recently in Los Angeles to discuss the third and final installment, "The Return Of The King."

QUESTION: In 25 words or less, tell us how Gollum was created.

ANDY SERKIS: I performed on set while wearing a lycra bodysuit fitted with motion-capture nodes that were recorded by special cameras. Then it went through the computer, and Gollum emerged.

Q: Did you ever worry that because Gollum is a virtual character, your performance wouldn't be deemed legitimate?

AS: No, because (direct-

tor) Peter Jackson told me he wanted Gollum to be the most interactive computer-generated character in a live-action movie that had ever been created. He wanted an actor to physically play the role, and I saw it as a fantastic challenge.

Q: How different is the Gollum we see on the screen from your performance on set?

AS: When I look at it up on the screen, to me it looks exactly how we did it on set.

Q: Is that your actual voice, or was it electronically enhanced?

AS: It's entirely my voice. There's nothing done to it electronically to enhance it in any way.

Q: What is it about Gollum that makes him such a fascinating character?

AS: I think it's the fact that he's so screwed up, really. He's very flawed, and he really represents the power of the ring and how it affects you. I played him as an addict, because I wanted people to feel sorry for him as opposed to just seeing him as a malicious villain.

Q: What are your favorite memories of the production?

AS: I've had so many great moments and wonderful times over the last four-and-a-half years. A lot of it was spent kind of on my own in the wilderness. To get into the character, I spent a lot of time out there alone canoeing and whatnot. The environment in New Zealand was very beautiful and spiritual. That's something I'll carry with me forever.

Q: And what's the most rewarding aspect of playing such a groundbreaking role?

AS: One of the great things about how Gollum has been received is that people forget he's a CG creature. They actually think of him as a being. That's the biggest reward, really. In the future, there will be a lot more characters that are done in this way. This kind of acting — "cyber acting" or "virtual acting," whatever you want to call it — it's here to stay, and I think people will embrace it.

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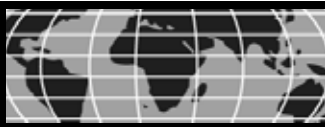
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WORLD BRIEFLY

U.S. soldiers killed in Iraq

By The Associated Press

BAGHDAD, Iraq — Two U.S. soldiers were seriously wounded in an explosion in Saddam Hussein's hometown of Tikrit on Tuesday, a day after U.S. commanders said the former leader was providing useful insights into the escalating insurgency.

In Ramadi west of Baghdad, soldiers killed three protesters and wounded two more on Monday, after up to 750 people rallied in a show of support for Saddam, a military statement said.

The statement said that U.S. troops were fired upon repeatedly and that one soldier was wounded. Pro-Saddam demonstrations have been held in several Iraqi towns since the former dictators' capture on Saturday.

U.S. troops in Tikrit, 100 miles north of Baghdad said the two men were seriously injured in the blast, and witnesses at the U.S. Army base there saw them being carried away on stretchers.

Blair's relief only temporary

By The Associated Press

LONDON — The capture of Saddam Hussein is the best news Prime Minister Tony Blair has had for months — but analysts said it was likely to offer only a brief respite from his political woes.

Lawmakers continue to snipe about the coalition's failure to find weapons of mass destruction in Iraq. Many members of the governing Labor Party are in open revolt over his plans to improve public services.

Also troubling for Blair could be the verdict, expected next month, of a judicial inquiry into the suicide of a weapons inspector embroiled in a row over whether Britain exaggerated the extent of Saddam's arsenal.

"It is a very volatile situation," George Jones, emeritus professor of government at the London School of Economics, said Monday. "It is definitely a short-term relief, but he still has these things hanging over him."

Nurse confesses to murders

By The Associated Press

SOMERVILLE, N.J. — Investigators are poring over reopened patient records in two states following the arrest of a nurse with a checkered career who told police he fatally drugged up to 40 terminally ill people under his care.

Charles Cullen, 43, told authorities he administered drug overdoses to put "very sick" patients out of their misery over the last 16 years in nine hospitals and a nursing home in New Jersey and Pennsylvania.

Cullen was charged with one count each of murder and attempted murder, but more charges could follow.

Investigators are examining records at facilities where Cullen worked as they try to document his claims about the other killings. If Cullen's contentions prove true, it would be one of the biggest hospital murder cases in U.S. history.

Alaska to boost tourism fees

By The Associated Press

JUNEAU, Alaska — Cruise lines would pay \$5 per passenger for every night spent in Alaska under a new budget proposed by Gov. Frank Murkowski.

The Republican governor's budget, announced Monday, also includes a cruise ship gambling assessment based on passenger counts and a 5 percent tax on excursions run by tour operators.

Murkowski is also proposing a \$1 increase in the state's cigarette tax, which would give Alaska the second highest such tax in the nation behind New Jersey.

Cruise ship industry officials — who have been under mounting criticism from Alaskans for not paying state taxes — say they are being asked to shoulder too much of the load.

The industry injects an estimated \$800 million into Alaska's economy including money spent by tourists

and taxes and fees paid to local governments, Hansen said. "We pay our own way, and then some," he said.

Alaska faces a \$573.5 million deficit in the fiscal year that begins July 1 next year, according to the state Department of Revenue.

Kerry pledges brave leadership

By The Associated Press

WASHINGTON — Drawing on his experience in combat and foreign policy, Sen. John Kerry says America needs a president who will not "walk away from a dangerous world" and who will not "walk alone." He pledged to be such a leader if elected president.

In a speech Tuesday at Drake University in Des Moines, Iowa, Kerry criticized President Bush for leading U.S. troops into war in Iraq without support from major European allies, such as Germany and France. Kerry also criticized Howard Dean, without naming him, for Dean's opposition to the war, which Kerry supported.

Speaking a few days after Saddam Hussein's capture, Kerry outlined steps he says the United States should take to establish peace in an Iraq after Saddam.

Although Kerry, a Massachusetts senator, praised the capture and U.S. troops stationed in Iraq, he warned problems for the United States lurk from within.

Malvo sane during sniper shootings

By The Associated Press

CHESAPEAKE, Va. — Lee Boyd Malvo was not mentally ill and knew right from wrong during last year's sniper shooting spree in the Washington, D.C.-area, two prosecution psychologists said.

Their testimony Monday as rebuttal witnesses contradicted defense mental health experts who had described Malvo as malleable and vulnerable to brainwashing by sniper mastermind John Allen Muhammad. Defense attorneys say Malvo was insane at the time of the shootings because of indoctrination by Muhammad.

The prosecution rested Monday. On Tuesday, lawyers for both sides and Circuit Judge Jane Marum Roush were to work out jury instructions.

Roush estimated jurors would hear closing statements Tuesday afternoon, then begin deliberations.

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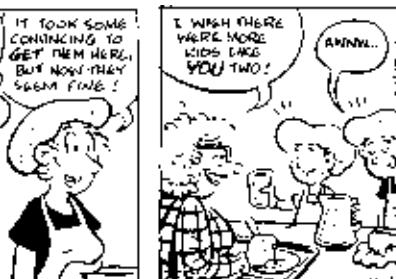
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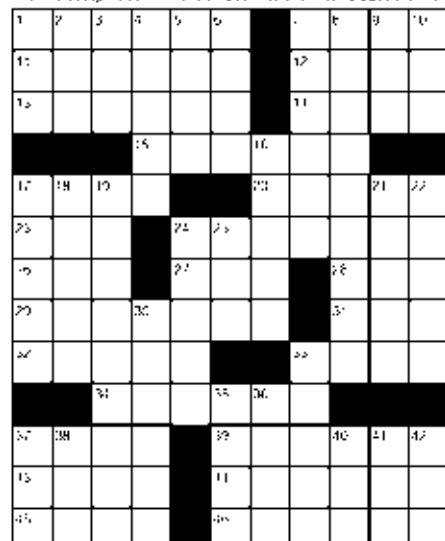
- ACROSS**
- 1 "Calm down!"
- 7 Poker bet
- 11 Sleep-roofed home
- 12 Fast runner
- 13 Co-star of "Diner"
- 14 Singer Paul
- 15 Conclusion
- 17 Play divisions
- 20 Secluded valleys
- 23 Baseball's Gehrig
- 24 Holler
- 26 Like some verbs; Abbr.
- 27 Have debts
- 28 Mine rock
- 29 Like some sweet potatoes
- 31 Use a straw
- 32 With 13-Across, "Sea of Love" co-star
- 33 Ohio team
- 34 Marked down
- 37 Tree part
- 39 Compiled book
- 43 Different
- 44 Honey-suckle's cousin
- DOWN**
- 1 Truck part
- 2 One — kind
- 3 Hockey great
- 4 Map areas
- 5 Poker declaration
- 6 Look after
- 7 Designer Coco
- 8 Stay calm
- 9 Annoy
- 10 Pod item
- 16 Did nothing
- 17 Linda Lavin series

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PEOPLE IN THE NEWS

Manson cleared on allegations of inciting crowd violence

By The Associated Press

■ **ZURICH, Switzerland** — Swiss authorities have dropped a criminal inquiry of Marilyn Manson, launched after a religious group complained about his stage act.

The Zurich district prosecutor's office said Monday it found no evidence to back allegations that the musician had incited violence and breached Swiss law protecting religion during a February 2001 concert.

The Swiss-based group Christians for Truth had lodged a complaint about the singer. The Zurich prosecutor announced a formal investigation earlier this month.

Manson played another sellout concert in Zurich on Nov. 30, part of his ongoing European tour, and prosecutors questioned him in the Swiss city.

The 34-year-old rock star rejected the accusations, and the prosecutor's office said Manson was persuasive in arguing that his act is meant to provoke a debate about violence and religion.

Manson, whose real name is Brian Warner, also uses the sobriquet "Antichrist Superstar" and is known for his macabre lyrics. Baptized as a Satanist and an honorary priest in the Church of Satan, he has ripped a Bible during previous stage shows.

Christian groups and lawmakers in Zurich tried unsuccessfully to have Manson's latest concert banned on grounds that his views offend a majority of the population.

■ **ROME** — Adding his voice to a campaign against global hunger, Sean Connery is to appear in a holiday-season television ad to promote the work of a United Nations food agency.

In the commercial for the World Food Program, the Scottish-born actor delivers a message following footage that shows how the agency sends food to hungry people in remote areas around the world.

International broadcasters including BBC World have agreed to air the ad over the Christmas period, the

Rome-based agency said Tuesday.

Connery, 73, became world famous in the 1960s playing the role of 007 agent James Bond, and has since starred in films including "Indiana Jones and the Last Crusade," "The Hunt for Red October" and "Finding Forrester."

The food agency programs reach some 110 million people in 82 countries.

■ **LOS ANGELES** — A housekeeper convicted of stealing jewelry, cell phones and clothes from "Beverly Hills, 90210" co-star Ian Ziering was sentenced to a year in county jail and three years probation.

Gloria Lopez, 48, was convicted Aug. 15 of grand theft from Ziering's home and petty theft for stealing a cell phone from one of Ziering's friends.

Superior Court Judge Michael M. Johnson on Monday ordered Lopez, who had worked for the actor for about 1 1/2 years, "not to work in any private homes until further order of the court."

Johnson warned Lopez she would face up to 3 1/2 years in state prison if she violates her probation.

Ziering, 39, accused Lopez of stealing a gold pendant that belonged to his late mother, a \$3,500 platinum wedding ring, a watch, a bracelet, earrings, three cell phones and clothing.

Lopez testified during trial that she had taken the items from the trash.

Ziering is best known as Steve Sanders, the smart-aleck teen who was expelled from both high school and college on "Beverly Hills, 90210," the teen television drama that aired from 1990-2000.

■ **LOS ANGELES** — One of John Ritter's last movie roles was a dinner with friends.

Ritter, who died in September, spent 12 hours with friends Straw Weisman and Andy Goldberg two years ago to make the improvised dramatic-comedy "Man of

the Year."

After playing the festival circuit, the film is now playing in one theater in Los Angeles and may play a few other limited engagements in coming months, Weisman told The Associated Press recently.

The movie — shot on July 27, 2001, with 25 actors, 70 crew members, 20 digital cameras and no script — stars Ritter as a wealthy honoree at a dinner party that leads to the unraveling of his life.

Goldberg, who heads the improv comedy group Off the Wall, enlisted the help of Ritter, who did it for \$100.

"Since it was shot in one night, it wasn't a big commitment for him," said Goldberg, a producer and co-director of the film. "I told him all about it and he became very excited — and so he became the 'Man of the Year.'"

Weisman, a postproduction supervisor in the film industry, said the idea came to him after a visit to the Cannes Film Festival.

"I was frustrated with how long it took to get deals done," he said. "I decided that I was going to get as many digital cameras as I could marshal and I was going to enlist all of my friends, relatives, associates, friends of friends and pool those resources to shoot a movie in one night."

The film, which cost about \$25,000 to shoot, also features TV personality Leeza Gibbons, Amy Hill ("The Cat in the Hat") and Jade Carter ("JAG").

Although the actors were given an outline of the story, they were asked to improvise their own dialogue.

"Every actor was told, 'You're the star of your story line and if you do a great job, then you're all over the movie,'" Weisman said. "And if you don't do a great job, you're not in the movie."

So how did the cast and crew behave during the frenetic one-night shoot? All business or a lot of joking around?

Said Weisman: "Somewhere in the middle."

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