

NEWS JOURNAL

CEDAR RAPIDS

Xavler crowns royalty

■ Emily Williams was named Xavier High School's homecoming queen and Tom Ebinger the homecoming king at a pep rally last night.

Williams of Cedar Rapids is the daughter of Anne Ranard and Jim Williams. Ebinger of Cedar Rapids is the son of Mike and Kate Ebinger.

They also will be honored at tonight's football game against Prairie High School.

Court attendants are Chad Dillavou, Tom Ekland, Ben Fuller, Kevin McColley, Mike Schulte and Andy Taiver for the king; and Kara Barta, Maggie Bernitsen, Laura Brandes, Amy Jennings, Caitlin Menge and Casey Novy for the queen.

Police have suspect in robbery

■ Investigators are optimistic they'll solve an armed robbery Wednesday night at a southeast Cedar Rapids home.

"We've got a suspect in mind," Police Sgt. Mark Andries said Thursday morning.

A man armed with a pistol entered an unlocked back door in the 1200 block of Fourth Street SE shortly before 8 p.m., according to Andries. The man displayed the gun to the two people in the house and demanded money. After the two handed over their money, the man left down the alley.

Andries said one of the victims indicated he may know the robber.

MARION

Man admits counterfeiting

■ A Marion man has pleaded guilty to counterfeiting about \$40,000 to pay off a drug-related debt.

Ricky J. Black, 44, entered his guilty plea Thursday in U.S. District Court in Cedar Rapids. He faces up to 15 years' imprisonment without the possibility of parole and a \$250,000 fine.

About \$700 of the counterfeit \$20 bills were passed to Linn County businesses, prosecutors said.

Sentencing is scheduled for Dec. 16.

Strip club intends to reopen

■ A Marion strip club, which closed for "reorganization" after losing its most recent round of legal battles, could be open for business next week.

A sign outside the Fox Den, located at highways 13 and 151, stated last night the club will reopen 4 p.m. Monday.

Cedar Rapids attorney Frank Nidey, who represents Fox Den owner Terry Heady, recently said the club, which features topless dancers, likely would be open earlier this week as an exotic dance club for people 18 years old and older. No liquor would be served.

Nidey could not be reached last night for comment.

Marion City Attorney Don Hoskins has said if the Fox Den wants to remain open, the club would have to get a permit under the city's adult entertainment ordinance.

LINN-MAR

Superintendent to discuss tax

■ Linn-Mar Superintendent Joe Pacha will hold two public meetings to explain the 1 percent local option sales and services tax, which will come before voters Oct. 5.

Meetings will be held Tuesday at 7 p.m. in the Indian Creek School media center and Thursday at 7 p.m. in the Bowman Woods school multipurpose room.

Gilbert defense pushes gang ties

Testimony heard from driver of car the shot allegedly came from

By Dave Gosch

Gazette staff writer

CEDAR RAPIDS — Holly Meskimen testified Thursday that she saw Paul



Paul Gilbert
Accused of
first-degree
murder

Gilbert raise his arm before two shots were fired on the night Jamar Magett was murdered.

Meskimen said Gilbert was in her car along with two other men when Magett approached the vehicle and the shots rang out.

Meskimen, who turns 18 today, was later identified by a Cedar Rapids police gang expert as being a member of both the Gangster Disciples and Shotgun Click street gangs.

It is those two gangs the defense contends were feuding the night Magett, the reputed leader of the local Gangster Disciples, was shot and killed.

Gilbert, 18, of Cedar Rapids, is accused in the May 10 shooting death of Magett, 19, of Chicago. Magett was shot in the forehead and chest in the 1400 block of Fifth Avenue SE.

Des Moines defense attorneys Matthew Boles and Robert Montgomery claim there is no physical evidence linking Gilbert to the crime.

Montgomery has suggested the Shotgun Click gang had a dispute with Magett on the night of the murder and police rushed to judgment in charging

Gilbert.

Assistant Linn County Attorney Harold Denton claims eyewitness testimony from Shotgun

The defense suggests a gang had a dispute with Magett on the night of the murder and police rushed in charging Gilbert.

Click member Cordney Davis, along with evidence supporting it, points to Gilbert as the one who killed Magett.

Meskimen, of Palo, was called as a prosecution witness Thursday by Denton. She was later recalled as a defense witness by Montgomery.

Both the prosecution and defense rested their cases Thursday. Closing arguments are expected today. The jury will then get the case.

After court had adjourned, Denton said a material witness warrant had been issued for Meskimen after she

had failed to show up for court earlier this week. The warrant was recalled when she appeared to testify Thursday.

Meskimen testified Gilbert, Davis and David Heard were riding in her green compact car the night of the shooting. Heard, who is considered the leader of the Shotgun Click gang, is being held in the Linn County Jail on federal drug and weapons charges.

Meskimen testified she stopped her car in the 1400 block of Fifth Avenue SE on the night of the murder. She said Magett approached her car, opened the door, and asked who had shot at him a few days earlier.

Meskimen said she saw Gilbert's arm raise up and heard shots fired.

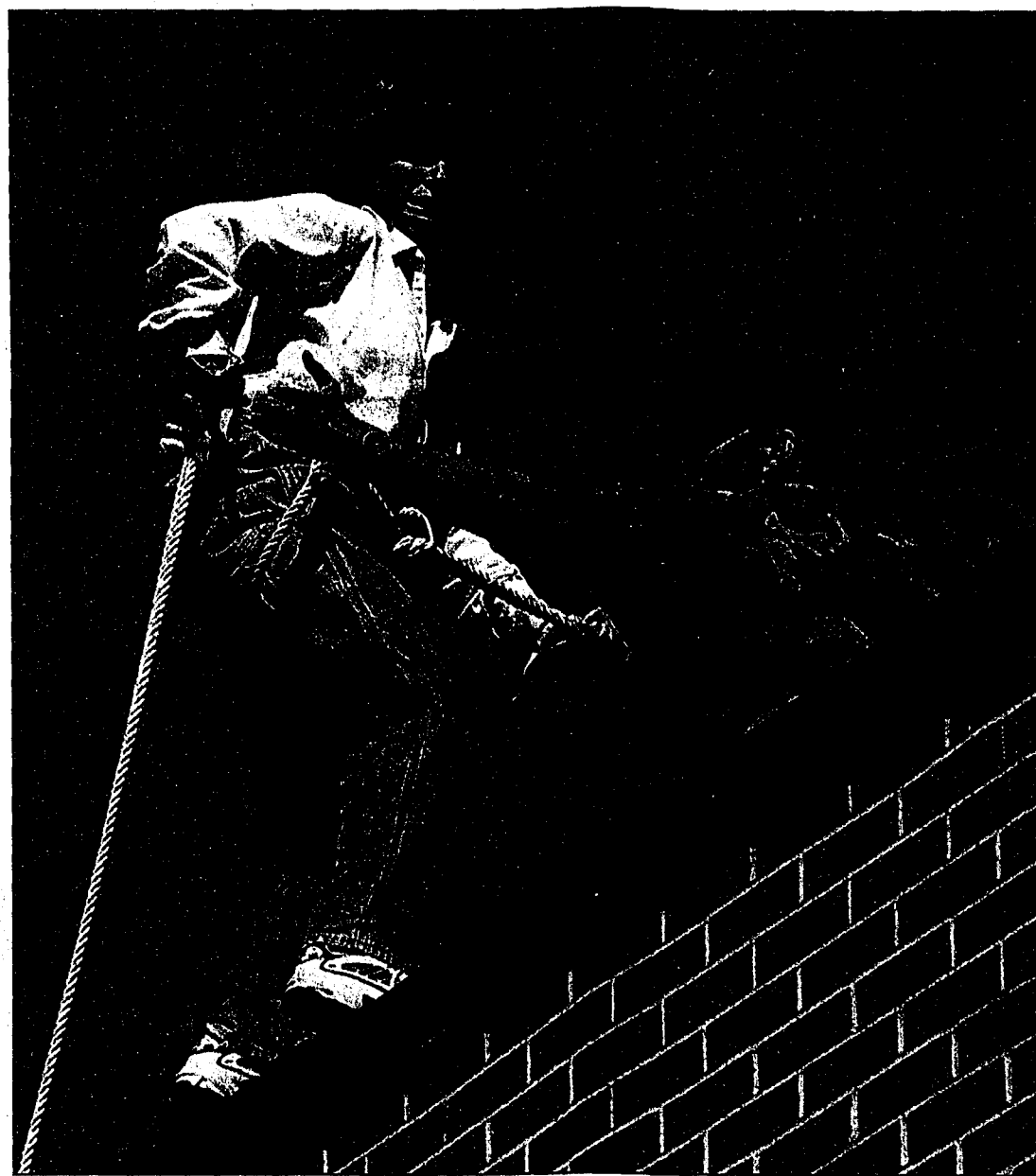
She then drove off and later heard another shot, she said.

■ Turn to 5B: Gilbert

Harrowing sport



LEFT: Members of the Iowa Army National Guard gave a rappelling demonstration and helped Marion High School students from Lori Dostal's physical education class rappel from the school's roof on Thursday. BELOW: Guardsman Jeff Forcht gives freshman Lindsey Sanders a little support as she steps off the roof.



Gazette photos by David Lee Hartlage

Trial focuses on what Tumey knew

19-year-old TV tapes not complete, defense says

By Rick Smith

Gazette staff writer

TIPTON — Prosecutors rested their case Thursday in the Dean Tumey first-degree murder trial with evidence they seemed to rank as a smoking gun.

The evidence consisted of two videotapes of Quad Cities TV news coverage from the day Sandra Jo Pittman's body was found along Highway 30 near Clarence 19 years ago.

In neither of the tapes did reporters mention the petite, 17-year-old from Davenport had been strangled as well as beaten to death.

Tumey, then 34, had been watching the local Quad Cities TV news account that day from his mother's Muscatine home when he stood up and announced to his twin sister that the girl had been strangled, the sister has testified.

How did Tumey know about the strangulation if the news shows hadn't revealed that? prosecutor Alan Ostergren, assistant Muscatine County Attorney, asked. But like much after four days in this captivating trial, this piece of evidence didn't escape rebuttal.

Defense attorney Brian Fairfield of Lowden was quick to note prosecutors had not been able to find news footage from a third Quad Cities TV station. Fairfield suggested that station could have mentioned strangulation. He also noted neither videotape submitted included comments news anchors might have made to introduce or conclude the reports.

Fairfield also submitted a copy of a newspaper story from the next morning, Sept. 18, which apparently made mention of Pittman's neck injury, suggesting if the news-

paper reporter got the information for the morning paper, why couldn't a TV news reporter have done the same the previous evening?

Thursday's prosecution testimony also revealed Tumey had lived in Lowden with a friend for a couple months. Prosecutor Ostergren showed the jury how close Lowden is to where Pittman's body was found near Clarence.

The heart of the case against Tumey is the admissions and evasive answers he gave in a sworn deposition two months after the murder and his confessions in 1990 and 1992.

Tumey, long diagnosed with mental illness and dogged by delusions and paranoia, admitted in the 1980 deposition that he had sought and found Pittman, an acquaintance, at a Davenport homeless shelter on Sept. 16, 1980, in the last 12 or so hours of her life.

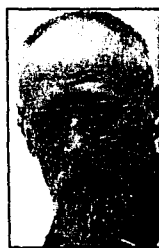
At the center of the defense is Steve Silverthorne, Pittman's boyfriend.

Silverthorne, of Davenport, acknowledged in testimony Thursday he assaulted Pittman numerous times during their two-year relationship and he'd also asked his co-workers questions like, "If you wanted to kill somebody, how would you do it?"

He said he dropped Pittman at the Catholic Worker House shelter on Sept. 15 "because she had nowhere else to go."

The defense also is suggesting a delusional Tumey thought a man named Ron Neels was trying to kill him and Pittman, and Tumey had tried Pittman to warn her.

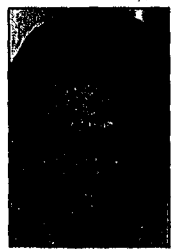
■ Contact writer Rick Smith at (319) 398-8312 or ricks@fjyowa.com



Dean Tumey
Charged in
1980 murder

Plants, trains and automobiles

HAZLETON — As you round the bend heading north toward Oelwein, you do a double take as the red and black steam locomotive along Highway 150 catches your eye. Even though it's a replica,



Fred Ketterer
Selling barbecue

the locomotive is still as large as a car. And you think, hey, that might be cool for the front yard.

Pulling a U-turn to check it out, you learn the locomotive is really a barbecue cooker. The cab contains the fire room, the "boiler" (a 100-year-old tank from Minnesota) is actually a barbecue cooker and the smokestack, an old air cleaner from a feed mill, allows the smoke to escape.

Across the highway, Fred Ketterer tinkers with equipment for the sign painting businesses he's had here for 74 years. Fred spent a full winter building the locomotive. The six

big wheels, old wagon wheels split into halves, each have 24 feet of welds.

Alas, after a good, busy summer tour in 1998, Fred only took the locomotive out once this season. So, now it's for sale.

"It takes so much preparation and time," Fred says. "You have to get up at three or four in the morning. You have to be up until midnight and then you have to do it again the next day."

You can't do that and paint signs, too. Fred's had the locomotive beside the road most of the summer where it has attracted dozens of picture takers. The barbecue season may be

RAMBLIN'



Dave Rasdal
Gazette
staff
writer

over except for diehard tailgaters, but Fred still hopes to sell his cooker.

He wants \$7,500 for the rig, which includes the trailer and preparation room with four stainless steel sinks and a holding tank for running water. The cooker is \$4,500.

"The right guy just hasn't come along," Fred says.

Racing enthusiast remembered

VINTON — The right guy for stock car racing came along in 1976 when Keith Knaack of Vinton purchased the nearly bankrupt International Motor Contest Association and resurrected it as IMCA modified racing.

Keith, a racing fanatic who began publishing Hawkeye Racing News in 1987, propelled IMCA to the second largest stock car racing sanctioning body in the United States.

The magazine and IMCA (4,500 registered drivers) are going strong today, even though Keith left us in 1992.

Keith will be remembered

Saturday in a semi-private ceremony. The entrance to the Benton County Fairgrounds (where IMCA was resurrected) will be dedicated Keith Drive. His wife, Kathryn of Vinton, will be joined by their daughter, Karolyn, and 4-year-old grandson, Sterling, as well as a handful of others.

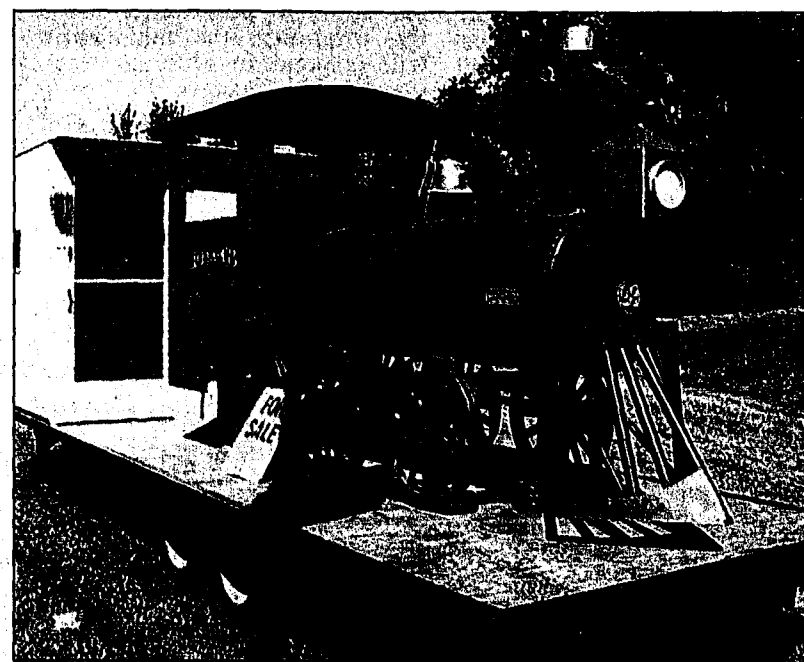
"I'll always remember Keith for his heart. Like racing, he dove into everything full bore, including restoration of Vinton's old Rock Island railroad depot where he donated a caboose for display.

He was always a happy guy, but he appreciated life even more after a heart transplant gave him a few more years.

New or old, Keith's heart was always filled with gold.

Tall tomato plant

CEDAR RAPIDS — All I know about gardening could fit in a tomato seed. But, when Wayne "Johnny" Page called about his tree-climbing tomato plant I checked it out. More than 8 feet tall, it twists and



Gazette photo by Dave Rasdal

While this steam locomotive might look like the real thing, it's actually a barbecue cooker built by Fred Ketterer of Hazleton. It's the third cooker he's built to resemble a train engine.

turns into the tree but produced only two tomatoes and a bloom at the top.

"I guess it spent all of its energy climbing," Johnny said.

■ Dave Rasdal's column appears Sundays, Tuesdays and Fridays. He can be reached at (319) 398-8323 or dave@fjyowa.com. (Previous columns at www.GazetteOnline.com)