

# Somewhat sleazy? The State acted *somewhat* sleazy?

Most Cheyenne residents are unaware that Federal District Judge William Downes heard arguments from the State about dismissing the lawsuit filed by a Walmart truck driver concerning a settlement paid him regarding his kidnapping and planned murder by a Wyoming Highway Patrolman.

The Casper Star-Tribune ran a story sold them by a local Associated Press reporter in which Judge Downes said a couple interesting things, according to the AP story.

As was written on these pages a few weeks back, the Judge nearly echoed my words: "It was a very close thing, wasn't it?" "It's only by the grace of God the man's sitting at counsel table today."

Here's what I wrote in my April 27, 2010 story on this subject: "Lastly, I believe that the Walmart driver was one word, one challenge, one provocation, one challenge, one misstep from being a dead man. I believe he is alive today because he was calm, nonconfrontational, nonbelligerent and compliant. I believe that in Ryle's state of mind and confusion that night, something much more drastic could have easily happened."

Judge Downes did not issue a decision from the bench that recent day - he took the matter under advisement and will soon rule whether the truck driver's claim can proceed to trial. It should. (Note: It will.)

For the State, especially the Attorney General's office of this State, to fight an opportunity for a citizen to make a case that he was duped, deceived and cheated by a law enforcement branch of this State's government - the Wyoming Highway Patrol - shows a cowardice and an effort to thwart justice. If the AG's office truly supports the "settlement" tricked upon the Walmart

driver who was given minutes to decide about accepting \$10,000, without counsel and prohibited from seeking counsel by telephone was fair, they should be eager to have a jury confirm that decision.

But, they're not. They know that the pressure put on a person of modest means and a classic "working stiff" was extreme and that he agreed to accept the settlement under duress.

Is \$10,000 a lot of money? Yes, it is. But, when a Highway Patrol employee takes you hostage with the plan to kill you (and his own wife), it is not enough money. The Highway Patrol, even though the money will come from resident's pockets through the State treasury or self-insurance, should be sent a message. They should be told, in language even a diploma mill alum can understand, that it is not acceptable in Wyoming to deceive or pressure a person wronged into taking a settlement offer far too low under the circumstances.

Judge Downes went on: "I'm supposed to determine how this somewhat sleazy approach in solving this problem is legal or not, because it doesn't look very good."

It is beneath the State of Wyoming to allow this contempt for decency to stand. If the head of the WHP truly thought the settlement was fair and just, he would have told the truck driver the real motivation for Ryle kidnapping him. Had \$10,000 been adequate, Sam Powell would have said, "The trooper's plan was to kidnap you, commandeer your truck and run it into another vehicle after killing you." And, "His plan was to collect a huge settlement from Walmart so he would never have to work again." Powell withheld the truth from the driver because he knew what he was doing was dishonest. Just as dishonest as the Trooper's plan that night.

# Those are dumb moves

Let's see: The University of Colorado football team can't consistently defeat the likes of Iowa State, Baylor, Kansas, Kansas State, Texas Tech and Missouri but they think they can be competitive with USC, UCLA, Washington, Washington State, Oregon, Oregon State, Arizona, Arizona State, Stanford and Cal?

The Colorado men's basketball team just lost the first good coach they've had in years and they want to play more games against UCLA and USC? They didn't even have the good sense to sign UW's discard, "Little Steven" McClain.

The Colorado women's basketball team hasn't been a winner since the days of Ceal Barry but they want to play Stanford twice a year?

The PAC 10 conference has won almost twice as many NCAA championships (390) as the next most successful conference, the Big 10 (201). Both are followed by the SEC (172), the Big 12 (168), the ACC (119) and the Big East (81). Stanford, USC and UCLA alone have won 292 national NCAA championships.

And Colorado wants to reestablish baseball and play Arizona, Arizona State, USC, Cal, Washington State and Stanford? Yeah, that should work out well. Same applies to Utah? Fodder for the other programs.

Colorado's "natural" rival - all PAC 10 teams have natural rivals - will be Utah. That will add one more team to clean house on Dan Hawkins' Buffs. And, women's basketball? Utah, which provided the University of Wyoming with Joe Legerski, will have no trouble with the Barry-less Lady Buffs.

What is CU good in? Volleyball? Swimming? Lacrosse? Water Polo? No, that's CSU-Fort Collins. Track? Unsolved murders? Hell, Boulder even surrendered NCAR to Cheyenne, Wyoming. CU is not competitive and Boulder no longer bright.

The Big 12 lost only the University of Nebraska and the University of Colorado. The weaker members conceded most incoming revenue to the University of Texas so they could hold some kind of conference together.

The Big Ten has been the Big 11 since adding Penn State years ago. Actually, in decades past it was really "The Big Two and the others." Michigan and Ohio State. The Big 8 was the Big 2 (Nebraska and Oklahoma) and the others. The Big Ten now will be the Big 12 but can't be called that because there is such a conference. Oh, no, there is not. The Big 12 is now the Big 10, having lost Nebraska and Colorado. But they can't be called that because there is already a Big 10. Which is really now the Big 12. Are you keeping up? There will be a test.

The PAC 10 can become the PAC 12 because it was formerly the PAC 8 and they had the good sense to use a unique moniker so they could add to the makeup. But, wait, the Pacific Athletic Conference now will have a Colorado and a Utah team - hardly near the Pacific by any stretch of the definition. PAC won't fit now.

Marquette, which is in Milwaukee, Wisconsin, is a member of the Big East Conference. When growing up in Wisconsin, I never thought of our state as an eastern state - it was a Midwestern state.

DePaul University is in Chicago. It also is a member of the Big East. Evidently, being on Lake Michigan qualifies as being an eastern university. Both Marquette and DePaul are on the Lake and qualify.

Louisiana Tech is a member of the Western Athletic Conference. Louisiana Tech is in Ruston, Louisiana which is just north of Shreveport. Not quite "western." It is 1861 miles southwest of Boise, Idaho.

The MWC needs to add a team UW can beat. How about Utah State? Weber State? Montana? Montana State? DU?



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