

**Lawsuit claims rural sheriff erred in murder inquiry**

CENTRAL CITY (AP) — Already facing a recall election, Merrick County Sheriff Dan Schneiderheinze now faces a second \$4 million lawsuit that claims he failed to do his job correctly in investigating a 1994 murder.

A federal lawsuit filed earlier this month by Tom Branting, who was initially charged in the death of Jerry Carlson of Clarks, accuses the sheriff and county of violating his civil rights.

In a suit filed April 11 in U.S. District Court in Lincoln, Branting claimed he was wrongly arrested for political gain during a sheriff's election and that he had given Schneiderheinze correct information that would have led to the arrest of Ed Kula of Silver Creek.

Branting's arrest was made without a warrant and without probable cause, the lawsuit states. It was filed by Branting's attorney, Patrick Brock of Grand Island.

Branting and Chuck Johnson were arrested after the April 1994 shooting death of Carlson. Both later were released.

Kula then was arrested, tried and convicted of first-degree murder and sentenced in February to life in prison.

A year ago, Johnson filed a similar lawsuit against Schneiderheinze seeking \$4 million. That case is pending before a federal judge in Lincoln.

Separately, Carlson's mother is suing Kula. Betty Wyman of rural Clarks filed a wrongful death lawsuit against Kula in Merrick County District Court.

The lawsuit seeks \$6,600 in special damages for funeral expenses and an undetermined amount of general damages.

**Firefighters remember captain as 'nice guy'**

OMAHA, Neb. (AP) - The fire captain killed when the burning roof of a discount store crashed in on him was remembered by friends and colleagues as an aggressive firefighter and a good family man.

Capt. John Goessling, 43, was killed Tuesday night battling the blaze. Arson was suspected, and a 15-year-old boy was charged today with first-degree felony murder in the case.

"The best compliment I can give him is he was a hell of a firefighter," said Battalion Chief Don Nichols.

The tattooed former Marine charged hard as a firefighter, pulled no punches as a station-house pundit, fired off one-liners and loved nothing as much as his wife and children.

Goessling called himself Johnny Rocket as a pen name, but the moniker also fit the way he worked.

"He was classified as a hard-charger," Fire Chief Tom Graeve said. "He didn't do anything halfway."

Goessling enjoyed lifting weights and playing basketball at the fire station and with his sons. He had planned to ride a long-distance bicycle race in Colorado next month, friends said.

Firefighter Rick Prush compared Goessling with Omaha Police Officer Jimmy Wilson Jr., who was killed in the line of duty, and former Nebraska quarterback Brook Berringer, who died last week in a plane crash.

"He was just like them," Prush said. "Another nice guy that just went down. It's just sad. It's just really sad."

Goessling is survived by his wife, Kandi, and their three sons. For his sons, Goessling set up a full basketball court in the yard. He built a deck that runs the length of the house.

"He worked his rear end off," said neighbor Debbie Richardson.

"He was tilling and doing everything in the garden just the other day," Ms. Richardson said.

Goessling joined the department July 6, 1981. He was certified as a paramedic May 18, 1985, and promoted to captain Nov. 28, 1988.

Goessling became famous in the department as the author of what he described as an underground newslet-

*"The best compliment I can give him is he was a hell of a firefighter."*

**DON NICHOLS**  
Battalion Chief

ter. He produced it on a copy machine as an alternative to the official Omaha Firefighters Local 385 newspaper, the Inferno.

The name he chose — the "BLEVE," an firefighters' acronym for boiling liquid evaporating vapor explosion — was typical of his humor. Goessling recently became editor of the Inferno, the publication he had so often railed against. But that didn't stop him from being funny, issuing a series of tongue-in-cheek commands in the April issue.

Goessling's dedication to the job and his hobbies, his intelligence and his wit were exceeded by his goodness as a man, particularly as a family man, his friends said.

Goessling and his wife, Kandi, had three sons — Joshua, who graduated from Central High School last year and just returned from basic training for the military reserves; Daniel, who is a freshman at Burke and plays the piano, and Nathan, a sixth-grader at Columbian Elementary School.

On Wednesday morning, black and white bunting hung below the gray letters of Station House No. 21, where Goessling had worked since 1995. The fabric and an American flag flying at half-staff fluttered in a soft breeze.

There were signs that life must go on. A dispatch broadcast over the station's loudspeakers summoned Goessling's co-workers to another fire even as they were still scrubbing the grime from Tuesday night's fire from their fire engines.

Visitation was scheduled for today from 1 p.m. to 6 p.m. at the Holy Cross Church, with rosary at 4 p.m. Funeral services are at noon Friday at the same church.

**Teen charged with murder**

OMAHA (AP) — A 15-year-old boy was charged Thursday with first-degree murder in a fire that killed a fire captain.

Omaha Fire Department Capt. John Goessling, 43, was killed Tuesday night battling the blaze that destroyed two north Omaha businesses.

Police Lt. John Beers said at a morning news conference that the teen-ager, Dylan Drake, and another 15-year-old apparently started a fire along a fence behind the Family Dollar store and left the area frightened when the fire grew.

Drake was charged as an adult this morning, said the Douglas County attorney's office. The other youth has not been charged, but the investigation continues.

"We believe he set the fire in order to watch it burn," Beers said of Drake. The two were picked up in a canvass of the area by police. Beers said the teens were only about a block away from the fire.

Several witnesses told police that the boys used a pink-colored lighter to ignite leaves and debris, something they had done in the past. Beers said that a week earlier, the two teens were believed to have started a fire at the same fence, charring the fence.

Beers said Drake was charged with murder because he was accused of causing the death of another while committing arson.

Fire officials said there was no connection between the north Omaha fire and a rash of Dundee neighborhood arson fires in recent weeks.

Chief Fire Investigator Joe Napravnik also said there did not seem to be an increase in arsons in Omaha. This year there have been 82 arsons reported, compared with 80 by this time last year.

Fire Chief Tom Graeve said Thursday that firefighters were in

mourning over the loss of Goessling. Police Chief Jim Skinner said his officers would wear a black band across their badges in honor of the fallen firefighter.

Some 12 people, including witnesses, were questioned in the case and the Douglas County Attorney's office approved the arrest of the boy, Police Sgt. William Muldoon said.

Goessling, 43, died after the burning roof of a discount store crashed in on him as he fought the blaze.

Nichols said Goessling was leading his unit about a half-hour after the first alarm, taking a water hose into the blazing Family Dollar store when the roof collapsed on him. He was inside for some time before others pulled him out, Nichols said.

"The firefighters that were on the line managed to get him and pull him out," Graeve said.

Officials could not immediately say how long Goessling was in the burning debris before he was pulled out.

A fire department spokesman said Goessling was wearing full protective gear. Dr. Joseph Stothert at University Hospital said the firefighter suffered severe smoke inhalation and burns. He had been taken to the hospital in critical condition.

The fire was declared under control shortly after 7:30 p.m., about 2 1/2 hours after it broke out.

It was the first time since 1989 that an Omaha firefighter died in the line of duty, fire officials said, and the 51st death of a firefighter in the line of duty in the city's history.

Graeve said arson was suspected shortly after the fire broke out just after 5 p.m. in the Family Dollar store and spread to the adjacent Four Aces pawn shop.

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