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Officer shoots, arrests Lincoln man

By JOSH FUNK
 Senior staff writer

A Lincoln man involved in a domestic assault Sunday attacked a motorist and threatened an officer before police shot and arrested him.

Kelly Hoaglin, 27, was taken into custody after being treated for two gunshot wounds, one in the chest and one in the leg, he sustained in the conflict with Lincoln police, Chief Tom Casady said.

Hoaglin is expected to be charged with several crimes in Lancaster County Court today including assaulting a police officer, terroristic threats, domestic and second degree assault, child abuse and two counts of using a weapon to commit a felony.

Shortly after 4 p.m. Lincoln police were called to Hoaglin's home by his girlfriend to investigate a domestic assault, Casady said.

The woman told police over the phone that she had been assaulted by Hoaglin, her live-in boyfriend.

She had been hit on the head and

body during the attack. At one point, Hoaglin's 1-year-old son was hit in the exchange, Casady said.

One of the first officers dispatched to the Hoaglin house on the 1000 block of South Fifth Street, Kathy Bolkavac, was flagged down by a motorist who said there was a fight in progress near Sixth and D streets.

At the fight scene, Bolkavac found a man, who had been stabbed three to four times in his shoulder, standing outside of his pickup truck in the street.

The stabbing victim was able to point out Hoaglin as his attacker as he ran away southbound on Sixth Street.

Police later determined that the 39-year-old stabbing victim had been driving slowly north on Sixth Street near D Street when Hoaglin, on foot, started yelling profanities.

Then Hoaglin tried to open the passenger door before he used a beer bottle he was carrying to break out a window in the truck topper, Casady said.

Hoaglin approached the driver's side door and stabbed the victim with a knife through the open window.

"Fortunately the stabbing victim was not hurt seriously," Casady said. "It's just a matter of inches before you hit something vital."

Bolkavac continued the chase in her cruiser until Hoaglin ducked into an alley between Sixth and Seventh streets and C to B streets, and Bolkavac followed on foot.

Bolkavac shouted several times for Hoaglin to stop before he turned to face her, Casady said.

Hoaglin challenged her verbally and moved forward aggressively.

Bolkavac fired about four rounds, and Hoaglin threw the knife at her.

Hoaglin was then taken into custody.

Both Hoaglin and the stabbed motorist were taken to BryanLGH Medical Center where they were treated and released.

Neither the girlfriend nor Hoaglin's son required medical attention.

A preliminary investigation by LPD's Internal Affairs department found that Bolkavac acted within department guidelines for shooting, and she was returned to full duty Monday.

Execution date sought in 1980 murder case

By JOSH FUNK
 Senior staff writer

Eighteen years after the murder of two Lincoln women, Nebraska's attorney general has requested an execution date for their killer.

Randolph K. Reeves was convicted of the 1980 murders of Janet L. Mesner and Victoria L. Lamm.

Both women were stabbed in a Quaker meeting house, but before Mesner died, she was able to identify Reeves as her killer.

Police also found Reeves' wallet and underwear at the scene.

Reeves, 42, was sentenced to death in 1981 by a Lancaster County District Court judge.

Attorney General Don Stenberg filed a motion in Nebraska Supreme Court on Friday asking for an execution date.

"After 18 years of litigation, this case is nearing its conclusion," Stenberg said in a press release. "There is no question that Reeves is guilty, and there are no meritorious reasons for any further delays."

Reeves' lawyer, Paula B. Hutchinson, did not return phone calls from the Daily Nebraskan on Monday.

The Nebraska Supreme Court usually takes two to three weeks to set a date, Stenberg said, and then the execution is six to eight weeks later.

Reeves' most recent appeal was dismissed by the U.S. Supreme Court in August.

The Supreme Court used Reeves' case to clarify when jurors in death penalty cases must be given a choice of convicting someone on a lesser crime.

The court ruled 8-1 that such an option is unnecessary when the lesser crime is not included in the state's felony murder law — like Nebraska's law.

The decision reversed a federal appeals court ruling that would have given Reeves a new trial or changed his sentence to life in prison.

But the court upheld Reeves' conviction because Nebraska's felony murder laws do not include a provision for giving juries a choice of lesser charges.

In Reeves' case, jurors were never placed in an either-or situation because they did not decide the sentence, Stenberg said.

In Nebraska, a judge or panel of three judges decides whether a convicted person receives life in prison or death.

An earlier motion for post-conviction relief was denied by the Nebraska Supreme Court in 1992.

Currently there are no state or federal stays of execution in this case.

But Stenberg said Reeves could still ask the Nebraska Board of Pardons to review his case, and there is an automatic stay of execution until the Board of Pardons takes action.

The Associated Press Contributed to this report.

City Council says 'yes' to restrictions

COUNCIL from page 1

be placed on sign size as long as the content of the sign was unaffected by the legislation.

Johnson, who voted against the bill, said it would hold more constitutional water if it simply restricted the size because the council determined the signs caused traffic hazards.

She said she was not convinced by the arguments either side posed during last week's hearing and thought a vote was inappropriate.

"I am very disgusted about what I have seen," Johnson said, asserting her stance that bad attitudes from both factions had been a hindrance.

But Westminster's pastor said his church did not deserve to be compared with the anti-abortion group.

"It's unfortunate that Westminster was villainized by (Johnson)," Horton said.

Joining Johnson in voting against the ordinance were Councilmen Jerry Shoecraft and Jeff Fortenberry.

Though sympathetic with the children and parents of Westminster, Shoecraft said he felt the Council was being asked to make an emotional decision and to set aside the U.S. Constitution.

"Taking away someone's freedom of speech is a clear violation of the Constitution of the United States of America," Shoecraft said. "I hope there's another solution."

Council Chairman Curt Donaldson, who voted for the amendment, said the tactics of the anti-abortion group were less than honorable.

"From the testimony of the demonstrators, it was clear their objective is nothing less than the unconditional surrender of the rebel congregation," Donaldson said, reading from a prepared statement.

"To achieve that end, they have laid virtual siege and have, in fact, established a psychological barricade around the church."

Joining Donaldson and in support of the ordinance were Councilwoman Linda Wilson, Councilman Dale Young and Councilwoman Coleen Seng.

With the passage of the ordinance, it now will come before the Lincoln mayor, who has said he will veto a council decision for the amendment.

Johanns has 15 days to make a decision to veto the bill. If he does, it will be reintroduced to the council, which can override his decision.

Donlan said he is confident Johanns will veto the measure and that the Council will vote down the ordinance. If not, Donlan said, a court case would be filed.

"It will certainly be contested and we will certainly win."

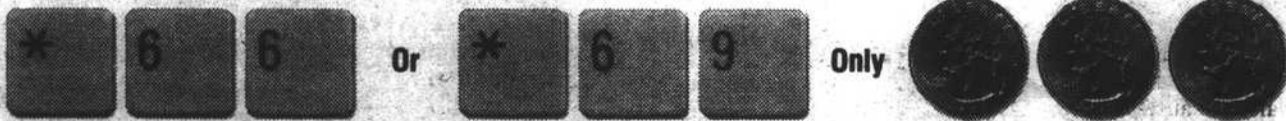
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