

Kaczynski claims coercion, wants to go to trial

SAN FRANCISCO (AP) — Convicted Unabomber Theodore Kaczynski says he was coerced into pleading guilty to three murders and wants a federal appeals court to allow a trial, which could end in a death sentence.

The guilty pleas "were induced by the threat of a mental-state defense that Kaczynski would have found unendurable, as well as by deprivation of constitutional rights," such as the right to control his own defense and represent himself, he wrote.

In a 58-page, handwritten brief, composed in a maximum-security federal prison in Colorado, Kaczynski asked the 9th U.S. Circuit Court of Appeals to be allowed to withdraw his

guilty pleas and go to trial. As an alternative, he requested a new U.S. District Court hearing, before a different judge, on whether his rights were violated when his lawyers insisted on using a defense based on his mental condition.

"Kaczynski's counsel's portrayal of him as a grotesque lunatic would have been broadcast nationwide, and this was a prospect that anyone might have found unendurable. Suicide to avoid public humiliation is by no means unknown," wrote Kaczynski, who attempted suicide in jail after his lawyers told him of their plans.

His brief was due Tuesday but was filed Dec. 28. The document delves into complex constitutional arguments,

abounds with legal citations and refers to the defendant as "Kaczynski" and to the writer as "we."

Kaczynski, a Harvard-trained mathematician who became a forest recluse living in Montana, pleaded guilty in January 1998 to mail bombings that killed three people and injured 23. Two deaths occurred in Sacramento and the third was in New Jersey.

His guilty plea came after the U.S. District Judge Garland Burrell of Sacramento refused to let him represent himself or delay the trial to let Kaczynski get a lawyer who would present a defense based on his views about technology and the environment.

Kaczynski began the appeal shortly after he pleaded guilty.

The appeals court allowed Kaczynski to reopen the case in October, ruling that he had made a substantial showing his rights were violated when he was denied the right to represent himself or prevent his lawyers from offering evidence about his mental condition.

After further arguments, the three-judge appellate panel will decide whether to let the case go to trial.

Assistant U.S. Attorney Steve Lapham, the government's lawyer, declined comment. Before Kaczynski pleaded guilty, prosecutors argued that he should be allowed to control his defense, even at the risk of his life.

The Justice Department initially sought a death sentence for Kaczynski

but accepted a life sentence after a court-ordered psychiatric examination, conducted over his objections, concluded he was a paranoid schizophrenic.

Kaczynski's writings have connected the attacks to his campaign against technological tyranny.

Michael Mello, a Vermont Law School professor who has written a book on the case and helped Kaczynski with an earlier legal filing, said Tuesday he thought Kaczynski could represent himself adequately.

If he is convicted and the trial goes to a penalty phase, Mello said, Kaczynski is "the best person to explain ... why he did what he did... why he doesn't deserve to die for what he did, or why he wants to die."

— CITY COUNCIL —

City Council ordinance covers antennae placement

By John Hejkal
Staff writer

Legal representatives for AT&T Wireless and Sprint PCS proposed amendments to a city council ordinance Tuesday that would regulate the placement of antennae for wireless equipment within the city.

Loel Brooks, representing AT&T Wireless, addressed the council about what he saw as vague wording in the ordinance.

Antennae would have to be "unobtrusive" or "minimally obtrusive" under the ordinance. Brooks pointed out that the words may have been unclear and were not defined within the ordinance.

Brooks' amendment to change renewal proceedings for an antenna license from a public to an administrative process failed by a 3-4 vote of the council.

Harvey Cooper, legal counsel for Sprint PCS, objected to a portion of the ordinance requiring new antenna towers of more than 100 feet to be able to accommodate two additional providers along with the main carrier.

He said the extra ground space needed could force a company building a new tower to pay rent for three times the land it needed if no extra users of the antennae could be found.

Cooper's proposed amendment to the ordinance eliminating the requirement to provide land space for extra providers failed by a 3-4 vote.

The city council passed the ordinance 7-0.

Rick Sullivan, AT&T Wireless government affairs director, said he was satisfied with the results.

"We've worked with staff on the document itself," he said. "There were some agreements to disagree."

Fox quits show for health reasons

■ 'Spin City' star will leave show but not entertainment business because of Parkinson's disease.

LOS ANGELES (AP) — "Spin City" star Michael J. Fox said Tuesday he is leaving the ABC sitcom, but not show business, because of his fight against Parkinson's disease.

Fox, who revealed in 1998 that he suffers from the degenerative neurological disorder that affects movement, said this will be his last season with the highly rated series.

"I could not be more proud of the show ... and all that we have accomplished over the last four years, yet I feel that right now my time and energy

would be better spent with my family and working toward a cure for Parkinson's disease," the actor said.

"This does not mean I am retiring from acting, producing or directing, only that I want to relieve the strain of producing and performing a weekly network series," he said in a statement.

ABC, which had no comment on the show's future, called "Spin City" a "labor of love" for Fox.

"Clearly there are more important things in life, and we wish Michael and his family our heartfelt thanks and support," the network said. "We look forward to working with Michael in his future endeavors."

Fox, who is up for a Golden Globe award Sunday, plays a hard-charging deputy mayor on the series, now in its fourth year. His co-stars include Barry

Bostwick and Heather Locklear, who joined the cast this season.

The former star of the sitcom "Family Ties" and the "Back to the Future" movies told of his incurable illness in the December 1998 issue of People magazine.

He decided to reveal his affliction because he thought he could help his family and other sufferers of the disease. Fox has three children, a son and twin daughters, with actress Tracy Pollan.

In 1991, Fox noticed a "twitch" in the little finger on his left hand while on the set of the film "Doc Hollywood."

Although a doctor told him he could function for many years, the disease progressed, and he suffered stiffness in his entire left side and violent tremors.

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