

S.C. Supreme Court to hear Condon v. Hodges lawsuit

BY JEFFREY COLLINS
ASSOCIATED PRESS

The state Supreme Court has agreed to hear a lawsuit filed by the state attorney general that pits state legislators against the governor. The high court agreed Friday to take the first crack at the lawsuit filed by Attorney General Charlie Condon and Republican legislative leaders against Gov. Jim Hodges.

At issue is \$28.5 million allocated from a low-level nuclear site cleanup fund that Hodges asked presidents of 33 state-supported colleges and universities to return to the state's general fund to balance the budget. Hodges said the colleges didn't need that money after he vetoed \$88 million in cuts elsewhere in the budget, including \$50 million generated by increasing the grocery sales tax to 5 percent.

Condon, who is seeking the GOP nomination to run for governor, sued Hodges in July at the urging of Republican lawmakers who said the governor's actions were unconstitutional and took away their power to appropriate money as they see fit.

"The significance of this case is going to be felt for many, many years. Close and lock the doors of the chambers of the Legislature if the governor gets his way," House Speaker Pro Tem Doug Smith said.

"The significance of this case is going to be felt for many, many years. Close and lock the doors of the chambers of the Legislature if the governor gets his way."

House Speaker Pro Tem Doug Smith

"This case is about separation of power and responsibilities and obligations of each branch of government. There's no question that Governor Hodges raided and has attempted to steal the responsibilities of the Legislature," said Smith, R-Spartanburg.

If the justices rule Hodges' actions were constitutional, future governors could ask other agencies such as the Department of Health and Environmental Control to return or shift funding, said Senate Finance Committee chairman Hugh Leatherman.

"If this is allowed to stand, the General Assembly may as well stay home.

The governor could move around funds. He could be a one-man legislature," said Leatherman, R-Florence.

Cortney Owings, Hodges' press secretary, said the governor couldn't comment on pending litigation.

The justices didn't indicate when the arguments might take place.

Condon has said if Hodges wins the case, no amount of mon-

ey the Legislature appropriates would be safe.

"The separation of powers protection was wisely put in our constitution to prevent just such a seizure of power," Condon said.

Hodges' lawyers have said it marks the first time an attorney general has sued a governor. Condon is running to replace Hodges in 2002.

Condon sued Hodges, along with Comptroller General James Lander and state Treasurer Grady Patterson. The General Assembly also has asked the court to let it join the suit.

Hodges' lawyers have called the suit a "waste of judicial resources." They said Condon can't legally sue the governor and that the vetoes were allowed because Hodges requested the money back instead of signing an executive order.

The governor, who typically is represented by the attorney general in lawsuits, only has a full-time legal staff of two and has hired the Columbia-based Nelson Mullins Riley and Scarborough law firm, which wrote the latest filing.

Event chronology

MONDAY

- ◆ 9:55 p.m., 800 block of Laurens St.: After dinner in Five Points, Messer and co-worker Richard Ferguson are shot while running from two of the four men responsible for the crimes.
- ◆ 10:15 p.m., 7091 Essex Ave.: George M Lynch, 18, of 8025 Baysprings Road, is robbed of \$20 by two men in a Volvo.
- ◆ 11:25 p.m., 59 Mallet Hill Road: Tracy A. Gross, 20, and two others are robbed in the garage of her home by three men.
- ◆ 11:45 p.m., 2432 Alpine Road: Deborah Cornelius, 43, is robbed at her home by two men with handguns.

TUESDAY

- ◆ 10:20 a.m., Two Notch Road: Richland County Sheriff Leon Lott sideswipes a gray Volvo while pursuing a bank robber. The car was driven by Abram Douglas Braveboy, 18, of 2113 Tammy Drive.
- ◆ 5 p.m., Sheriff's Department: Dorothy Burgess, Braveboy's mother, reports the wreck involving her gray Volvo. Detectives recognize her son's name and the description of the vehicle in connection to previous crimes. They question Braveboy and charge him in Messer's death and other crimes.
- ◆ 11 p.m., 8308 Old Percival Road and 7920 Spring Flower Road: Deputies arrest Cichey Levar Mayo and Bryan Murray, both 17, at their homes.

WEDNESDAY

- ◆ 8 a.m., 125 Leaside Circle: Deputies arrest Willie James Murphy Jr., 16, as he returns home.
- ◆ 2 p.m., Richland County Sheriff's Office: Authorities release the names of the four men charged with the crime.

THURSDAY

- ◆ 7:30 p.m., 9200 N. Skokie Blvd. in Skokie Ill.: Services are held for Messer in Piser Weinstein Menorah Chapel.

FRIDAY

- ◆ Authorities used ballistics tests to verify that weapons linked to the four suspects were used in the shootings.

Shooting

Four teens could face death penalty

CONTINUED FROM PAGE 1

bullet that went through both of his lungs and his heart. A shot from the .25-caliber struck his leg.

Ferguson was treated and released from Palmetto Richland Memorial Hospital for a shot in the arm from the .25-caliber weapon.

Richland County Sheriff Leon Lott also confirmed that the serial number on the .380-caliber matches that of a handgun reported stolen from a home at Fort Jackson.

Authorities refused to say which of the four men shot Messer and Ferguson, noting that they all face murder charges.

"They all had prior knowl-

edge," Lott told The State. "This is a group effort."

According to arrest warrants, the four teens admitted to three robberies committed soon after the shooting.

Lott broke the case when he hit the Volvo while pursuing a bank robber in a high-speed chase. The Volvo was registered to Braveboy's mother, Dorothy Burgess, who reported the accident to authorities.

Braveboy was questioned and charged Tuesday afternoon with Messer's death.

Mayo and Murray were arrested later that night, and Murphy was arrested the next morning.

Even though the murder of a federal employee while he is working is a federal crime, U.S. attorneys haven't decided whether to file federal charges.

If filed, the federal death penalty can't be sought for people under 18.

News happens every day. Now, so do we.
[HTTP://WWW.DAILYGAMECOCK.COM](http://www.dailygamecock.com)
Daily. Of course.



2001 DEVINE STREET FIVE POINTS 799-3730

Bush defends tax cut decision

CRAWFORD, TEXAS (AP) — President Bush defended his decision to cut taxes just as the economy took a downturn, saying the spending habits of Congress pose a much greater threat to the federal budget surplus and the nation's fiscal recovery.

Bush used his weekly radio address Saturday to repeat the warning he uttered a day earlier: Lawmakers must curtail spending while the economy weathers its current slowdown.

"The greatest threat to our

budget outlook is the danger that Congress will be tempted this fall to break its earlier commitments by spending too much," Bush said. "The old way in Washington is to believe that the more you spend, the more you care. ... My administration takes a new approach. We want to spend your hard-earned money as carefully as you do."

Bush called his tax cut "the right policy at exactly the right time to boost our sagging economy," and predicted, "the faster our economy grows, the stronger

the federal budget will be."

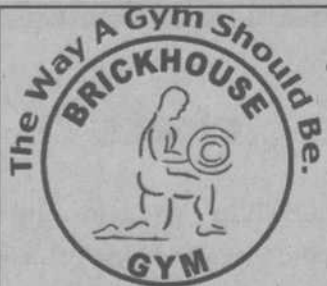
He said his administration is striving to make smart decisions on how to spend the American people's money, noting a new report by the Office of Management and Budget that identified 14 systemic management problems in the federal government that lead to waste.

GET Connected



- Sundays:**
9:15 am Bible Study
10:30 am Worship
11:45 am Free Lunch
- Mondays:**
7:30 pm Contemporary Worship

We are only four blocks from campus!
1410 Sumter Street Columbia, SC 29201
Phone: 343-8545
www.fbccola.com/colleges/college.htm



"Best Equipped GYM in COLUMBIA!!"

- Located 1/2 mile from Campus
- Separate Cardio Area
- Over 20,000 lbs of Free Weights
- Monthly Rates also available
- Heavy Bag/ Speed Bag
- Full Line of Nutritional Supplements
- Smoothie Bar
- Showers/Locker Rooms
- Personal Training & Tanning available

Buy the 4 Month Student Package & Get 1 Additional Month FREE!



*** Offer Expires September 15th ***
1311 B. Rosewood Dr. Columbia, SC 29201
(803) 771-6333

FUN Jobs!

Advantage Alarm Systems, your authorized ADT dealer is currently hiring for full and part time positions in our Columbia branch (**No Experience Necessary!**) We are looking for a few fun-loving people with great attitudes to join our next training class.

- We Offer:**
- Sign On Bonus
 - Health Ins Benefits
 - 401K
 - Holiday and Vacation Pay
 - Tuition Reimbursement
 - Contest For Cash & Prizes
 - Paid Training

Average Income is \$600.00 per week!
Call Billy at 803-731-6545

MATTRESS SALE!!!

Fantastic Values!

COMPARE AND SAVE!	\$118 TWIN SIZE SET	STORE WIDE SAVINGS!!
	\$138 FULL SIZE SET	
	\$188 QUEEN SIZE SET	
	\$258 KING SIZE SET	

MANY SETS NOT LISTED!!
FAST DELIVERY!!
FREE REMOVAL OF OLD SET!
EASY LAYAWAY!
FINANCING AVAILABLE!

FUTONS
W/7 LAYER MATT
\$198

STORE HOURS
MON. - SAT. 10-6
CLOSED WED.
& SUNDAY

Tom Royson's
MATTRESS PLACE
6405 Two Notch Rd.
Top Quality Bedding at Discount Prices
APPROX. 4 BLOCKS SOUTH OF COLUMBIA MALL

Dorm Room Carpet Cheap!

CARPET REMNANTS **59¢** Sq. Ft.
EXAMPLE:
12x9 room = \$63.72

COGDILL Carpet Mill Outlet

VISA MasterCard
OPEN MON-SAT 9AM TO 6PM
www.cogdills.com • E-mail Address: flooring@cogdills.com

1700 HUGER ST. • (803) 779-5606
Ext. 119 Laverne Cortright • Ext. 115 Randy Hamilton