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**WALKING WINNERS:**  
County employees step to it during 10-week program  
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**ACADEMIC EXCELLENCE:**  
Ozona Elementary holds annual awards ceremony  
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# The Ozona Stockman

OUT IN THE WEST, WHERE THE AIR IS PURE, THE CLIMATE AGREEABLE AND THE PEOPLE FRIENDLY—THE BEST PLACE ON EARTH TO CALL HOME

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OZONA, TEXAS

WEDNESDAY, JUNE 9, 2010

VOL. 98, NO 20

75 CENTS

## The search is on: Hernandez leaves Ozona after one season

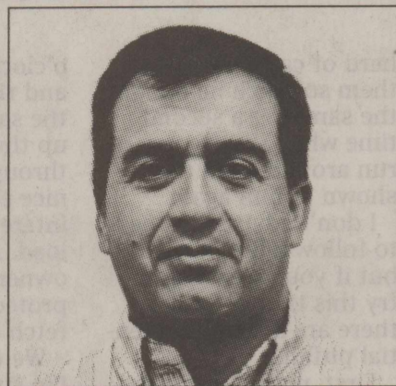
BY MELISSA PERNER  
THE OZONA STOCKMAN

After only one year, Ozona Athletic Director Robert Hernandez has verbally resigned from Crockett County CCSD.

Hernandez's position was posted under employment on the district's website on June 2 at [www.ozona-schools.net](http://www.ozona-schools.net).

Superintendent Chris duBois said Hernandez verbally notified the district that he intends to take another position.

"Robert (Hernandez) has had several opportunities presented to him in the last several weeks, and he has taken care to thoughtfully weigh both the needs of his family as well our student athletes," duBois said. "Ultimately he decided that this particular opportunity was best. I have enjoyed working with Coach Hernandez and wish him all the best."



ROBERT HERNANDEZ

duBois said Hernandez has agreed to allow the district to start the process in finding a replacement, even though Hernandez won't officially resign until he has a new contract in another district.

"He recognized that considering how late we are in the hiring season that I needed every advantage in moving on the process for filling this key position, so we agreed to go ahead and post the opening," duBois said.

This article was first reported on The Ozona Stockman Facebook page and on [www.ozonastockman.com/news](http://www.ozonastockman.com/news)

Texas state law requires that professional positions be posted at least internally for a minimum of 10 days before an offer can be made.

The soonest an offer could be made would be at the close of business on Friday, June 11, duBois said.

duBois said Hernandez understood the criticality of getting it posted as soon as possible.

duBois said he briefed the school board on the situation during a special meeting on June 1, and explained his intended approach for conducting a search.

"I am making some preliminary contacts to get the ball rolling on naming a new Athletic Director/Football

Coach," duBois said.

duBois said he believes the position is a good one because of the quality of students.

"We have great kids first off and the quality of student-athletes is underrated," duBois said. "They are a terrific group, and they'll miss Coach Hernandez, but they will bounce back."

The Lions finished 4-6 in Hernandez's only year.

Prior to Ozona, Hernandez had been head coach at Rocksprings for 10 years.

Hernandez returned a phone call to The Stockman, but made no comment on the situation.

Hernandez is the fifth Athletic Director Ozona has had since the 2003-2004 season.

## Board approves surge protector system, fencing for new school

BY MELISSA PERNER  
THE OZONA STOCKMAN

Approval of more items for the new elementary school was made during a June 1 special meeting of the Crockett County CCSD Board of Trustees.

The board approved a surge protection system of \$5,818, which will be deducted from the contractor's contingency allowance. The system will help protect electronic equipment in the new building.

The board decided to not go with the \$34,512 lightning protection system. Superintendent Chris duBois said he spoke with local fire officials, as well as others, and was told very few building fires have been caused by lightning strikes. The system is external and can be added later if the board chooses.

Also approved was \$61,638.02 bid from Ameristar Montage Plus for a Commercial Grade fence.

Along with these approvals, the board discussed

landscaping options for the school.

"I do wonder what it's going to be like on the outside on Aug. 15," said Board President Dr. Marcus Sims.

The building is still on schedule for completion by Aug. 15, with the library and gym possibly being completed in late August, said Bill Baker, project manager for Waldrop Construction.

"We're making a lot of progress, but there is still a lot left to do," Baker said.

Board Vice President Laurie Hale said she would like the tree moved from the intermediate location to the new school that was planted in memory of former student Jennifer Gravell.

"Something that is nice in the front and totally out of the way," Hale said about the landscaping in general. "I honestly don't think we need a lot of plants."

More information on the landscaping will be presented at the next regular board meeting.

PLEASE SEE BOARD, PAGE 6

## Where's the water?



THE CROCKETT COUNTY SWIMMING POOL opened last week. Here, a young swimmer waits for the water.

## Motion to dismiss filed in sheriff's office federal lawsuit

BY MELISSA PERNER  
THE OZONA STOCKMAN

Another motion to dismiss has been filed in the federal lawsuit involving the Crockett County Sheriff's Office.

This time, the motion is to partially dismiss without prejudice the claims of plaintiff Michael Wayne Hill for unlawful arrest related to his Aug. 6, 2009 arrest for driving while intoxicated because a criminal case has been filed arising out of the arrest and charge, according to federal court documents.

Dismissed without prejudice is a dismissal that allows for re-filing of the case in the future.

Hill claims he was unlawfully arrested and that the sheriff's office conspired to have Hill arrested to intimidate Hill and plaintiff Charla Wooten Marley from filing a federal lawsuit related to the arrest and then eventual death of Charla's husband Jess Marley on June 21, 2009, documents state.

The motion was filed by Jon Mark Hogg, attorney for sheriff's office.

On April 22, 2010, the Crockett County Attorney's Office filed a complaint against Hill for DWI on Aug. 6, 2009. According to the documents, the unlawful arrest claim, along with Hill's conspiracy and failure to prevent conspiracy claims are dependent on the invalidity of the DWI arrest.

The document states if the criminal case against Hill is concluded in Hill's favor, then Hill has the right to re-file his claims.

Along with the motion to dismiss, Robert S. Hogan, attorney for Marley and Hill, has filed objections and response to a summary judgment filed in April by Hogg, which included depositions from Sheriff Roy Glenn Sutton, deputies and Marley and Hill.

The objections include several to the affidavit of Margo L. Fraiser, a criminal justice consultant with 35 years of law enforcement experience from Austin who stated that the sheriff's office conducted reasonable procedures in the arrest of Marley and Hill. Fraiser also states that the arrests of Jess and Hill were justified and that the deputies acted in conformance with the training commonly provided by law enforcement officers in the State of Texas.

According to the documents, Fraiser's affidavit does not set factual basis for the opinions expressed and states unsupported evidence.

Other objections include two audio-visual recordings statements.

The documents also state that Sutton and deputies Joseph G. Bertolino, Bo Semmler and Daniel H. Arrieta have failed to demonstrate a legal or factual basis defense of qualified immunity, and that the case should continue toward a trial. Qualified immunity shields government officials from liability for the violation of an individual's federal constitutional rights.

In the amended lawsuit, it states that Jess Marley died as a result of the unlawful use of force against him when he was "unnecessarily pepper-sprayed at extremely close range" while his wife looked on, even though he was not resisting the law enforcement officers or attempting to flee.

Jess Marley was arrested at his residence on 1106 Avenue B, and that Jess Marley fired a .22 rifle "ratshot" in the alley behind 1106 Avenue B.

In the response, Hogan states that "there was never any indication that Jess Marley had pointed a rifle at anyone, had threatened an individual with a firearm, or had any intent to place anyone in imminent dan-

ger of serious bodily injury."

The response states that there was no evidence that Jess Marley had committed deadly conduct.

Additional, the deputies conduct should be evaluated due to the fact that no shots were fired by anyone, and there were never any physical threats made against any of the deputies nor any attempt made to harm or threaten anyone by either Jess or Charla Marley or Hill, the documents state.

It also states that the only individuals with weapons and threatening individuals with weapons were the deputies.

"Specifically, illegally detaining citizens through the use of impermissible coercion, threats and unnecessary deadly force without the proper predicate facts are not proper actions within the scope of a police officer's duties and neither does those actions without justification, demonstrate enforcement of the law," the documents state. "Specifically, Bertolino, Semmler and Sutton took it upon themselves to make sure that Charla Marley would not file a lawsuit and that Mike Hill would not be a witness in that same lawsuit. Hence, the defendants unleashed a campaign of fear, terror and intimidation upon Charla Marley and Mike Hill by performing unlawful surveillance, following their vehicles, making improper arrests, and planting and/or fabricating evidence with regard to Charla Marley and/or Mike Hill."

Crockett County and the sheriff's office are claiming that Jess Marley died due to pre-existing medical and health conditions that were not immediately caused by any of the events made in the lawsuit.

Federal Judge Sam Cummings has yet to rule on the motion or on the summary judgment.

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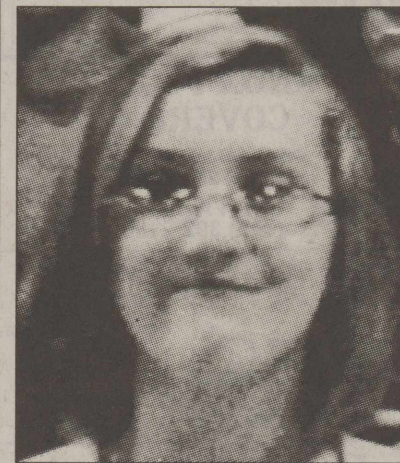




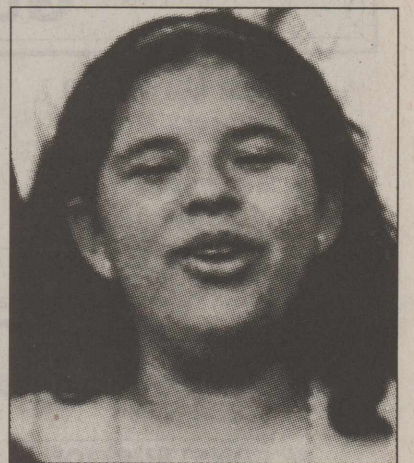


**2009-2010 FIFTH GRADE CLASS:** Veronica Collins, Luis Contreras, Thomas Cruz, Edgar Damian, Vanessa De La Rosa, Austin Elguea, Jake Everett, Jared Everett, Henry Fay, Michael Fay, Aidan Fierro, Kristen Fleming, Gabriella Flores, Madison Galindo, Trystian Galindo, Timothy Hardy, Madalyn Harris, Garry Held, Madyson Hubbard, Maiah Juardo, Trace Justiss, Asia Lara, Jennifer Lewis, Kamryn Lozano, Timothy Maldonado, Julie Marshall, Caleb Martinez, Jose Martinez, Olivia Mata, Preston McCutcheon, Juan Mendez, Rachel Mendoza, Ornelo Meza, Ivy Pena, Anthony Perez, Dustine Perez, Jadon Perez, Raven Perez, Sidney Perez, Amery Robison, Alberto Rodriguez, Elizabeth Rodriguez, Pricila Rodriguez, Cameron Rutherford, Emmanuel Sarabia, Kelly Sewell, Kabir Shah, Briana Smith, Jasmine Talamantez, Juan Tambunga, Dacie Taylor, Azaylea Tovar, Gabriela Treto, Bobby Jo Vargas, Sarah Vargas, Megan Vaquez, Maria Chavez-Vasquez and Autumn Villarreal. Teachers: Nancy Light, Autumn Brown, Debra Fred and Cindy Owens.

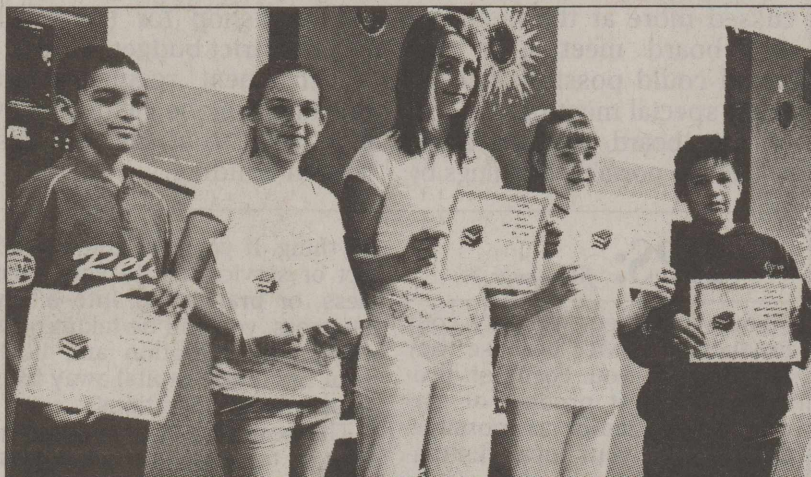
# Straight A Students



MELISSA PERNER | THE OZONA STOCKMAN  
**A HONOR ROLL FOR ALL ELEMENTARY YEARS AND TOP FIFTH GRADER:**  
**JULIE MARSHALL**



MELISSA PERNER | THE OZONA STOCKMAN  
**A HONOR ROLL FOR ALL MIDDLE SCHOOL YEARS AND TOP EIGHTH GRADER:**  
**VIVIAN MEDINA**



MELISSA PERNER | THE OZONA STOCKMAN  
**STAR - MOST IMPROVED READER AWARD:** Preston McCutcheon, Autumn Villarreal, Kristen Fleming, Brenna Hale and Ricardo Rivas



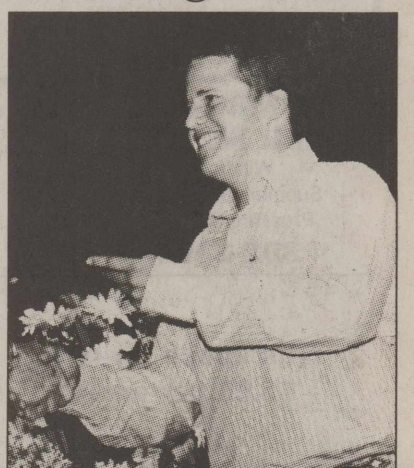
MELISSA PERNER | THE OZONA STOCKMAN  
**PERFECT ATTENDANCE:** Rosa Ramos, Jason Lopez, Michael Esparza, Madison Castro, Edgar Damian, Isaac Gonzales, Austin Hokit, Raven Perez, Esperanza Ramirez, Jessie Ramos and Kimberlee De La Garza

# McGuire wins DEKALB Ag Award

Wes McGuire was recently presented Ozona High School's highest agricultural honor, the DEKALB Agricultural Accomplishment Award, sponsored by the Monsanto Company.

McGuire, the son of David and Allison McGuire, received the award for excellence in academics, leadership and agricultural work experience. His significant accomplishments have included showing livestock and participating in FFA Agriculture Mechanics contest.

Rob Phillips is McGuire's agricultural education instructor at OHS.



The 50 states were recognized with this award.

This year the DEKALB Agricultural Accomplishment Award celebrates its 63rd anniversary. For more than 63 years, 164,000 high school seniors from across the country have received the award, which has become a symbol for excellence and the school's highest agricultural honor. In 2009, nearly 2,000 students from high schools in 49 of

As the winner of the 2010 award, McGuire's name will be recorded on a permanent plaque displayed at OHS.

Monsanto, a long-time supporter of agricultural education, FFA, 4-H and other farm youth organizations and initiatives, sponsors the DEKALB Agricultural Accomplishment Award.

# Ozona Elementary Academic Awards

Ozona Elementary School held their annual awards ceremony on May 28.

### A HONOR ROLL

**First Grade -** Madison Castro, Carson Childress, Michael Esparza, Kaitlyn Hernandez, Raul Ramirez, Norah Rodriguez, Kyndall Rohan and Tate Williams

**Second Grade -** Citlalli Cano, Sebastian De La Cruz, Valysa Hartman, Nathaniel Jackson, Alec Lara, Marco Lozano De Hoyos, Hailey Marlatt, Roslynn Mendez, Austin Moran, Lazaro Rodriguez, Humberto Torralba, Manuel Torralba, Davien Vasquez and Tyler Webb

**Third Grade -** Josh Knaack and Caleb Webb

**Fourth Grade -** Cassidy Gonzalez, Brenna Hale, Murray Logan and Emily Marlatt

**Fifth Grade -** Austin Elguea, Asia Lara, Julie Marshall, Rachel Mendoza and Kabir Shah

### A-B HONOR ROLL

**First Grade -** Lianna Blanco, Austin Castro, Ethan Criswell, Shelby Galindo, Jenna Marshall, Jorge Garcia Molina, Reagan Gonzalez, Ian Hernandez, Diego Irlas, Skylar Luna, Jose Munoz, Ida Rodriguez, Isaiah Samario, Pilar Sanchez, Garcia, Jacqueline Sanchez, Kialynn Sanchez, Jace Savala and Jacqueline Venegas

**Second Grade -** Raelce Borrego, Esmeralda Castillo, Jacob Childress, Julian Dominguez, Alana Escamilla, Aiden Fuentes, Laney Galindo, Matthew Galindo, Georgina Garcia, Braeden Gutierrez, Osiel Hernandez, Cristina

Mata, Alexandra Montgomery, Ashley Moran, Alyiah Ortiz, Rayne Payne, Carlie Ramos, Ilene Ramoz, Peyton Rohan, Joe Salas, Precious Samario, Kayla Sarabia, Kendra Sarabia, Kenzee Talamantez, Thomas Talamantez, Alycia Tambunga, Kaitlyn Tambunga, Joseph Vitela, Adrian Whitby and Justin Yeager

**Third Grade -** Nathan Graham, Jacqueline Guerra, Jazmin Hernandez, Isaura Lopez, Yasmin Ojeda, Coulter McWilliams, Alyssa Perez, Darío Rodriguez, Sabrina Salas, Paige Villarreal and Riley Williams

**Fourth Grade -** Alejandra Camarillo, Josae Coy, Roman Esparza, Gavin Grannis, Andy Hernandez, Savannah Ramos, Denise Rodriguez, Kaelan Saval, Jacob Schroeder, Hunter Smith and Samantha Torralba

**Fifth Grade -** Edgar Damian, Michael Fay, Garry Held, Maiah Jurado, Jennifer Lewis, Kamryn Lozano, Timothy Maldonado, Caleb Martinez, Jasmine Talamantez and Azaylea Tovar

### PRESIDENTIAL EXCELLENCE AWARDS

Murray Logan, Andy Hernandez, Brenna Hale, Cassidy Gonzalez, Emily Marlatt, Kamryn Lozano, Asia Lara, Julie Marshall, Kabir Shah, Jasmine Talamantez and Austin Elguea

### PRESIDENTIAL ACHIEVEMENT AWARDS

Ivana Hernandez, Adrian Villa, Riley Williams, Sabrina Salas, Dario Rodriguez, Isaac Gonzales, Josae Coy, Roman Esparza, Kimberlee De La Garza, Emily Marlatt, Denise Rodriguez, Savannah Ramos, Michael Garcia, Autumn Villarreal, Anthony Perez, Trace Justiss, Emmanuel Sarabia, Gabriela Treto, Luis Contreras, Jake Everett and Sidney Perez

### CITIZENSHIP AWARDS

David Landin, Ivan Villarreal, Adalyne Nehus, Caleb Webb, Christian Valdes, Yasmin Ojeda, Jennifer Rodriguez, Josae Coy, Samantha Torralba, Audrey Gandar, Alejandra Camarillo, Savannah Ra-

mos, Denise Rodriguez, Toni Parker, Elizabeth Rodriguez, Jose Martinez, Kamryn Lozano, Jake Everett, Pricila Rodriguez, Dacie Taylor, Jared Everett and Megan Vasquez

Erin Enke  
bride-elect of  
Wilson Stokes

Rebecca Reyes  
bride-elect of  
John Austin Stokes

Allison Skehan  
bride-elect of  
Garrett Kleman

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**PUBLIC NOTICES**  
**REQUEST FOR PROPOSALS**

Crockett County Consolidated Common School District will be selling one 1997 Chevy Suburban and one 2000 Chevy Lumina car and one 1997 Oldsmobile 88. Proposals will be accepted until June 16, 2010 at 2 p.m. at the Administration office at 797 Ave D or by mail at Crockett County CCSD; Attn: Cynthia Hokit; PO Box 400; Ozona TX, 76943. Proposals will be opened after 2 p.m. Please mark "Vehicle Proposals." Contact John Kain for additional information at 325/392-5501. Crockett County Consolidated Common School District reserves the right to accept and/or reject any and all proposals as they may appear advantageous to the district. Vehicles will be available for pick up June 22, 2010.

**REQUEST FOR INSURANCE PROPOSALS**

Crockett County Consolidated Common School District will receive sealed proposals in the office of the Superintendent through July 20, 2010, for Property and Liability Insurance, Inland Marine Coverage, Professional Legal Liability, Vehicle Insurance and Underground Storage Tanks. The mailing address is P. O. Box 400, Ozona, Texas, 76943; the physical address is 797 Avenue D in Ozona. Proposals received after that date will not be considered.

**Each proposal shall be placed in a sealed envelope plainly marked "INSURANCE PROPOSAL"**

Proposals will be opened at 2:00 P.M. July 15, 2010, at the School Administration Office and will be approved by the Board of Trustees at their regular July Board Meeting. Crockett County Consolidated Common School District reserves the right to accept or reject any or all proposals, waive any formalities in the proposal process and award the proposal to best serve the interest of the district.

Agents must furnish a 2000 A.M. Best policyholder rating for each separate insurance company with which coverage is quoted. Coverage shall begin August 31, 2010. Please quote for one-year coverage and two-year coverage if purchasable. Rates quoted shall be guaranteed for that period.

Please contact Cynthia Hokit, Business Manager, Telephone 325/392-5501 for specifications. **In order to facilitate comparison, providers are required to submit their proposals on the proposal forms provided.** Any plan of insurance, additional information, different methods of handling coverage, increased protection, etc., not in the specifications, will be welcomed, but must be submitted separately as an alternate bid. Consideration will require supporting information and reasoning for better or more reasonable coverage for the district. Additional information may be obtained from Cynthia Hokit, Business Manager, Telephone 325/392-5501.

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