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## OBITUARIES

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## EVENT

### Annual Human Rights Day Awards reception Sunday at the MAC

**BY BEN CONLEY**  
BConley@DominionPost.com

Morgantown attorney Amanda Ray and the West Virginia Coalition to End Homelessness will be honored Sunday as recipients of the Morgantown Human Rights Commission's annual Human Rights Day Awards.

A reception will be held from 4-6 p.m. at the Monongalia Arts Center.

The Universal Declaration of Human Rights was proclaimed by the United Nations General Assembly in Paris on Dec. 10, 1948.

In 2016, the Morgantown Human Rights Commission began observing the annual anniversary of the global pledge by recognizing one individual and one organization upholding the goals and ideals of the declaration here in Morgantown.

Commission Chairperson Annie Cronan Yorick calls Ray a, "one-woman human rights commission of her own," who uses her legal expertise to aid victims of domestic abuse, often expecting little or no compensation in return.

Ray said she is "honored and surprised" to receive the recognition.

"I went to law school because I knew that an understanding of the law would allow me to help people and continue to work to make my community better," Ray said. "I have spent my entire legal career mostly helping those who otherwise would not be able to afford an attorney through either legal aid or pro bono programs, referrals from rape and domestic violence organizations, and court appointed work."

While WVCEH isn't headquartered in Morgantown, it works directly in the community.

**SEE RECEPTION, A-2**

## GOVERNMENT

# GOP candidates differ on pace of future tax cuts

### Face off in MetroNews debate in Morgantown

**BY BRAD McELHINNY**  
WVMetroNews.com

West Virginia has already embarked on what the current governor calls the largest tax cut in state history, and candidates to next take on the chief executive's role differ in how aggressively they might build on that.

Chris Miller, a businessman

from Huntington, says he would "eliminate the income tax day one."

Mac Warner, a Morgantown resident who has served two terms as Secretary of State, offers more caution and says in reality, "we don't have a surplus."

Moore Capito, the House Judiciary chairman from Charleston, says he participated in the legislative process that resulted in the big income tax cut and noted that it already has triggers that could produce steeper cuts in coming years.

Each participated in a West Virginia MetroNews debate for Republican candidates for governor, held in Morgantown. Over the course of an hour, veteran broadcaster Hoppy Kercheval drew out the candidates on a range of issues.

Their views of West Virginia tax cuts were a glimpse of differences that voters in the May primary might use to differentiate among them. So far, several polls have shown more than 20% of likely primary voters remain undecided about which candidate for governor they favor.

Each of the candidates has called himself a conservative but expressed that in different ways. Miller emphasizes his business experience running his family's network that includes several car dealerships. Capito touts his legislative experience in describing himself as a "get it done conservative." Warner says he will defend West Virginia values and frames responses around his service as a military veteran.

Whoever becomes governor after Jim Justice has finished his

**SEE GOP, A-3**

# THE FIGHT FOR FREEDOM



Above, West Virginia University Air Force and Army ROTC members ring the bell from the USS West Virginia during WVU's Pearl Harbor ceremony on Thursday on the downtown campus. At right, Dylan Long, left, and Griffin Mills look at a fire rescue buoy donated to the WVU Regional History Center recently. The artifact was on the USS West Virginia at Pearl Harbor.

Ron Rittenhouse/The Dominion Post

### Service members, community honor 82nd anniversary of Pearl Harbor

**BY DAVID BEARD**  
DBeard@DominionPost.com

Thursday marked the 82nd anniversary of the Japanese attack on Pearl Harbor and the WVU Center for Veteran, Military and Family Programs



again hosted a memorial ceremony on the plaza of the USS West Virginia mast and bell in front of Oglebay Hall.

It was a gathering, said the center's Interim Director Penny Lipscomb, to continue the tradition of honoring the Americans who made the ultimate sacrifice in the attack on Dec. 7, 1941.

Lipscomb introduced Jack Bowman, a retired WVU law school professor of 23 years and U.S. Army veteran who held the rank of captain in the Judge

Advocate General Corps. She reminded everyone that Bowman led the effort to bring the mast of the decommissioned battleship USS West Virginia to WVU.

"Due to his persistence, he made the impossible task possible," she said. For his work, Bowman was recently awarded the Historic Preservation Medal from the Daughters of the American Revolution.

Bowman looked out on an

**SEE FREEDOM, A-2**

## NATION

### Centenarian survivors of Pearl Harbor return to honor those who died

**BY AUDREY MCAVOY AND CLAIRE RUSH**  
Associated Press

PEARL HARBOR, Hawaii — Ira "Ike" Schab had just showered, put on a clean sailor's uniform and closed his locker aboard the USS Dobbin when he heard a call for a fire rescue party.

He went topside to see the USS Utah capsizing and Japanese planes in the air. He scurried back below deck to grab boxes of ammunition and joined a daisy chain of sailors feeding shells to an anti-aircraft gun up above. He remembers being only 140 pounds as a 21-year-old, but somehow finding the strength to lift boxes weighing almost twice that.

"We were pretty startled. Startled and scared to death," Schab, now 103, said at his home in Beaverton, Ore., where he lives with his daughter. "We didn't know what to expect and we knew that if anything happened to us, that would be it."

Eighty-two years later, Schab returned to Pearl Harbor Thursday on the anniversary of the attack to remember the more than 2,300 servicemen killed. He was one of five survivors at a ceremony commemorating the assault that propelled the United States into World War II. Six of the increasingly frail men had been expected, but one was not feeling well, organizers said.

The aging pool of Pearl Harbor survivors has been rapidly shrinking. There is now just one crew member of the USS Arizona still living, 102-year-old Lou Conter of California. Two years ago, survivors who attended the 80th anniversary remembrance ceremony ranged in age from 97 to 103. They'll be even older this time.

The U.S. Department of Veterans Affairs doesn't keep statistics for how many Pearl Harbor survivors are still living. But department data show that of the 16 million who served in World

**SEE SURVIVORS, A-2**



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RECEPTION

FROM PAGE A-1

The organization specializes in rapid rehousing, permanent supportive housing and street outreach as well as securing funds for other agencies, like Bartlett Housing Solutions.

Since 2013, the non-profit has served 1,240 unduplicated individuals in Morgantown. WVCEH has aided 413 unique individuals here in 2023 alone.

WVCEH CEO Zach Brown expressed his gratitude for the honor and as well as the support provided by the city.

“Receiving this award is not just a moment of celebration for our organization, but a reaffirmation of the shared commitment within our community to uphold the dignity and rights of every individual, regardless of their housing situation. It reflects the tireless work of our dedicated team, the support of our partners, and the resilience of those we serve,” Brown said.

Cronan Yorick said it's important to recognize the people and organizations upholding the ideals the city proclaims.

“We do this because the city has a lot of really good ordinances, resolutions, proclamations, etcetera regarding human rights. So, this is something that we do to back that up; to show that we're talking the talk and walking the

walk,” she said.

Sunday's reception will also include a presentation from the Morgantown/Kingwood branch of the NAACP recognizing local high school student Zorrah Lawson for her artwork visualizing the 13th Amendment.

Previous Human Rights Day Award winners include:

■ 2016 — Evan Hansen; PSALM Program at St. Francis School

■ 2017 — Charlene Marshall; Community Coalition for Social Justice

2018 — Barbara Evans Fleischauer; Greater Morgantown League of Women Voters

■ 2019 — Danielle Walker; West Virginia Innocence Project

■ 2020 — Mavis Grant-Lilley; First Presbyterian Church

■ 2021 — Bob Pirner; Milan Puskar Health Right

■ 2022 — Ixya Vega; Hollar Health Justice

Additional information about the Universal Declaration of Human Rights is available at un.org by following the “About us” and “UDHR” links.

The Morgantown Human Rights Commission currently has multiple openings. Members must be residents of the city. Applications are available at morgan townwv.gov.

NEWS BRIEFS

Associated Press

Trump appeals ruling rejecting immunity claim

WASHINGTON — Former President Donald Trump is appealing a ruling that found he is not immune from criminal prosecution over his efforts to overturn the 2020 election. That's according to court papers filed Thursday. Lawyers for the 2024 Repub-

lican presidential primary front-runner filed a notice of appeal indicating that they will challenge U.S. District Judge Tanya Chutkan's decision rejecting Trump's bid to derail the case headed to trial in Washington, D.C., in March. Trump's lawyers have asserted that he cannot face criminal charges because the actions spelled out in the indictment fell within his duties as president.

Israel urges Gaza civilians to flee

MUWASI, Gaza Strip — Israel has designated a small slice of land along Gaza's Mediterranean coast as a safe zone. It says waves of people fleeing the war can find protection from airstrikes and receive humanitarian supplies for their families there. But the reality? The area of

Muwasi is a makeshift tent camp where thousands of dazed Palestinians live in squalid conditions in scattered farm fields and waterlogged dirt roads. Roughly 20 square kilometers in southwest Gaza, Muwasi lies at the heart of a heated battle between Israel and international humanitarian organizations over the safety of Gaza's civilians.

FREEDOM

FROM PAGE A-1

audience packed with ROTC cadets, active duty personnel and veterans, and said, “I am filled with gratitude for the service of those who have maintained our freedom.”

Bowman in turn introduced keynote speaker Secretary of State Mac Warner, a 23-year Army veteran who served in Afghanistan, among other places, and retired with the rank of Lt. Colonel.

Warner dwelt on the theme of “If you want peace, prepare for war,” a quote from a 4th-century Roman general taken up centuries later by Gen. George Washington.

Warner cited a quote from the Robin Williams movie “Dead Poets Society” — carpe diem, or seize the day.

Williams' character, a teacher, told his students that quote came from people of the past speaking to today. And the mast, the bell, and the recently acquired USS West Virginia life preserver are doing just that.

One fruit of war preparedness, he said, is deterrence, but deterrence requires not only the capability, but the will to act. The wars in Ukraine and



Ron Rittenhouse/The Dominion Post

Toby Heaney Jr. performs “Taps” during the ceremony.

Israel are exemplars of the failure of deterrence, he said.

And in 1950, he said, just five years after the victory in World War II, North Korea was undeterred by America's prowess and invaded the south. So, on July 5, 1950, President Truman sent Task Force Smith into Korea, and we fought another war.

The armistice was signed in 1953, and South Korea remains an example of what it means to stand for freedom, Warner said; while under the dictatorship across the northern border, Koreans suffer poverty and starvation.

SURVIVORS

FROM PAGE A-1

War II, only about 120,000 were alive as of October and an estimated 131 die each day.

There were about 87,000 military personnel on Oahu at the time of the attack, according to a rough estimate compiled by mil-

itary historian J. Michael Wenger.

Schab never spoke much about Pearl Harbor until about a decade ago. He's since been sharing his story with his family, student groups and history buffs. And he's returned to Pearl Harbor several times since.

The reason? “To pay honor to the guys that

didn't make it,” he said.

Thursday's ceremony was held on a field across the harbor from the USS Arizona Memorial, a white structure that sits above the rusting hull of the battleship, which exploded in a fireball and sank shortly after being hit. More than 1,100 sailors and Marines from the Arizona were killed and more than 900 are entombed inside.

A moment of silence began at 7:55 a.m., the same time the attack began on Dec. 7, 1941.

Harry Chandler, 102, who was a Navy Hospital Corpsman 3rd Class, raised the flag at a mobile hospital in Aiea Heights in the hills above Pearl Harbor in 1941. Gazing over the water from his front row seat on the ceremony grounds on

Thursday, Chandler said the memories of the USS Arizona blowing up still come back to him today.

“I saw these planes come, and I thought they were planes coming in from the states until I saw the bombs dropping,” Chandler said. They took cover and then rode trucks down to Pearl Harbor where they attended to the injured.

He remembers sailors trapped on the capsized USS Oklahoma tapping on the hull of their ship to get rescued, and caring for those who eventually got out after teams cut holes in the ship.

“I look out there and I can still see what's going on. I can still see what was happening,” said Chandler, who today lives in Tequesta, Fla.

THE AGING POOL OF PEARL HARBOR SURVIVORS HAS BEEN RAPIDLY SHRINKING. THERE IS NOW JUST ONE CREW MEMBER OF THE USS ARIZONA STILL LIVING ...

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NATION

# West Virginia’s D.C. delegation asks postmaster general to issue Chuck Yeager commemorative stamp

For The Dominion Post

West Virginia’s D.C. delegation joined on Thursday to ask Postmaster General Louis DeJoy to issue a commemorative stamp honoring West Virginian Chuck Yeager.

Sens. Joe Manchin and Shelley Moore Capito, and Reps. Carol Miller and Alex Mooney joined with Rep. Doug LaMalfa, R-Calif., to pose the request for Brigadier Gen. Charles Elwood “Chuck” Yeager.

Thursday was the third anniversary of Yeager’s passing and he became eligible for the honor, they said in a joint release.

“Chuck Yeager is an American hero and a legendary figure in the history of aviation,” they wrote to DeJoy, “and it is our strong belief that his historic accomplishments in service to our nation merit celebration and recognition on a commemorative stamp. Over the course of his distinguished career, Chuck fought for his country in two wars, accumulated a total of 10,131.6 flight hours in 361 different types and models of military aircraft, and was the first commander of the Aerospace Research Pilot School, where he mentored a new

generation of American aviators.”

They recount Yeager’s history in their letter. A native of Myra, he was raised in the small town of Hamlin, where his family moved when he was five years old. Three months after graduating high school, he enlisted in the Army Air Corps and earned his pilot’s wings in 1943.

He entered combat in February 1944. Yeager earned the “ace in a day” title by achieving five aerial victories on Oct. 12. He achieved another four victories on Nov. 27 and completed his final flight on Jan. 15, 1945, having

totalled 64 combat missions and 12.5 aerial victories.

Following the war, he was hand-picked to enter the Air Force’s new Flight Test Division at Wright Field. He was selected to test pilot the rocket-powered Bell XS-1 in an attempt to do what many aviation experts deemed impossible: exceed the speed of sound. On Oct. 14, 1947, on his ninth powered flight in the Bell XS-1, Chuck achieved the impossible and broke the sound barrier, attaining a top speed of Mach 1.06.

He served his country for another 28 years until his retirement from active duty in 1975. He accumu-

lated a total of 10,131.6 flight hours in 361 different types and models of military aircraft, and was the first commander of the Aerospace Research Pilot School, where he mentored a new generation of American aviators who would pioneer spaceflight. He remained busy in retirement, serving as a consultant to government and industry and an advisor to presidents.

Yeager was inducted into the National Aviation Hall of Fame in 1973. Congress awarded him a Congressional Silver Medal in December 1975, which President Gerald Ford presented to him in a

ceremony at the White House. He was also inducted into the International Air & Space Hall of Fame, the International Space Hall of Fame, and the Aerospace Walk of Honor.

Yeager passed away on December 7, 2020.

They wrote, “He left behind a legacy of service not just to his country but to all of humanity. From his humble beginnings in the hollers of Appalachia to the skies above war-torn Europe to accomplishing what no human being had done before in an aircraft, Chuck was the embodiment of the very best of America: service to his country and fellow citizens, the willingness to sacrifice in the defense of freedom, and the spirit to push beyond the boundaries what is possible to go where no one had gone before.”

## GOP

FROM PAGE A-1

two terms will enter a financial situation that deserves close watch.

Early this year, the Legislature passed and Justice signed an initial 21.25% income tax cut that could grow in future years.

State officials have estimated the overall financial impact of the tax bill is \$695 million this fiscal year and \$817.8 million upon full implementation.

The income tax cut could increase in a few years because of a formula serving as a trigger. It would measure general revenue collections in a fiscal year minus severance collections compared to 2019 as a base year. If collections are ahead of the base year, that would activate the trigger.

Miller said he would go further and faster.

“Get rid of it day one,” he said during the debate.

Pressed for how, as chief

executive, his administration would continue to support services, Miller expressed confidence about growth.

“The economic growth that comes along with it is literally what drives an economy,” Miller said.

Personal income tax brought in \$2.5 billion for state government in 2022, making it the state’s biggest single revenue source. That accounts for about half of the general revenue budget.

Warner said he’s a conservative who likes to be careful with public dollars, but he doubted the state could meet its responsibilities by cutting that tax so sharply.

“I think the Legislature took a very adult approach to this and that’s give the 21% and then if they meet certain standards hit the next 10% and the next 10%,” Warner said.

“My question is, and we talk about these surpluses



Hoppy Kercheval talks with Moore Capito, Mac Warner and Chris Williams during the Governor race debate hosted by MetroNews on Thursday.

that West Virginia is now enjoying. Those surpluses aren’t going to be there for long. The federal government money coming in after COVID and that sort of thing is going to dry up. I’m afraid of what the current governor is leaving the next governor. So I want to be cautious about cutting

taxes too fast. That’s why I like the Legislature getting in there as a regulator.”

Specifically, Warner continued, “We have problems with teacher retention. We have problems with corrections retention. Medical examiner. First responders. Volunteer fire departments. We don’t have a sur-

plus. We should be spending that money and making sure those people are brought up to speed, we can keep them here and we can recruit new people into the state.”

Capito said he worked on the legislation that resulted in the tax cut already in effect.

“As the get-it-done conservative in this race, I’m the only one who has actually cut taxes for hard working West Virginians and given them their money back. It was the greatest vote that I’ve ever been able to take,” Capito said.

“One of the No. 1 things that businesses look at, whether they’re already here or whether they’re seeking to come here is predictability. We’ve put in place a predictable tax reduction plan that can be accelerated if the economy continues to grow the way it does.”

One of the most promi-

nent Republican candidates for governor, three-term Attorney General Patrick Morrisey, did not participate in the debate. He had counter-proposed scheduling a debate later in the cycle, following the official campaign declaration period. On Thursday afternoon, Morrisey announced that, instead, he would participate in a streaming interview, solo, with a different news outlet.

The candidates in the debate called him out for it.

In a press release and in an early debate comment, Miller said “now that West Virginians want to hear him answer the tough questions, he’s hiding in his basement like Joe Biden. That’s what career politicians do. The governor is CEO of the state and employed by the taxpayers. That’s who we work for and answer to.”

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## Happy Holidays

from

# THE DOMINION Post



COMMUNITY

# Totes for Tots donations will help children in situations involving police

**BY ERIN CLEAVENGER**  
ECleavenger@DominionPost.com

For the past five or six years, members of the West Virginia University Extension Community Educational Outreach Service (CEOS) in Monongalia County have donated handmade tote bags filled with a blanket and a toy or activity to local law enforcement for children in situations involving police.

“If a child is taken out of their home, if they are in an accident, they are given a bag and there is a blanket, there’s little toys to keep them busy while they are doing their business — things that would

occupy them when sitting in the back of a police car or at the police department,” said Debbie Simpson, president of Mon County CEOS.

“We donate them to the police department (Monongalia County Sheriff’s Office), and they share them with the other departments like state police and city police,” she said.

Sgt. Ambrose and Deputy Summers with the Mon County Sheriff’s Department (MCSD) picked up the totes from the CEOS office at Mylan Park Thursday afternoon — the officers left with their cruisers packed full of over 100 total tote bags.

MCSD Chief Deputy Mark Ralston said the totes are normally distributed in a variety of ways. First to road deputies to hand out during incidents or calls where the tote’s contents would be beneficial.

“Or even to just make a child feel better depending on the circumstance,” he said.

Ralston said some of the bags are also kept at their office because they get a lot of walk-in complaints and reports where kids can be involved.

He said MCSD is happy to share the bags with other local

**SEE TOTES, A-5**



Ron Rittenhouse/The Dominion Post

Totes for Tots are collected by Monongalia County Extension Service Agent Carol Hungate and Mon County CEOS members Suzy Summers, Debbie Simpson, Cheryl Fletcher and Debbie Blehschmidt and given to Sgt. Ambrose and CM Summers of the Monongalia County Sheriff’s Department. The tote bags are handmade by volunteers and filled with kid-friendly items to give to children when they are present on a call.

EVENT

# ReStore inventory auction is Saturday

**BY JIM BISSETT**  
JBissett@DominionPost.com

The ReStore for Mon Valley Habitat for Humanity may be closed, but that doesn’t mean its mission can’t continue, Habitat’s executive director Elaine Holstine McVay said.

In other words, you’ll still have a chance to purchase a variety of items for repurposing, while benefitting the organization that builds dwellings for families who might not have that opportunity for home ownership otherwise.

Habitat is auctioning off the entire inventory of the business at 10 a.m. Saturday at the store’s location at 1825 Earl L. Core Road.

“We really do have something for everybody,” McVay said, “from Christmas decorations to everything a do-it-yourselfer might need for a project.”

Wade’s Auction Services is handling the sale, she said, which includes the aforementioned — along with furnishings for every room in the house, small appliances, glassware, sewing machines, shopping carts and more.

Add that to the refrigerators, toilets, granite-top cabinets, sinks and toilets, the executive director said.

“If you come out to this auction, you’re going to go home with something you needed,” she said.

In October, Habitat knew what it needed to do, McVay said, though that didn’t make it an easy decision by any measure.

Even with steady walk-in traffic at the store in Sabraton, sales had been in decline for the past several months.

A decision was made to shutter

**SEE RESTORE, A-5**

# Photo Friday



Submitted photo

Shelly Riley submitted this photo she took of a sunrise on Oct. 23. “I took these at sunrise — around 7:15 a.m. ... from behind the Mexican restaurant at University Town Centre. I was above the clouds — note the building and water tower peeking through. It was stunning!” To submit a shot for Photo Friday, send a high-resolution digital image to DPNews@dominionpost.com. Include your name and information about the photo, including where and when it was taken.

# UNITED WAY Community service in full swing this holiday season

**THE SEASON OF GIVING** has translated into a season full of community service and volunteerism at our United Way as of late. And we’re so thankful for the influx of goodwill and generosity coming our way that we thought it appropriate to list some of these fantastic things in our column to thank these folks.

## Clothing collections

First Energy Corp. recently conducted an outerwear drive, collecting a whopping 10 bags of clothes to be donated to United Way.

WVU Medicine Children’s Pediatric Department also recently held a clothing drive by its faculty and staff. That group donated nine bags. All the clothing items will be distributed to people in need in Mon and Preston counties.

The Warm Hands Warm Hearts Community Outerwear Drive will continue through Dec. 15 at various locations across both counties. To find out more about the locations and what items are being collected, visit [www.unitedwaympc.org/outerwear-drive](http://www.unitedwaympc.org/outerwear-drive).

## Volunteer efforts

In mid-November, 20 volunteers from Civil-Military Innovation Institute worked at our Helpful Harvest location to prepare a bunch of items for future giveaways. This was a huge effort, and so much was accomplished in one day.

They worked on the following:

- 460 senior bags, 230 being food kits and 230 being household item kits, in preparation for our senior and shut-ins distribution happening on Wednesday
- 400 hygiene kits that were handed out Nov. 20 for the Family Resource Network’s Hygiene Distribution.
- Sorted, organized and bagged over 1,000 pounds of potatoes to help distribute to the community.
- Packed 100 baby shower door prize bags in preparation for the Mon County Family Resource Network’s baby shower.
- Hand counted and sorted 667 various clothing items, 389 being from WVU Medicine’s Children Hospital and 278 from outerwear drive locations.

We’ve also had several other groups stop by to help volunteer at Helpful Harvest lately.

Just last week, six middle school students from St. Francis Central Catholic helped count, sort and organize 242 pieces of outerwear.

The clothing was from United Way’s Warm Hands Warm Hearts Community Outerwear Drive. The items will be distributed to people in need in Mon and Preston counties.

A WVU freshman also volunteered to help organize outerwear clothing at our Helpful Harvest

**SEE SERVICE, A-5**

MOM’S CORNER

# Homemade ornaments make great gifts

**THE HOLIDAY SEASON IS IN FULL SWING NOW**, and as a mom I am always looking for fun things to do with the kids. One of my favorites is making homemade ornaments.

These homemade ornaments are so easy to make and the kids have a wonderful time helping create them. You only need three ingredients: 1 cup of flour, 1 cup of salt, and 1/2 cup of water. I love having my daughter help measure out the ingredients. She loves helping in the kitchen, so giving her the opportunity to help measure the ingredients is a blast to her.

Once you dump all the ingredients in a bowl, you just knead the mixture until it is smooth dough. This part can be difficult, so I would recommend the



ANN BURNS

parent do it. Little hands can help for fun, but they will definitely need assistance to make sure it all gets mixed properly. Once it is a smooth dough, take a rolling pin and roll it out to the desired thickness. Then you can use cookie cutters to make the shapes of the ornaments. One thing to make note of is to make

sure not to forget to make a hole for the string! I use the end of a straw to make the perfect size strong hole.

I like making a few round circle ornaments along with the cookie cutter ones, that way I can make handprint or footprint ornaments as a keepsake or use them as gifts for the upcoming holiday. To do that, you just roll the dough out and make a round shape with a round cookie cutter. If you don’t have a circle shape cookie cutter, you can use the bottom of a cup as the shape. Then place your kid’s hand on the shape and press down for a few seconds to make sure the imprint is in the dough.

Once you have all your shapes and ornaments cut out, you’re going to bake them in a 200-

degree oven for two to three hours. And that’s it! That is how easily you can make homemade ornaments. I love doing this when my kids are young, doing their handprints and footprints, but even as they get older it is a fun activity. They can pick out the cookie cutter shapes and after the ornaments bake and cool, they can paint them. This is a great homemade gift idea for the kids to give their grandparents as well.

I hope you get to make these precious ornaments and memories with your family this year. I know I will be.

**ANN BURNS** is a Morgantown native, raising two young children with her husband, Drake. She writes weekly columns for The Dominion Post. Contact her at [Columns@DominionPost.com](mailto:Columns@DominionPost.com).



**TOTES**

FROM PAGE A-4

departments because “they deal with the same things and the same kind of complaints that we do in their own jurisdiction, so we definitely distribute those, let them know they are here, and set them aside for them as well.”

The fabric tote bags are sewn and filled by CEOS club members, and most are marked for either boys or girls.

CEOS members said they recently heard about one little girl who received a bag from an employee at the sheriff’s department who “talked about how tickled the little girl was and how many times she thanked them — she just put that little bag over her shoulder when they left.”

CEOS club member Debbie Blehschmidt said Mon County clubs participate in several other programs



Ron Rittenhouse/The Dominion Post

The group loads filled tote bags into a car, to distribute to law enforcement agencies.

throughout the year, but the Totes for Tots program is special.

“We just feel that this is the one we feel passionate about doing every year,” she said.

WVCEOS is a voluntary, nonprofit organization that functions in cooperation with the WVU

Extension Service.

According to the Extension Services website, WVCEOS is one of the largest educational organizations in the nation and over the past decade, members have performed more than 5.6 million hours of service for communities in need.

**RESTORE**

FROM PAGE A-4

the place, so Habitat, its executive director said, could redefine what got it here in the first place.

And that’s the business of getting people where they live — literally, she said.

“Our board of directors didn’t make that decision lightly,” she said, of the ReStore closure, “but now we can focus on our core mission.”

That mission, she said, of helping people and families from challenging walks of life achieve that American dream of home ownership in north-central West Virginia.

Families provide the needed “sweat equity” for the homes that will be theirs, in an exchange that isn’t just about sentiment and symbolism.

Such volunteer work keeps building costs down.

After that, Habitat does the rest, offering the zero-percent loans that let people move into those houses.

Going into 2024, in fact, ground will be broken on Nos. 70, 71 and 72 in neighboring Marion County, McVay said.

Since its local founding in 1990, Habitat has ventured from the Morgantown area to Kingwood in Preston County, and Fairmont in Marion County.

The three above-men-

tioned homes are going in on Robinson Street, in Fairmont’s once-thriving Bellview neighborhood.

“We’re excited,” McVay said. “Our families are excited.”

Habitat for Humanity International was founded in 1976 in Americus, Ga., and one its early marquee proponents was Jimmy Carter, the former Georgia governor who was elected to the Oval Office that same year.

Carter worked on Habitat homes extensively after leaving the White House.

To date, nearly 50 million people across the U.S. and in 70 countries have gotten to call a Habitat home — their home.

**SERVICE**

FROM PAGE A-4

building last week. She helped organize the site to better prepare for future shipments that will come into our food distribution hub.

And Preston County was bustling with goodwill lately. About 40 veterans and their families recently received Thanksgiving dinner thanks to a partnership between our Helpful Harvest Program, Preston County Workshop Inc., and Vietnam Veterans of America, Preston County Chapter 977. The veterans’ organization selected the families and distributed the meals, while Helpful Harvest and Preston County Workshop provided the food.

Each family received the fixings for a Thanksgiving dinner and a ham. Locally grown potatoes, cabbage, carrots, butternut squash, beets, sweet potatoes, shelf stable milk, flour, sugar, rolls and other items were also distributed. Walmart in Kingwood donated 40 pumpkin pies. Bags and goodies were supplied by Aetna and the Family Resource Network of Monongalia County.

Coming up soon, we’ll be feeding more folks, thanks to a donation from

United Bank (Sabraton branch) for our Holiday Toy and Food senior citizen distribution.

Branch Manager Thomas Marshall visited our Helpful Harvest Program at Hazel’s House of Hope to deliver a check and take a tour of the facility.

Thanks to the donation, more than 230 seniors will receive food delivered to their homes throughout Mon County on Wednesday, Morgantown Board of Realtors members will deliver the food that day.

**How to help**

As you can see, there are always volunteer opportunities available through the United Way

and its partners. Volunteers are still needed to help with the Holiday Toy and Food Distribution, which is happening Dec. 14 at the West Virginia National Guard Morgantown Readiness Center.

There are a variety of volunteer positions available.

Sign up to volunteer for the toy and food distribution or discover other opportunities at VolunteerMPC.org. You can also email Community Engagement Manager Jack Thompson at jack@unitedwaympc.org.

**AMANDA POSEY** is the director of marketing and communications for the United Way of Monongalia and Preston Counties. She can be reached at amanda@unitedwaympc.org.

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**LOCAL BRIEFS**

DPNews@DominionPost.com

**Star City Christmas parade will be Friday**

The Town of Star City Christmas Parade is set for 6:30 p.m. today.

The parade route begins at St. Mary’s Church and ends on Broadway Avenue.

After parade activities at St. Mary’s Church include Santa and Mrs. Claus visits, hot chocolate and cookies, the Wow! Factory Christmas craft class for kids, Suncrest Middle School Orchestra performance and food for sale from Mama T’s Munchies.

**Carol with 4-Hers before the downtown parade**

Join Monongalia County 4-Hers for holiday caroling right before the Downtown Christmas Parade at 5:45 p.m. Monday on the Courthouse Square. If it is raining, caroling will be canceled. For more information on the 4-H program in Monongalia County, contact Becca Fint-Clark, WVU Monongalia County 4-H Extension Agent, at 304-291-7201 or Becca.Fint-Clark@mail.wvu.edu.

**Holiday market in Rowlesburg on Saturday**

The Chriskindlmarkt in the Historic Rowlesburg School/Szilagyi Center, is set for 9 a.m.-3 p.m. Saturday.

Besides being able to choose from gifts and food items, shoppers will be entertained by live holiday music.

Weisswurst will be cooked on the grill and inside there will be a variety of soups, pastries and spiced cider: Gluhwein (a European traditional drink of warm, mulled wine) will be available.

The World War II Museum will be open during the hours of the

Christmas Market by donation. The Emporium will also be open where unique specialty gifts can be found.

Admission to Christkindlmarkt is free, however, a canned food donation for the South Preston Food Pantry would be appreciated.

**Hoot & Howl hosts holiday pop-up parties**

Hoot & Howl will hold its 5th Annual Holiday Pop-up Parties series from 10 a.m.-4 p.m. every Saturday and Sunday throughout the month of December. They will host two local West Virginia artisans each day and have refreshments and samples.

Stop downtown at 245 Walnut St. to see who the guests are each weekend. You can also check the shop’s social media @shophootandhowl for a calendar of artisans.

**MAA offers several types of art for sale**

The Morgantown Art Association is hosting its annual winter sale. Artists have created gifts for sale including paintings, pottery, cards, jewelry, glassware, fabrics, and soaps. All items are priced at \$100 or less.

The Gallery is in Mountaineer Mall on Green Bag Road. Hours are 11 a.m.-3 p.m. Tuesdays, Thursdays, Fridays and 11 a.m.-2 p.m. Saturdays. The Morgantown Art Association is a nonprofit membership program, which is open to all artists, art lovers and supporters of art in our area. For more information individuals are encouraged to call the Gallery at 304-291-5900 or look online at the MAA website [www.morgantownartassociation.com](http://www.morgantownartassociation.com).

**Kingwood State Police taking toy donations**

The Kingwood Detach-

ment of the West Virginia State Police is accepting donations of canned goods and new (unwrapped) toys for the annual State Troopers for West Virginia Needy Campaign.

Donations will be accepted at the local detachment, 50 J.T. Brammer Lane (just off W.Va. 26 South) in Kingwood, weekdays through Wednesday. The toys and food donated will assist the Salvation Army and Food for Preston to benefit local families this holiday season.

Detachment Commander Sgt. Tony Taylor noted, “We are pleased and privileged to be a part of this campaign with all who give. Now, more than ever, contributions are vital to help those in need. We appreciate the participation and generosity of the local citizens and organizations that help make the holidays brighter for the needy in our area.”

**Retired federal employees meet Dec. 20**

The National Active and Retired Federal Employees, Mountaineer Chapter, will meet for lunch at noon Dec. 20 at Eat ‘n Park in Morgantown. Holiday attire is suggested. All are welcome.

**Send your brief info to newspaper any time**

Many churches will be planning Christmas and other holiday services.

To let your congregation and others know about your plans, email The Dominion Post and we’ll be sure to publish the information.

Email DPNews@DominionPost.com.

That email address can also be used anytime to let us know about news tips or story information you’d like to send our way.

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## EDITORIAL

# Lawmakers ignored reclamation fund issues for 40 years

We've said it before: Coal companies would much rather go bankrupt and forfeit their reclamation bonds — a kind of security deposit — to the state than clean up their own abandoned mines, because the bonds are a fraction of the actual reclamation costs.

Which is why it's no surprise to hear West Virginia's mine land reclamation fund is ill-equipped to cover all the work that needs done. However, we didn't expect to hear the fund is one coal company bankruptcy away from going bankrupt itself, which would leave taxpayers with the bill. Nor did we expect to hear that lawmakers have known about the reclamation fund's problems for the past 40 years and chose to do nothing.

In conjunction with ProPublica, Mountain State Spotlight did a deep dive into the fund and its problems, which it reported in "West Virginians could get stuck cleaning up the coal industry's messes": "State and federal officials have been warned repeatedly over the past 40 years that this reckoning was coming but have failed to prepare for it. Again and again, the review found, auditors questioned whether West Virginia's reclamation program would have adequate funding."

One part of the problem, as outlined in the article, is that the Surface Mining Control and Reclamation Act of 1977 offered a choice: Instead of posting bonds that would cover the full cost of reclamation, coal companies could post smaller bonds and pay the state a production tax for a shared reclamation fund. Not hard to imagine which one West Virginia chose.

Of course, that didn't work out. As Mountain State Spotlight wrote: "But neither state lawmakers nor regulators required coal companies to have enough reclamation bonds as insurance should they go belly up. Nor did legislators raise the tax on coal production enough to make up the difference. Federal officials in both Republican and Democratic administrations who were supposed to oversee the state program cautioned there were problems but didn't step in."

The report highlights Lexington Coal Co. as a company on the financial brink that could drain the whole reclamation fund if it goes down. (If that name rings a bell, it's because Lexington Coal owns the mine that blew out and ruined several drinking water wells around Newburg a couple years ago.)

Here's why that's a problem: In 2021, "The reclamation bonds carried by coal companies would cover less than 10% of cleanup costs ... And the state had enough money on hand for less than 40% of the sites that would need to be cleaned up over the next 20 years." That is, if one company's bankruptcy doesn't wipe out the whole fund.

How have West Virginia lawmakers responded?

In 2021, legislative auditors laid out exactly how to bolster the reclamation fund: increase the bond amounts or force companies to begin cleanups more quickly after a mine stops producing coal. (The longer it takes to clean up an abandoned mine, the more money it costs, and coal companies will drag out the process for years, trying to avoid doing it at all.)

Instead of doing what auditors suggested, Senate President Craig Blair introduced a concurrent resolution that called on the Biden administration to provide the state with an \$8 billion — that's "billion" with a "b" — bailout. It was adopted by both chambers. Funny how it's not a waste of taxpayer dollars if it's bailing out your campaign donors.

Everything about this is equally disturbing as it is disgusting, from the coal companies who happily pillage our natural resources and destroy West Virginia's natural beauty for their own profits, to the decades of negligent politicians and regulators who let them get away with it, fully knowing that someday it would be average West Virginians who bore the cost.

# Supreme Court may push Sackler opioid case to Congress

**BANKRUPTCY LAW IS ALL ABOUT FRESH STARTS. BUT JUST HOW MUCH OF A FRESH START DOES THE SACKLER FAMILY DESERVE — WITHOUT HAVING TO DECLARE BANKRUPTCY THEMSELVES?**

The family's former company, Purdue Pharma, has become synonymous with the U.S. opioid epidemic and filed for bankruptcy in 2019. Plaintiffs harmed by that epidemic came to an agreement with the company that if the Sacklers paid \$6 billion to victims and states, the family would be protected from further civil suits, even though they hadn't personally declared bankruptcy. On Monday, the Department of Justice argued before the Supreme Court that the deal went too far.

At oral argument, Chief Justice John Roberts suggested that Congress would have to pass a law expressly authorizing a bankruptcy court to offer protection from civil suits for defendants in cases like this one. Since the justices seemed to be split between liberals and conservatives, if Roberts can convince at least one other justice of his view, it is likely to determine the outcome of the case.

The factual background here belongs to the realm of mass tort litigation — the realm where private lawsuits can combine with lawsuits brought by state attorneys general to impose liability on companies and people that damage others by failing to exercise reasonable care. Such suits are rarely brought to a jury because the risks — to both sides — are too great.

Instead, these cases typically settle, often through a judgment in bankruptcy. Through complex, multi-pronged negotiations, the companies agree to enter Chapter 11 and to designate funds to make victims as whole as possible. To give companies and those who own them the incentive to settle, it's valuable — perhaps in some circumstances, necessary — to promise

that they won't be subject to further suits.

What makes the Purdue case unusual is that the family was able to negotiate a promise that its members — without declaring bankruptcy — would also be immune from future civil lawsuits. Nevertheless, the parties on all sides agreed. The bankruptcy judge in charge of the case expressed his moral discomfort with the deal, but reasoned that the compromise was necessary to bring the case to a close. Then the federal government, acting through a bankruptcy trustee, objected.

Before the Supreme Court, the key legal question is whether federal bankruptcy law authorizes a judge to block potential lawsuits from parties, like the federal government, who didn't consent to the deal. In legal jargon, at issue is what's called, I'm sorry to say, a "nonconsensual third-party release."

There are complex policy and constitutional issues in play. On one hand, the whole point of bankruptcy is to give creditors and debtors a framework to negotiate a deal that will leave them all better off than if bankruptcy were not an option. The debtors are supposed to get as much of what they could possibly get. The creditors are supposed to be able to move on, pursuant to the agreed-upon terms of repayment. Seen from this perspective, guaranteeing that third parties cannot also sue seems sensible and desirable. Several of the justices, especially those who are generally pro-business, seemed sym-

pathetic to this conclusion.

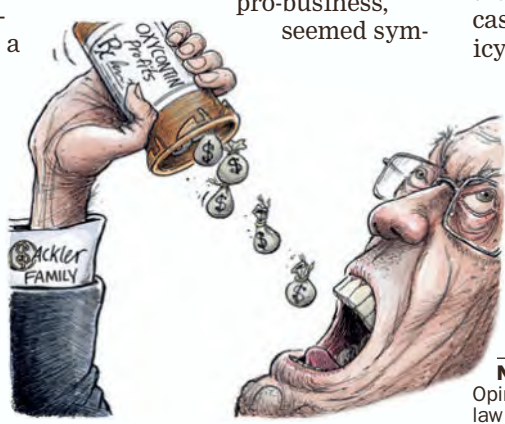
Yet any time a judicial decision like a bankruptcy order binds a party who isn't involved in a given case, it raises the question of whether that party's basic constitutional property rights have been respected. When it's the government that would bring a civil lawsuit to recover money, it isn't just property rights that matter, but the public's interest in seeing justice done. Some of the court's liberals seemed at least open to the Biden administration's argument that the bankruptcy deal would improperly block the federal government from seeking further civil action against the Sacklers.

Roberts often finds himself at the court's ideological center. In oral argument, he quickly suggested that the case should be controlled by his own influential theory, the "major questions doctrine." That doctrine says, roughly, that when government action would represent a major change from existing legal practices, Congress should have to authorize it explicitly.

If his argument prevails, it would represent a meaningful extension of the major questions doctrine — and it would mean that the immunity provision of the Purdue deal would have to be scrapped absent new lawmaking action by Congress. Roberts would have to build a coalition including at least one conservative, however, so it is far from clear what will happen.

But one effect of a decision on major questions grounds is that the court could skirt the case's grand questions of policy and principle, saying they are matters for Congress. That outcome seemed to appeal to Justice Brett Kavanaugh, who likes to argue for judicial restraint on controversial political issues. If that's how the case plays out, the Purdue saga is far from over.

**NOAH FELDMAN** is a Bloomberg Opinion columnist and a professor of law at Harvard University.



## LETTERS TO THE EDITOR

EMAIL submissions to [opinion@dominionpost.com](mailto:opinion@dominionpost.com). MAIL submissions to: The Dominion Post, 1251 Earl L. Core Road, Morgantown, WV 26505. **INCLUDE** your name, hometown and phone number for confirmation. Letters should not exceed 300 words.

# Remember Pearl Harbor ... and Lt. Jim Downing

**FIVE YEARS AGO, RAY CHAVEZ, THE OLDEST U.S. MILITARY SURVIVOR OF THE DEC. 7, 1941, ATTACK ON PEARL HARBOR, PASSED AWAY AT AGE 106. His death reminded me of Jim Downing, who at 104 was the second oldest Pearl Harbor survivor.**

I interviewed retired Navy Lt. Downing when he came to Morgantown in November 2017 to participate in a ceremony at West Virginia University's Oglebay Plaza, where the mast and bell from the USS West Virginia reside. Those artifacts had special meaning for Downing since he served on the West Virginia. (The bell from the original ship, an armored cruiser, is at Oglebay Plaza. The bell from the battleship that was sunk at Pearl Harbor is at the West Virginia State Museum.)



**HOPPY KERCHEVAL**

I thought Chavez's death would then make Downing the oldest Pearl Harbor survivor. However, I was saddened to learn that Downing had passed away earlier in the year from complications after surgery.

Downing was among the sailors who acted heroically 82 years ago yesterday during and after the Japanese attack on the unsuspecting Navy fleet docked

at the Hawaiian port. Downing happened to be on land that morning when two bombs and seven aerial torpedoes struck the West Virginia, killing 106 men.

Unable to get back on the burning ship, Downing slid down a gun barrel onto the USS Tennessee. He grabbed a fire hose and sprayed water on ammunition stored on deck to try to keep it from exploding.

"I saw these bodies lying around," he told me in our interview. "It occurred to me that their parents would never know how they spent their last hours." Downing was the mail clerk on the West Virginia so he knew many of the names of the dead sailors.

Downing tried to memorize as many names as he could and later

wrote the families personal letters. He did the same for wounded sailors in the hospital. "I took a notebook and said, 'if you give me your parents address and dictate a paragraph, I'll see that they get it,'" he told them.

Eight years after the war, Downing came face-to-face with the man who was the air commander of the deadly attack, when Mitsuo Fuchida returned to Pearl Harbor. Fuchida had converted to Christianity, and that opened the door for Fuchida and Downing to reconcile, since Downing was a devout Christian.

But despite Downing's faith, forgiveness did not come easily. He wrote in his book, "The Other Side of Infamy," that he could not shake Fuchida's hand. "My right arm stayed at my side. I looked

Fuchida in the eye and said, 'I was on the West Virginia during the attack.'"

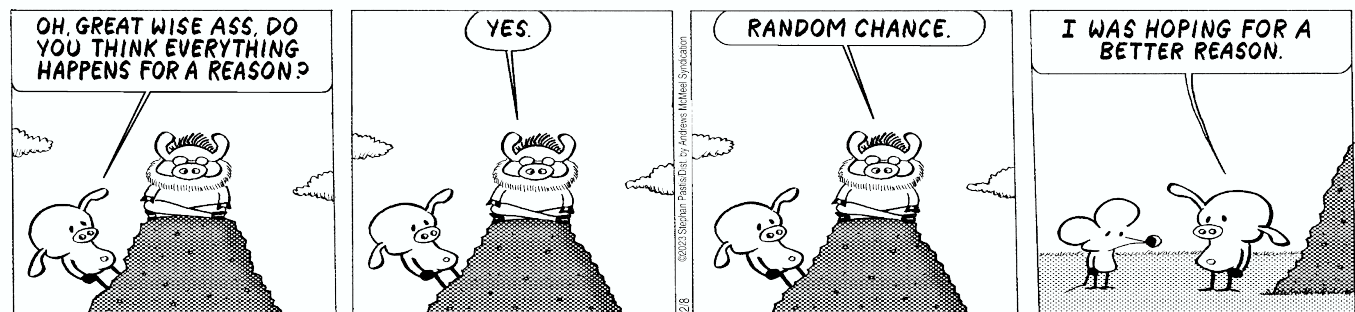
Several years later, Downing softened on Fuchida, believing the man who was once his mortal enemy was truly sorry for the attack. "Jesus forgave his killers, and he calls upon Christians to forgive those who wrong us," he wrote in his book. "For my part, I can now say that in my heart I have forgiven Mitsuo Fuchida for his role in the Pearl Harbor attack."

For the generation that lived through World War II, the rallying cry was "Remember Pearl Harbor." On this anniversary, we remember not only the heinous attack, but also the personal stories of men like Jim Downing.

**HOPPY KERCHEVAL** is a MetroNews anchor and the longtime host of "Talkline." Contact him at [hoppy.kercheval@wvradio.com](mailto:hoppy.kercheval@wvradio.com).

BY STEPHAN PASTIS

## PEARLS BEFORE SWINE



BY WILEY

## NON SEQUITUR



## The Dominion Post

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### ADAM RAESE

Publisher  
304-284-0300

### PAM QUEEN

Editor  
304-291-9433

### JESSICA BELLINO

Advertising Manager  
304-225-3405

### CHRIS HALTERMAN

Production Director  
304-291-9479

### BRAD PENNINGTON

Circulation/Marketing  
304-291-9465

### JESSICA NELSON

Opinion Editor  
304-291-9470



OBITUARIES

Norman Hostetler Jr., formerly of Hollsopple, Pa., entered the presence of his Lord and Savior Jesus Christ on Dec. 5, 2023, at his home in Morgantown.

He was born Jan. 2, 1933, in Johnstown, Pa., and is survived by his wife, Shirley (Toews); his children, Glory (Don) Burkey, Ron Hostetler (Holly), Doug Hostetler (Nancy), Cheryl (Stephen) Stupar, Jeff Hostetler (Vicki), Todd Hostetler (Lisa), Lori (Kurt) Kehl; 28 grandchildren, and 71 great-grandchildren; sister, Betty Kolb, brother, Robert Hostetler, sister, Linda Knepper, and sister, Judy Mullet.

He was preceded in death by his parents, Norman Sr. and Erma Hostetler; former wife, Delories (Dolly); and brothers, Leon Hostetler and David Hostetler.

He is also survived by stepchildren, Warren (Pattie) Cardiff, and Trudie (Tim) Bitterman; eight grandchildren, and one great-grandchild.

Norman Hostetler Jr.

Norm grew up on a dairy and poultry farm, attended Blough Mennonite Church, and graduated from Johnstown Mennonite School. He was a gifted athlete and vocalist who dreamed about a singing career. He attended both Goshen and Eastern Mennonite colleges but cut short his academic career to take over the family farm. At Blough Mennonite Church he was both Sunday School Superintendent and song leader. And the songs he and wife Dolly sang together were something to behold. “Jr.” as he was often called, was also a tenacious hunter. He knew how to take down big game not only in Pennsylvania and West Virginia but around the world, with sons, grandsons, and son-in-law, having done hunting expeditions in South Africa, Alaska for caribou and bear, Colorado for Elk and Montana for mule deer.

Norm was also a competitor. He played third base on a fast-pitch softball team. When asked by one of his sons why he didn’t win the MVP trophy after playing in a tournament he simply slid the side of his uniform down below his hip to show the big bright red

brush burn he got while sliding into home and said, “This is my trophy.”

His kids and grandkids were his greatest joy. Singing the old hymns, fall harvest, spring planting, and steak Sundays made him happy along with a special moment he had watching his son win a Super Bowl. “PeePaw” as he is called by his grandchildren and great-grandchildren had celebrated his 90th birthday less than a year ago in Morgantown, surrounded by three generations of a family he liked to call “his people” who surprised him with an outpouring of love, fellowship, respect, admiration, and singing.

He leaves them a legacy filled with memories and stories about hard work, patience, endurance, humility, forgiveness, commitment, obedience to God and His Word, seeking peace, unconditional love, keeping a Sabbath, and figuring things out. Figuring things out was a way of life on a farm. His highest prayer has always been for the salvation of his children, his children’s children, and beyond. It’s a prayer that will linger on until someday we all meet

him once again in a place called Heaven.

The family would like to thank all his doctors, nurses, and staff at WVU Medicine and WV Caring, and also his neighbors who all showered him with kindness, love, and care during his time of need. In lieu of flowers, the family asks that donations be made to the WVU Medicine Children’s Hostetler Family Resource Center in honor of Norman Hostetler: checks can be sent to: WVU Medicine Children’s, Suncrest Center, 1085 Van Voorhis Rd. Suite 350, Morgantown, WV 26505.

A visitation and funeral service will be held at Blough Mennonite Church, Hollsopple, Pa., Saturday, Dec. 9, starting at 10 a.m. until time of service at noon followed by a private family gathering. Arrangements are entrusted to the Hastings Funeral Home, Morgantown, and the George E. Mason Funeral Home, Inc. Davidsville.

Condolences: [www.hastingsfuneralhome.com](http://www.hastingsfuneralhome.com)



Ernest Rice

Ernest Ray Rice, 85, affectionately known as Ernie, left us peacefully on Dec. 6, 2023, at the J.W. Ruby Memorial Hospital in Morgantown. Born on Aug. 16, 1938, in the serene town of Canaan. Ernie’s life was rich with love, work, and service.

He shared a fulfilling and cherished life with his wife, Loretha Murray Rice, whom he married on Dec. 22, 1962. Together, they raised two wonderful daughters, Shelby (Mike) Wilburn and Tammy (Roger) Thomas.

The joys of his life were further multiplied by his four adored grandchildren, Nick (Jodi) Wilburn, Dustin (Courtney) Wilburn, Ashley Summers, and Travis Cramer, as well as his treasured great-grandchildren, Andrew, Alex, and Emma Wilburn, and Parker and Easton Summers. Ernie was also a beloved uncle to numerous nieces and nephews.

After graduating from Buckhannon Upshur High School, Ernie’s adventurous spirit led him to Ohio, where he initially worked for General Industries. His dedication to his country was evident as he enlisted in the Army, serving during the significant Big Lift operation in 1963. Following his military service, Ernie built a lengthy and esteemed career at the Ford Motor Company. His 34 years of diligent work led to his retirement in 1994.

Then, in 2005, he returned to Morgantown to enjoy his remaining years.

Ernie’s retirement was as active as his working life, involving himself in a variety of interests. He was known for his love of reading, an affinity for playing cards and taking pride in his meticulous yard work. Recently, he discovered the joy of playing games on his iPad, embracing the new with the same enthusiasm he had for traditional pastimes.

Those who knew Ernie could attest to his kind heart, courageous spirit, and handy skills. Ernie’s commitment to his community and his unwavering support for his friends and family will be profoundly missed.

Ernie was the last surviving member of his immediate family, preceded in death by his parents, Clarence and Dorothy Gregory Rice; his brothers, Arthur, Calvin, and John Rice; and his sisters, Virginia Wilfong, Edna Friend, and Maxine Farrar.

Ernie’s legacy is not only carried through his family but also through every life he touched with his generosity and strength of character. His memory will continue to inspire those who had the privilege of knowing this remarkable man.

Friends and family will gather at the Fred L Jenkins Funeral Home from 5-8 p.m. on Friday, Dec. 8, and again on Saturday, Dec. 9, from noon until time of services at 1 p.m. with Brady McDonald officiating. He will rest at the Nicholson Cemetery.

Luella Frey

Luella May Frey, 88, of Morgantown passed away on Wednesday, Dec. 6, 2023.



Luella Frey

Luella enjoyed walking, bowling, baking and spending time with family.

Luella is survived by her daughters, Susan Schillinger (Donnie) and Cheryl Spiker; sons, Richard Frey (Joyce), Keith Frey (Drema), Brian Frey;

nine grandchildren; and nine great-grandchildren; sisters, Lovena Conklin; Carolyn Riggie; Linda Hadsell; and her brother, Duane Stiles.

In addition to her parents, Luella is preceded in death by her grandson, Douglas Frey; sister, Shirley Smallwood and her husband, Don Smallwood; and her brother-in-law, Dave Riggie

Cremation arrangements are entrusted to Hastings Funeral Home.

Condolences: [hastingsfuneralhome.com](http://hastingsfuneralhome.com)



NATION

No UNLV students killed in shooting; victims were faculty members, university president says

Associated Press

LAS VEGAS — Three faculty members were killed and a fourth was wounded by a gunman who opened fire on the University of Nevada, Las Vegas, campus before dying in a shootout with police, according to university officials.

President Keith E. Whitfield said in a letter to students and staff that the Wednesday shooting in the building housing UNLV’s business school “was the most difficult day in the history of our university.”

He identified two of the victims who were killed as business school professors Patricia Navarro-Velez and Cha Jan “Jerry” Chang. Whitfield said the name of the third victim will be released after relatives have been notified of the death.

The wounded man, a 38-year-old visiting professor, was downgraded to life-threatening condition Thursday, police said at a news conference.

Terrified students and professors cowered in classrooms and dorms as the gunman roamed UNLV’s Lee Business School on Wednesday and opened fire just before noon on the fourth floor,



AP photo

A police officer walks under crime scene tape in the aftermath of a shooting at the University of Nevada, Las Vegas.

where faculty and staff offices for the accounting and marketing departments are located.

Navarro-Velez, 39, was an accounting professor who held a Ph.D. in accounting and was currently focused on research in cybersecurity disclosures and data analytics, according to the school’s website.

Chang, 64, was an associate professor in the business school’s Management, Entrepreneurship & Technology department and had been teaching at UNLV since

2001. He held degrees from Taiwan, Central Michigan University and Texas A&M University, according to his online resume. He earned a Ph.D. in management information systems from the University of Pittsburgh.

Las Vegas police identified the suspect as Anthony Polito, longtime business professor, at a news conference Thursday. Clark County Sheriff Kevin McMahon said the suspect’s weapon, a .9mm handgun, was purchased legally last year.

McMahon said they were still investigating how many rounds the suspect fired in his rampage.

Authorities haven’t identified a motive, but the shooter did not appear to be targeting students in the attack, according to two law enforcement officials with direct knowledge of the investigation. One of the officials said the gunman had unsuccessfully sought a job at UNLV before the shooting. Both officials spoke to The Associated Press on the condition of anonymity because they weren’t authorized to release the information publicly.

Investigators searched an apartment in nearby Henderson, Nevada, late Wednesday as part of the investigation and retrieved several electronic devices, including Polito’s cellphone, one of the officials said.

Polito was a professor in North Carolina at East Carolina University’s Department of Marketing and Supply Chain Management from 2001 to 2017, according to a statement released Thursday by the school. He resigned in January 2017 as a tenured associate professor.

COURTS

Deputy U.S. Marshal charged with entering plane drunk after misconduct report on flight to London

Associated Press

WASHINGTON — A deputy U.S. Marshal was charged in the United Kingdom on Thursday with entering an aircraft while drunk, after being arrested on allegations of misconduct aboard a flight from New York, London police said.

Michael Brereton, 39, was arrested when he landed at Heathrow Airport. The flight crew had contacted officers to report onboard disruption

from the federal agent, London police said in a statement. He is expected to appear in court Friday.

No court representative was immediately available for him, and a relative declined to comment when reached by phone. The Associated Press left an email message for the union that represents deputies.

The Metropolitan Police Service said in a statement that flight crew members reported

that the marshal “was disruptive and had sexually assaulted other passengers and crew.” No sexual assault charges have been filed. The British offense of sexual assault is one person intentionally touching another with any body part or an object, without their consent.

Another deputy also aboard the plane was briefly detained but has since been released and returned. The two deputies were aboard the


flight to transport a suspect back to the U.S., a law enforcement official told The Associated Press. The official was not authorized to publicly detail the ongoing investigation and spoke on the condition of anonymity.

The U.S. Marshals said in a statement that the agency takes allegations of misconduct by its employees seriously and it’s cooperating with British law enforcement.

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1943 - 2023



**Gathering**  
Today, 11am-1pm

**Funeral**  
Today, 1pm

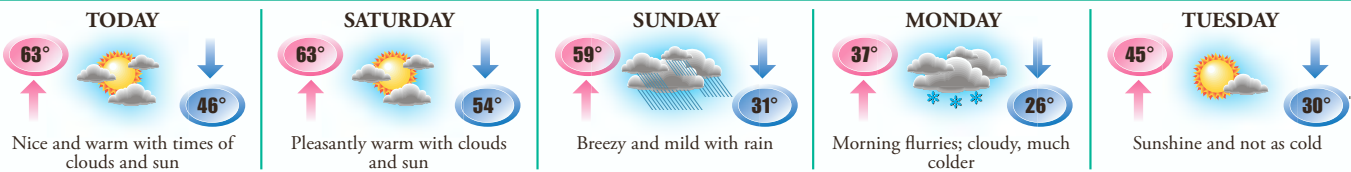
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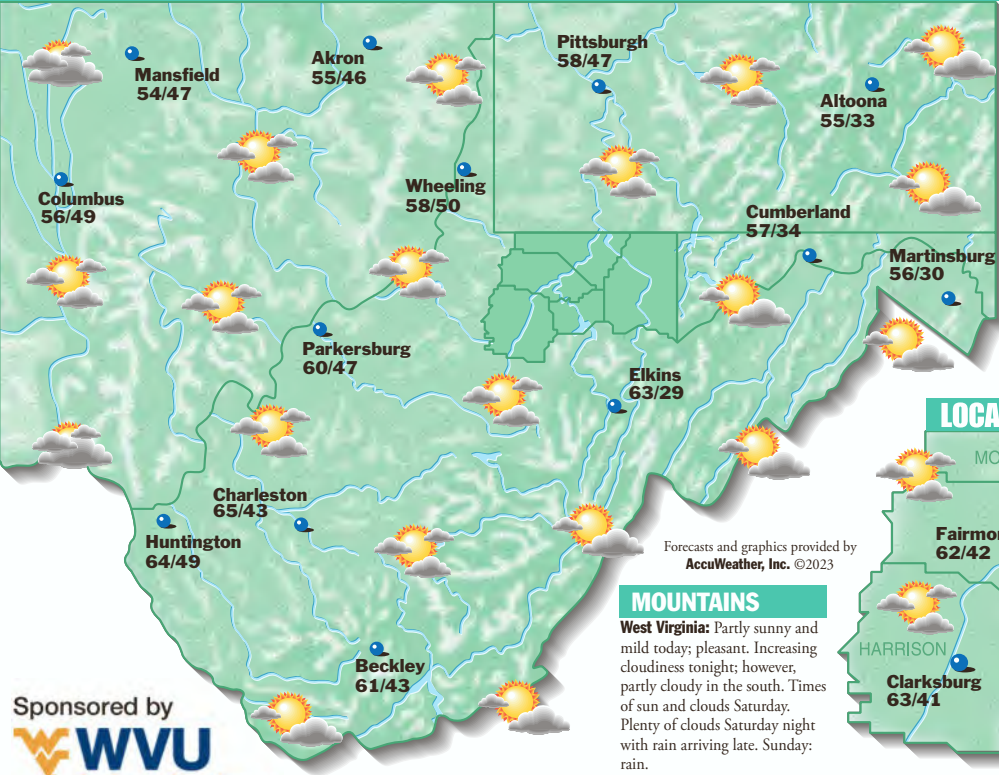
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FIVE-DAY FORECAST FOR MORGANTOWN

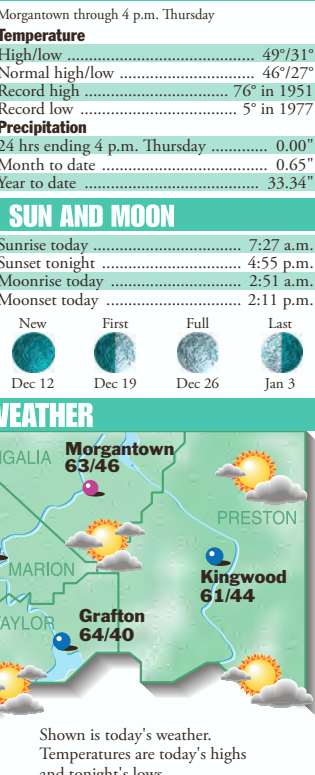


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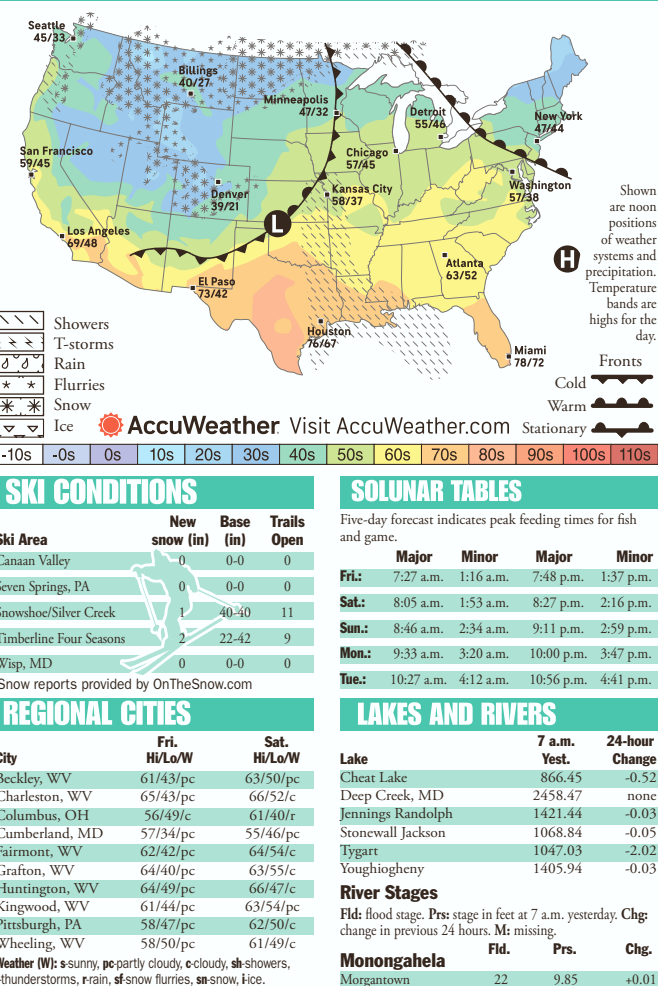


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NATIONAL WEATHER TODAY



ALMANAC

Associated Press

Today is Friday, Dec. 8, the 342nd day of 2023. There are 23 days left in the year.

Highlight:

**In 1941**, the United States entered World War II as Congress declared war against Imperial Japan a day after the attack on Pearl Harbor.

On this date:

**In 1765**, Eli Whitney, inventor of the cotton gin, was born in Westborough, Mass.

**In 1886**, the American Federation of Labor was founded in Columbus, Ohio.

**In 1980**, rock star and former Beatle John Lennon was shot to death outside his New York City apartment building by Mark David Chapman.

**In 2001**, the U.S. Capitol was reopened to tourists after a two-month security shutdown.

**In 2011**, the 161-day NBA lockout ended when owners and players ratified the new collective bargaining agreement.

Today's birthdays:

Flutist James Galway is 84. Singer Jerry Butler is 84. Pop musician Bobby Elliott (The Hollies) is 82. Actor Mary Woronov is 80. Actor John Rubinstein is 77. Actor Kim Basinger (BAY'-sing-ur) is 70. Rock musician Warren Cuccurullo is 67. Rock musician Phil Collen (Def Leppard) is 66. Country singer Marty Raybon is 64. Political commentator Ann Coulter is 62. Rock musician Gary Friedman is 61. Actor Wendell Pierce is 60. Actor Teri Hatcher is 59. Actor David Harewood is 58.

Childhood friend knows truth of man's parentage

**DEAR ABBY:** Forty years ago, a neighborhood boy fathered a child with a neighborhood girl. "Billy" was 17 at the time, and "Becky" was 14 or 15. Both were friends of mine. They were not a steady couple. She liked him, but I feel he used her. I heard that she married an older gentleman who accepted the baby, "Matt," as his own.

Ten years ago, I found Matt on Facebook. I told him I knew his mother, and he shared her contact information with me. When I called Becky, we enjoyed talking about old times, and I let her know that Billy had passed away. She informed me that her husband had also passed away.

I was surprised when she told me she never told Matt who his biological father was. He was raised believing his biological father was Becky's husband. I have photographs of Billy, and Matt has an aunt he is unaware of. As tempted as I am to inform him who his father was, I know that is not the right thing to do.

We don't communicate regularly, but Becky and I are friends on Facebook. I believe she's having health



JEANNE PHILLIPS

issues now. Abby, If she passes away, do you think I should let Matt know who his father was, share the photographs and let him know about his aunt? I think I'd want to know.

— OLD FRIEND IN CALIFORNIA

**DEAR OLD FRIEND:** If Becky's health problems are life-threatening, she's the person you should consider approaching. The question you should pose is this: Would she want her son to think he's all alone in the world after she's gone?

I do not think you should lay this news on Matt after his mother's death. His parents would not be there to answer his inevitable questions, and he would likely feel hurt and angry that he wasn't told the truth.

**JEANNE PHILLIPS** writes "Dear Abby" under the pseudonym Abigail Van Buren. Write Dear Abby at DearAbby.com or P.O. Box 69440, Los Angeles, CA 90069.

TV LISTINGS

12/8/23	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
BROADCAST CHANNELS												
2	KDKA-TV News at Six (N)	KDKA-TV News at 6:30pm (N)	CBS Evening News (N)	KDKA-TV News at 7:30PM (N)	The Price Is Right at Night (N)	Raid the Cage A father-daughter duo faces off against a married couple. (N)	Blue Bloods The Reagans must prevent Danny's nephew from being killed. (N)	KDKA-TV News at Eleven (N)	Late Show-Colbert (N)			
4	WTAE Pittsburgh's Action News 4 (N)	ABC World News (N)	Inside Edition (N)	Entertainment Tonight (N)	Shark Tank "Shark Tank" rings in the holiday season. (N)	20/20 (N)		Pittsburgh's Action News 4 (N)	Jimmy Kimmel Live! (N)			
5	WDTV First News	CBS News	ET (N)	Inside Ed.	Price Is Right (N)	Raid the Cage (N)	Blue Bloods	5 News	Colbert			
7	WTRF 7News at News 9 at Six (L) (N)	CBS News	ET (N)	Inside Ed.	Price Is Right (N)	Raid the Cage (N)	Blue Bloods	7News at	Colbert			
9	WTOV News 9 at Six (L) (N)	NBC Nightly News (N)	Jeopardy! (N)	Wheel of Fortune (N)	★ ★ Despicable Me 3 (2017, Animated) Voices of Kristen Wiig, Trey Parker, Steve Carell. Gru and his twin brother join forces to take down a former 1980s child star who's out for revenge. (N)		Dateline NBC (N)	News 9 Tonight (N)/Sports Friday (N)	Tonight Show (N)			
11	WPXI Channel 11	NBC News	Wheel (N)	Jeopardy! (N)	★ ★ Despicable Me 3 (17) Steve Carell.		Dateline NBC (N)	News (N)	J. Fallon			
12	WBOY News (N)	NBC News	Jeopardy! (N)	Wheel (N)	★ ★ Despicable Me 3 (17) Steve Carell.		Dateline NBC (N)	News (N)	J. Fallon			
13	WQED PBS NewsHour (N)	BBC News America (N)	GZRO World (N)	Firing- Hoover (N)	Crane Candlelight Concert: Let It Shine! (N)	Mary Berry's Ultimate Christmas	Amanpour and Company (N)					
22	WCWB Two Half Men "Yes, Monsignor" (N)	Two and a Half Men	Modern Family	Modern Family "Good Grief" (N)	Penn & Teller: Fool Us: Ramo and Alegria; Bryan Saint; Sion; Vilgot Michelin. (N)	FBoy Island Daniella, Hali and Katie must decide their own fates. (N)	Court Cam iCRIME With Elizabeth Vargas	The National Desk (L) (N)				
24	WPNB Context	America	PBS NewsHour (N)	Week (N)	Hoover (N)	Christmas at Belmont	Mary-Christmas	Amanpour (N)				
46	WVFX News (N)	Investig.	Last Man	WWE Friday Night SmackDown (L) (N)			WVFX 10 Seinfeld	Seinfeld	Housewife			
53	WPGH The Big Bang Theory Channel 11 News on Fox 53 at 6:30 (N)	The Big Bang Theory	Young Sheldon	WWE Friday Night SmackDown The Superstars of World Wrestling Entertainment do battle in elaborate, long-running rivalries. (L) (N)			Channel 11 News on FOX 53 at 10 (N)	Seinfeld "The Robbery"	Seinfeld "The Airport"			
CABLE CHANNELS												
A&E	The First 48	The First 48	The First 48	The First 48	Killer Cases (N)	Murder in the 21st (N)	The First 48					
AMC	★ ★ ★ The Polar Express (04) Tom Hanks.	★ ★ ★ Elf (03) James Caan, Will Ferrell.	★ ★ ★ Elf (03) James Caan, Will Ferrell.	★ ★ ★ Elf (03) James Caan, Will Ferrell.								
AT&TSP	Pens (N)	Penguins	NHL Hockey	Penguins	WVU Coaches Show	NHLHock. (N)						
BET	As. Living	As. Living	Payne	Prince	Prince	Ms. Pat	Ms. Pat	Ms. Pat	Ms. Pat			
CNN	Situation Room (L) (N)	E. B. OutFront (L) (N)	Cooper 360 (N)	The Source With (N)	CNN NewsNight (N)	Laura Coates Live (N)						
DISC	Gold Rush	Gold Rush	Gold Rush (N)	Bering Sea Gold "A Murky Future" (N)	Mysteries of (N)							
DISN	★ ★ ★ Ferdinand (17) John Cena.	Miraculous World	Marvel's	Ladybug	Ladybug	Hailey	Hailey					
ESPN	SportsCenter	College Football Awards (L) (N)	Finalists	Herbies	NBA Basketball Teams TBA (L) (N)							
ESPN2	ESPN BET Live	Football FCS Division I Championship, First Quarterfinal: Teams TBA (N)	SportsCenter (L) (N)	SportsCenter (L) (N)								
FOOD	Diners	Diners	Diners	Diners	Diners	Diners	Diners	Diners	Diners			
FNC	Special Report (L) (N)	Ingraham (N)	Hannity (L) (N)	Jesse Watters (L) (N)	Gutfeld (N)	Fox News at Night (N)						
FREE	★ Dr. Seuss' How the Grinch Stole Christmas	★ ★ ★ Frozen (13) Voices of Idina Menzel, Kristen Bell.	★ ★ ★ Frozen II (19) Kristen Bell.	★ ★ ★ Frozen II (19) Kristen Bell.								
HIST	The UnXplained	The UnXplained	The UnXplained	The UnXplained (N)	UnBelievable (N)	UnBelievable						
LIFE	Planes, Trains, and Christmas Trees	A Country Christmas Story (13) Desiree Ross,	Christmas Plus One (22) Emily Alatalo.									
NEWSN	Vargas Report (N)	On Balance (N)	Cuomo (N)	Dan Abrams Live (N)	Banfield (N)	Cuomo						
NICK	★ Hotel Transylvania	Monster	Monster High 2 (23) Mila Harris.	TBA	Friends	Friends	Friends	Friends				
PARMT	Two Men	Two Men	Two Men	Two Men	★ ★ ★ The Lord of the Rings: The Fellowship of the Ring (01) Ian McKellen, Elijah Wood.							
TNT	★ ★ ★ Tomb Raider (18) Alicia Vikander.	★ ★ The Mummy (17) Tom Cruise.	All Elite Wrestling (N)	Batman v Superman: ...								
TVLAND	A. Griffith	A. Griffith	Raymond	Raymond	Raymond	Raymond	King	King				
USA	9-1-1 "Boston"	9-1-1 "Fear-o-Phobia"	9-1-1 (N)	9-1-1 (N)	9-1-1 (N)	9-1-1 (N)	9-1-1 (N)	9-1-1 (N)				
WE	★ S.W.A.T. S.W.A.T.	Love After Lockup	Love After Lockup	Love After Lockup	"Tick Tok" (N)	Love After Lockup "Tick Tok"						
WTBS	Big Bang	Big Bang	Big Bang	★ ★ Suicide Squad (16) Jared Leto, Will Smith.	★ ★ ★ The Suicide Squad							
MOVIE CHANNELS												
HBO	★ ★ XXX (02) Asia Argento, Vin Diesel.	★ ★ Jack Ryan: Shadow Recruit Chris Pine.	Real, Bill Maher (N)	The Gilded Age								
MAX	★ ★ ★ Never Say Never Again Sean Connery.	★ ★ ★ Green Room (P)	★ ★ Drive Angry Nicolas Cage.	Frank Miller's Sin City								
SHOW	★ ★ Southpaw (15) Jake Gyllenhaal.	Football USA (N)	Thriller 40	Dead Shot (23) Aml Ameen.								
TMC	★ ★ Croupier (98) Kate Hardie, Clive Owen.	★ ★ The Best Offer (13) Jim Sturgess.	★ ★ ★ The Crying Game Stephen Rea. (P)									



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HIGH SCHOOL BASKETBALL

Trinity prevails in cross-county battle against Clay-Battelle

BY ERIC HERTER  
Sports@DominionPost.com

There's no secret that the boys' basketball teams at Trinity Christian and Clay-Battelle have big goals for the 2023-24 season. After both teams reached the state tournament in Charleston last season, both are primed for another run. On Thursday, the Class AA, No. 7 ranked Warriors (2-0), knocked off the Class A, No. 3 ranked Cee-Bees, 55-52 thanks to an opportunistic defense and an offense that showed just enough shooting to hold on for the victory. "Our last game last year against Williamstown, we probably had the most turnovers in state tournament history," Trinity coach Codey Horton said. "So, we knew that our defense was the biggest thing we wanted to focus

on. Offensively, we can struggle a little bit at times, but defensively we are in your face, and we want ball pressure the entire time." That pressure mixed with a young group of guards for Clay-Battelle forced the Cee-Bees into 22 turnovers on the night and didn't allow big men Colby Barr and Preston Luzader to get going early on the offensive end. The Warriors pressured the CB guards and then fronted both Barr and Luzader early as they held the two returning all-stars to just 10 total points in the first half. Trinity used that defense to build a 26-18 halftime lead and then the Warriors' offense caught fire to begin the third quarter. The Warriors went on a 10-2 run to grab a 36-20 lead with 5:46 left in the third quarter and appeared to be in control of the

contest before both Barr and Luzader finally got to work. "A lot of these guards, this is the first varsity minutes they have played," Clay-Battelle head coach Josh Kisner said. "I started a sophomore and a junior who have never started or got significant minutes." However, the Cee-Bees' offense found Barr and Luzader as they combined to score 24 points in the second half with Barr scoring 10 straight points during one stretch to cut the Trinity lead from 40-28 to 44-40 early in the fourth quarter. Clay Battelle could get no closer than four until the final seconds of the game as the Warriors were able to sink three of their final six free throws and the Cee -Bees couldn't get off a 3-

SEE BATTLE, B-5



William Wotring/The Dominion Post

Trinity's Benjamin Lohmann (1) and Clay-Battelle's Preston Luzader (44) vie for a loose ball on Thursday.

COLLEGE SOCCER

Historic Season Continues in Louisville

WVU makes College Cup debut against Clemson

BY MICHAEL GRIFFITH  
Sports@DominionPost.com

The West Virginia University men's soccer team has continued to make history throughout its 2023 campaign. First, it reached the highest ranking in program history at No. 2 in the country. Then, WVU set a program record for wins in a season. Finally, it earned the program's first-ever appearance at the College Cup in the national semifinals. But for head coach Dan Stratford and his players, they are far from being finished with the historical 2023 run and will fight to earn a spot in the national championship when they battle the No. 9 Clemson Tigers (13-3-5) tonight at 6 p.m. at Lynn Family Stadium in Louisville, Kentucky (ESPNU).

"It's a special feeling for everyone and our program," Stratford said over Zoom Monday. "Being able to host at home throughout the tournament and do it in front of multiple record crowds is special and I'm so proud of everyone involved. Now that we're here I hope we can continue to make a statement and be fearless going into the final four."

Clemson is also making some history of its own as this will be the 10th appearance for the 2023 ACC champions. The Tigers haven't lost a match since Sept. 22, a 1-0 defeat to Wake Forest on the road. In fact, through the three matches they've played in the 2023 NCAA Tournament, the Tigers haven't allowed a single goal into their net. Clemson last captured a national title two years ago in 2021, the third in program history.

In 2023, the Tigers scored six or more goals in three matches this season and only allowed 18 goals to their opponents while netting 57.

"They are a team with an abundance of quality and depth and the system and formation we see will be much different than that of Loyola Marymount,"



William Wotring/The Dominion Post

West Virginia defender Max Broughton (5) reacts after scoring the game winning goal against Vermont in the third round of the NCAA Tournament.

Stratford said of the Tigers. "They look quite dangerous going forward and can be very aggressive in their approach to progress the game in an attacking fashion. At this stage, you have to play some of the best teams in the country and Clemson is one of those programs."

The Mountaineers enter the College Cup with a record of 17-2-4 without losing a game at home in Dick Dlesk Soccer Stadium this season. WVU has netted 47 goals in 2023 while allowing 22 to opponents.

Forwards Marcus Caldeira and Yutaro Tsukada are tied for the team-high in goals at 12. Tsukada has scored seven goals in seven games now and leads the team in assists as well, with nine.

Caldeira scored his 12 goals in the first 14 matches, including a hat trick against then-No. 1 Marshall in a 5-2 win on Oct. 18 in

WVU vs. Clemson

**WHEN:** 6 p.m. Today  
**WHERE:** Lynn Family Stadium (Louisville, Ky.)  
**TV:** ESPNU (Comcast 286, HD 900; DirecTV 208; DISH 141) ESPN+ (Online subscription needed)  
**RADIO:** 100.9 JACK-FM  
**WEB:** dominionpost.com

Morgantown. However, the sophomore striker hasn't scored since and could be due to play a huge role in the semifinals against Clemson. Stratford says he may have been spoiled with the early goals at the beginning of the season but despite the personal drought, Caldeira has been able to find other ways to impact the game positively.

"The quality of the opponent has continued to improve as well as the amount of attention that

he is getting," Stratford said. "He is going to be one of the first two names on the opponent's scout, and that comes with a certain adaptation to his game to make sure he can still be effective. I think he's in a good space and excited to have another chance to score again."

The Mountaineers will need all they can get against the Tigers if they hope to advance to the first national championship in program history.

Kickoff between No. 5 West Virginia and No. 9 Clemson in the semifinals of the 2023 College Cup will be at 6 p.m. on ESPNU from Lynn Family Stadium in Louisville, Kentucky. The winner will advance to play in the national finals on Monday at 6 p.m. against the winner of the second semifinal between No. 3 Notre Dame and unseeded Oregon State.

WVU MBB

Josh Eilert: Pro agents are coming after RaeQuan Battle

BY JUSTIN JACKSON  
JJackson@DominionPost.com

Josh Eilert's concerns with the status of guard RaeQuan Battle, as the WVU men's basketball coach discussed Wednesday night, go much farther than the NCAA.

In the aftermath of the Mountaineers' 80-63 loss inside the Coliseum against rival Pitt, Eilert said there are other outside forces coming after Battle's services.

"It's almost like he's being forced to choose between an education and the game of basketball," Eilert said. "There are all types of people reaching out to him and trying to get him go in a different direction."

Battle was twice denied immediate eligibility this season after transferring to WVU from Montana State. Battle needs a waiver, because he's a two-time transfer who has yet to earn a college degree. He began his career at the University of Washington, before going to Montana State.

The first denial came directly from the NCAA. Once WVU appealed that denial, the NCAA Committee for Legislative Relief again denied Battle a waiver for eligibility this season.

As it stands — unless something were to change in a court of law — Battle must sit out this season before playing his final year of college ball next season.

Which has apparently opened up more doors, in that now professional agents are contacting Battle, looking to get him to leave WVU in order to begin a pro career overseas.

"There are a lot of people within the game of basketball who want to profit off kids," Eilert continued. "Certainly he can

SEE BATTLE, B-2

Drexel at WVU

**WHEN:** 4 p.m. Saturday  
**WHERE:** WVU Coliseum  
**TV:** ESPN+ (Online subscription needed)  
**RADIO:** 100.9 JACK-FM  
**WEB:** dominionpost.com

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SCOREBOARD

CALENDAR

<b>FRIDAY, DECEMBER 8</b>	
<b>BOYS BASKETBALL</b>	
BFS Tip Off Classic (at University)	
Parkersburg vs. University, 8:30 p.m.	
Holy Catholic Family (Pa.) vs. Morgantown, 8:30 p.m.	
<b>GIRLS BASKETBALL</b>	
Preston at Frankfort, 6 p.m.	
BFS Tip Off Classic (at University)	
Albert Gallatin (Pa.) va. University, 4 p.m.	
Morgantown vs. Kennedy Catholic (Pa.), 5:30 p.m.	
Vision Homes Invitational (at Trinity Christian)	
Gilmer County vs. Trinity Christian, 12:45 p.m.	
Preston vs. Frankfort, 6 p.m.	
<b>HIGH SCHOOL WRESTLING</b>	
University at Walsh Jesuit Ironman	
Preston at Hurricane	

ON TV

<b>COLLEGE BASKETBALL (WOMEN'S)</b>	
7 p.m. ACCN — DePaul at Miami	
<b>COLLEGE FOOTBALL</b>	
7 p.m. ESPN — The Home Depot College Football Awards	
9 p.m. ESPN2 — NCAA FCS Tournament: Furman at Montana, Quarterfinal	
<b>COLLEGE HOCKEY (MEN'S)</b>	
6:30 p.m. BTN — Minnesota at Ohio St.	
9 p.m. BTN — Penn St. at Wisconsin	
PAC-12N — Dartmouth at Arizona St.	
<b>COLLEGE SOCCER (MEN'S)</b>	
6 p.m. ESPNU — NCAA Tournament: Clemson vs. West Virginia, Semifinal, Louisville, Ky.	
8:45 p.m. ESPNU — NCAA Tournament: Oregon St. vs Notre Dame, Semifinal, Louisville, Ky.	
<b>GOLF</b>	
5 a.m. GOLF — DP World Tour: The Alfred Dunhill Championship, Second Round, Leopard Creek CC, Malelane, South Africa	
12 p.m. ESPN — The World Champions Cup: Day 2 Matches, The Concession Golf Club, Bradenton, Fla.	
1 p.m. GOLF — PGA Tour/LPGA Tour: The Grant Thornton Invitational, First Round, Tiburón Golf Club, Naples, Fla.	
5 a.m. (Saturday) GOLF — DP World Tour: The Alfred Dunhill Championship, Third Round, Leopard Creek CC, Malelane, South Africa	
<b>HIGH SCHOOL BASKETBALL (BOY'S)</b>	
11 p.m. ESPNU — Nike EYBL Scholastic: Montverde (Fla.) vs. Link Academy (Mo.), Las Vegas	
<b>HORSE RACING</b>	
1:30 p.m. FS2 — NYRA: America's Day at the Races	
<b>NBA BASKETBALL</b>	
7:30 p.m. NBATV — New York at Boston	
10 p.m. ESPN — LA Clippers at Utah	
<b>NHL HOCKEY</b>	
7 p.m. NHLN — Pittsburgh at Florida	
<b>SAILING</b>	
5 a.m. (Saturday) CBSSN — Sail GP: Event 6 - Day 1, Dubai, United Arab Emirates	
6 a.m. (Saturday) CBSSN — Sail GP: Event 6 - Day 1, Dubai, United Arab Emirates	
<b>SOCCER (MEN'S)</b>	
9:45 a.m. FS2 — Saudi Pro League: Al-Hilal at Al-Tai	

HIGH SCHOOL BASKETBALL

<b>Vision Homes Invitational</b>	
Girl's Basketball	
All games at Trinity Christian	
<b>Friday, Dec. 8</b>	
Gilmer County vs. Trinity Christian, 12:45 p.m.	
Hundred vs. Meadow Bridge, 2:30 p.m.	
Rovenswood vs. Wyoming East, 4:15 p.m.	
Preston vs. Frankfort, 6 p.m.	
Parkersburg vs. Spring Mills, 7:45 p.m.	
St. Marys vs. Charleston Catholic, 9:30 p.m.	
<b>Saturday, Dec. 9</b>	
Mountaineer Middle vs. Trinity Middle, 9 a.m.	
Frankfort vs. Ravenswood, 10:30 a.m.	
Spring Mills vs. Wheeling Park, 12:15 p.m.	
Charleston Catholic vs. Bridgeport, 2 p.m.	
Meadow Bridge vs. East Hardy, 3:45 p.m.	
Wyoming East vs. Parkersburg, 5:30 p.m.	
Trinity Christian vs. Grafton, 7:15 p.m.	
Lincoln vs. St. Marys, 9 p.m.	

GYMNASTICS

The West Virginia Gymnastics Training Center is holding its Seasons Greetings Tri-state meet on Saturday and Sunday, Dec. 9 and 10th. It will be hosting over four hundred female gymnasts from across West Virginia as well as

Pennsylvania and Ohio for this much anticipated event for DP and Xcel teams. The first session starts at 8 a.m. on Saturday and concludes with its final award ceremonies at 7:30 p.m. on Sunday evening.

NFL

<b>AMERICAN CONFERENCE</b>									
<b>EAST</b>									
	W	L	T	Pct	PF	PA			
Miami	9	3	0	.750	384	266			
Buffalo	6	6	0	.500	328	227			
N.Y. Jets	4	8	0	.333	171	251			
New England	2	10	0	.167	148	254			
<b>SOUTH</b>									
	W	L	T	Pct	PF	PA			
Jacksonville	8	4	0	.667	285	259			
Houston	7	5	0	.583	281	249			
Indianapolis	7	5	0	.583	300	296			
Tennessee	4	8	0	.333	213	255			
<b>NORTH</b>									
	W	L	T	Pct	PF	PA			
Baltimore	9	3	0	.750	324	187			
Cleveland	7	5	0	.583	258	245			
Pittsburgh	7	5	0	.583	192	229			
Cincinnati	6	6	0	.500	246	273			
<b>WEST</b>									
	W	L	T	Pct	PF	PA			
Kansas City	8	4	0	.667	275	208			
Denver	6	6	0	.500	263	302			
L.A. Chargers	5	7	0	.417	275	298			
Los Vegas	5	7	0	.417	202	256			
<b>NATIONAL CONFERENCE</b>									
<b>EAST</b>									
	W	L	T	Pct	PF	PA			
Philadelphia	10	2	0	.833	329	288			
Dallas	9	3	0	.750	388	220			
N.Y. Giants	4	8	0	.333	159	292			
Washington	4	9	0	.308	261	395			
<b>SOUTH</b>									
	W	L	T	Pct	PF	PA			
Atlanta	6	6	0	.500	226	240			
New Orleans	5	7	0	.417	257	255			

Tampa Bay	5	7	0	.417	233	245
e-Carolina	1	11	0	.083	191	313
<b>NORTH</b>						
	W	L	T	Pct	PF	PA
Detroit	9	3	0	.750	327	286
Green Bay	6	6	0	.500	258	243
Minnesota	6	6	0	.500	263	242
Chicago	4	8	0	.333	242	296
<b>WEST</b>						
	W	L	T	Pct	PF	PA
San Francisco	9	3	0	.750	352	189
L.A. Rams	6	6	0	.500	268	253
Seattle	6	6	0	.500	264	290
Arizona	3	10	0	.231	230	331
e-Eliminated from playoffs						
<b>THURSDAY'S GAMES</b>						
New England at Pittsburgh, night						
<b>SUNDAY'S GAMES</b>						
Carolina at New Orleans, 1 p.m.						
Detroit at Chicago, 1 p.m.						
Houston at N.Y. Jets, 1 p.m.						
Indianapolis at Cincinnati, 1 p.m.						
Jacksonville at Cleveland, 1 p.m.						
L.A. Rams at Baltimore, 1 p.m.						
Tampa Bay at Atlanta, 1 p.m.						
Minnesota at Las Vegas, 4:05 p.m.						
Seattle at San Francisco, 4:05 p.m.						
Buffalo at Kansas City, 4:25 p.m.						
Denver at L.A. Chargers, 4:25 p.m.						
Philadelphia at Dallas, 8:20 p.m.						
Open: Arizona, Washington						
<b>MONDAY'S GAMES</b>						
Green Bay at N.Y. Giants, 8:15 p.m.						
Tennessee at Miami, 8:15 p.m.						

COLLEGE FOOTBALL

<b>2023-24 Bowl Glance</b>	
<b>Saturday, Dec. 16</b>	
Myrtle Beach Bowl	
Conway, S.C.	
Georgia Southern vs. Ohio, 11 a.m.	
<b>Celebration Bowl</b>	
Atlanta	
Howard vs. Florida A&M, noon	
<b>New Orleans Bowl</b>	
New Orleans	
Jacksonville St. vs. Louisiana, 2:15 PM	
<b>Cure Bowl</b>	
Orlando, Fla.	
Miami (Ohio) vs. Appalachian St., 3:30 p.m.	
<b>New Mexico Bowl</b>	
Albuquerque, N.M.	
New Mexico St. vs. Fresno St., 5:45 p.m.	
<b>LA Bowl Hosted</b>	
Inglewood, Calif.	
UCLA vs. Boise St., 7:30 p.m.	
<b>Independence Bowl</b>	
Shreveport, La.	
California vs. Texas Tech, 9:15 p.m.	
<b>Monday, Dec. 18</b>	
Famous Footwear Bowl	
Charlotte, N.C.	
W. Kentucky vs. Old Dominion, 2:30 p.m.	
<b>Tuesday, Dec 19</b>	
Frisco Bowl	
Frisco, Texas	
UTSA vs. Marshall, 9:00 p.m.	
<b>Thursday, Dec. 21</b>	
Boca Raton Bowl	
Boca Raton, Fla.	
USF vs. Syracuse, 8:00 p.m.	
<b>Friday, Dec. 22</b>	
Gasparilla Bowl	
Tampa, Fla.	
Georgia Tech vs. UCF, 6:30 p.m.	
<b>Saturday, Dec. 23</b>	
Camellia Bowl	
Montgomery, Ala.	
Arkansas St. vs. N. Illinois, noon	
<b>Birmingham Bowl</b>	
Birmingham, Ala.	
Troy vs. Duke, noon	
<b>Armed Forces Bowl</b>	
Fort Worth, Texas	
No. 24 James Madison vs. Air Force, 3:30p.m.	

HIGH SCHOOL FOOTBALL

Winfield's Kuhl, North Marion's Minor captain Class AA All-State football team

BY MICHAEL MINNICH  
The Exponent Telegram

Offensive linemen usually don't get credit for what they do. But not this year: Winfield senior Caleb Kuhl is the captain of the West Virginia Sports Writers Association's Class AA all-state football team, released on Friday. Kuhl earned an 85% blocking grade on the offensive side of the ball and was no slouch on defense, racking up over 100 tackles for the Generals.

The rest of the line is Independence sophomore Alex Blankenship, who paved the way for another semifinal run by the Patriots; Roane County senior Jacob Bunner, who graded 84% on run block and 92% in pass block on offense and racked up 50 tackles (21 for loss) and 3 sacks on defense; North Marion senior Nathan Miller, part of a punishing attack that came a point away from winning a state title; and Philip Barbour senior Keaton McDermott, responsible for 24.5 pancake blocks and 35 tackles as the Colts won a play-off game for the first time in program history.

The quarterbacks are Scott senior Matt Frye (160 of 238 passing for 3,068 yards with 37 passing TDs and seven rushing TDs) and Fairmont Senior junior Brody Whitehair (177 of 277 passing for 2,903 yards and 36 touchdowns plus 475 rushing yards and six more scores on the ground).

Weir senior Corey Lyons (179 carries, 1,157 yards, 23 touchdowns) and Independence senior Tyler Linksweller picked up the running back slots.

First-team wideouts are Scott junior Carson Brinegar (78 catches, 1,296 yards, 249 rushing yards, 19 total touchdowns plus 3 interceptions on defense), Bluefield senior R.J. Hairston and Nitro sophomore Malachi Thompson (57 catches, 1,264 yards, 20 touchdowns).

The kicker is Nicholas County senior Johann Villaseñor, while utility spots went to Herbert Hoover junior Dane Hatfield and Clay County senior B.J. Williams (78 catches, 1,053 yards, 17 receiving touchdowns, plus single scores on rushes, punt returns and kick returns, respectively, and 3 interceptions on defense).

After leading North Marion to the Super Six as a quarterback and a linebacker, North Marion senior linebacker Casey Minor (57.5 solo tackles, 66



Chris Dorst/Gazette-Mail

Winfield's Caleb Kuhl pursues Hurricane quarterback JacQai Long during a prep football game Aug. 24.

assists, 8 tackles for loss, 1 fumble recovery) skips the first-team defense.

Winfield junior Toby Laughery (over 100 tackles), Chapmanville junior Elijah Pridemore (132 tackles, 6 sacks, 2 INTs), Independence senior Derrick Hypes and Philip Barbour senior Nate Hulver (a school-record 128 tackles and 2 interceptions and 2 sacks on defense, plus 1,232 yards rushing and 21 TDs on offense)are the remaining first-team 'backers.

Up front, Wayne senior Jaxon Damron (second-leading tackler, leading rusher), Fairmont Senior junior Trevor Bigelow (55 tackles, 8 for loss) and Frankfort senior Hayden Nester (26 solo tackles, 22 assists, 3 TFLs) earned slots.

The defensive backs are Fairmont Senior junior Cannon Dinger (11 interceptions), Independence senior Trey Bowers, Winfield junior Tre Tanner (7 INTs, 15 pass breakups, 5 total TDs) and North Marion senior Landon Frey (73 tackles, 9 INTs, 7 pass breakups, 1 fumble recovery, 1 pick six).

East Fairmont's Ian Crookshanks is the punter (42.5 yards/kick) and also a whale of a quarterback (109 of 198 for 1,646 yards and 18 touchdowns in addition to 354 yards and 15 TDs on the ground).

Super Six MVP Fairmont Senior senior Dylan Ours (80 tackles, 4 for loss, 2 forced fumbles, 3 return TDs, 40 yards/punt; 1,063 rushing yards, 567 receiving yards, 27 TDs on offense) and Roane County senior Brandon Richardson (82 tackles, 11 for loss) round out the first team as defensive utilities.

Weir senior Malachi Stromile captains the sec-

ond-team offense as a utility.

Nitro junior Josh Moody and Clay County junior Noah Collins are the quarterbacks; North Marion senior Aaron Hoffman, Winfield senior K-Juan Pearson and Frankfort junior Tyrique Powell are the running backs; North Marion junior Brock Martin and Liberty Harrison senior Jenson Dodd picked up the wide receiver slots.

Up front on the second-team offensive linemen are Herbert Hoover senior Kole Johnson, Bluefield junior Jaeden Francisco, Mingo Central senior Chaz Waine, Lewis County senior Tyler Carson and Weir senior Anthony Zorbin.

Point Pleasant junior kicker Alex Shrader and East Fairmont junior utility Dom Fantasia complete the second-team offense.

Fairmont Senior utility Gavin Michael captains the second team on defense.

Second-team defensive linemen are Poca senior Tony Belcher, Herbert Hoover senior Zac Greer, North Marion junior Landon Cowger; the linebacker corps is Scott junior David Fennessey, Roane County junior Lane Watson, Keyser senior Julian Pattison, Lewis County senior Brayden Carder and Independence sophomore Landon Riddle.

Making up the defensive backfield are Mingo Central senior Malaki Sheppard, Bluefield senior Sencere Fields, Lincoln senior Brayden Edgell and Poca sophomore Jackson McClanahan.

Poca junior punter Preston Bonnett and Philip Barbour senior utility Kaden Humphreys round out the second defensive unit.

Wooden plaques in the

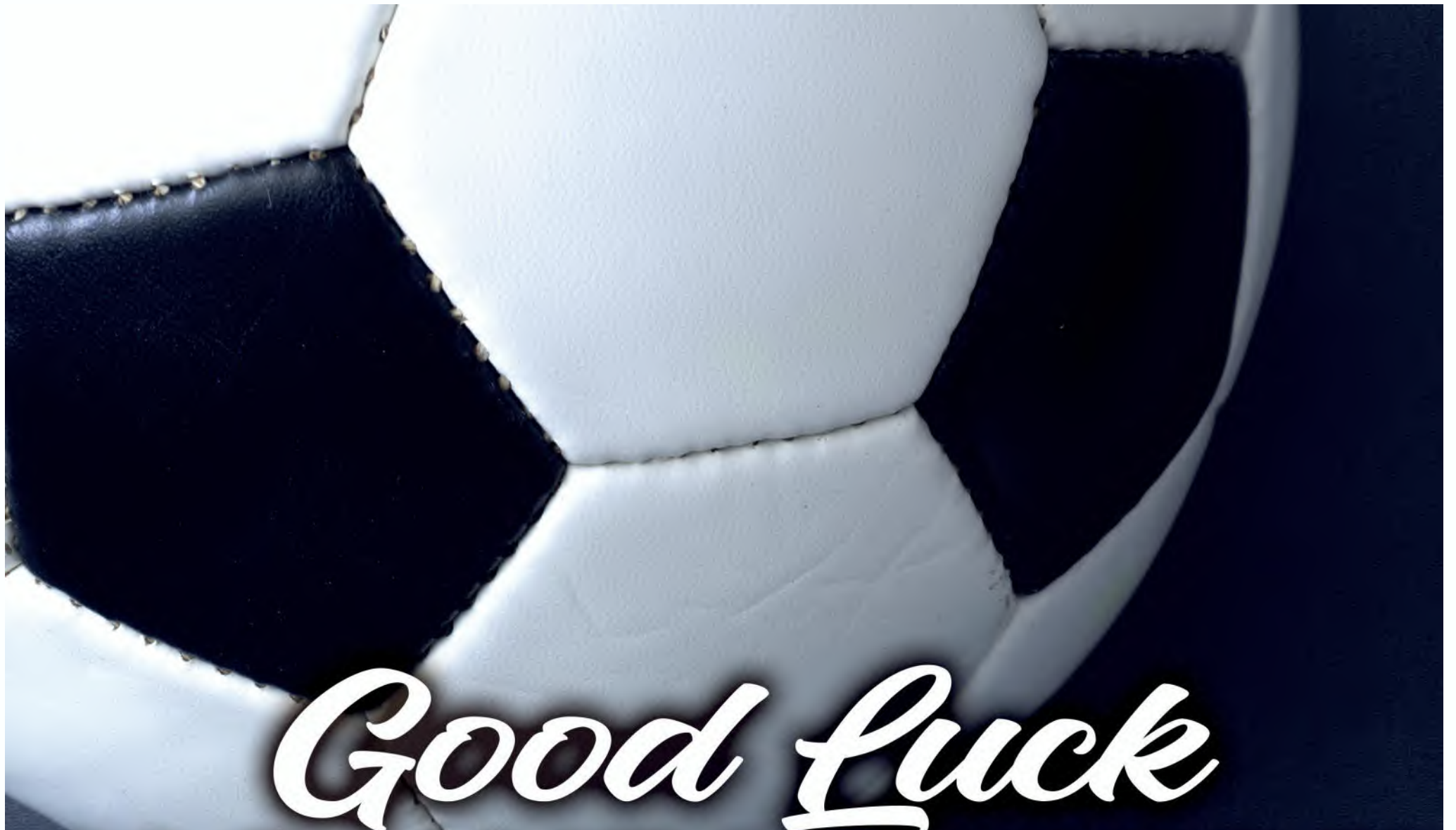
shape of West Virginia that include the player's name, school, licensed WVSWA logo, year of the onswore are available to all-state first team, second team and honorable mentions and can be purchased at from the Bear Wood Company through WVSWA.com or Bearwoodcompany.com

The Class AA All-State Football Team as selected by the West Virginia Sports Writers Association

First Team

Offense  
QB - Matt Frye, Scott (Sr.)  
QB - Brody Whitehair, Fairmont Senior (Jr.)  
RB - Corey Lyons, Weir (Sr.)  
RB - Tyler Linksweller, Independence (Sr.)  
WR - Carson Brinegar, Scott (Jr.)  
WR - R. J. Hairston, Bluefield (Sr.)  
WR - Malachi Thompson, Nitro (Soph.)  
OL - Caleb Kuhl, Winfield (





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COLLEGE ATHLETICS

Lawsuit accuses NCAA of antitrust violation in athlete transfer rule

Associated Press

CHARLESTON, W.Va. — A federal lawsuit filed by a group of states alleges the NCAA's transfer rule for college athletes violates antitrust law.

The lawsuit, filed in West Virginia's northern district, challenges the NCAA's authority to impose a one-year delay in the eligibility of certain athletes who transfer between schools. The suit said the rule "unjustifiably restrains the ability of these college athletes to engage in the market for their labor as NCAA Division I college athletes."

The lawsuit filed by West Virginia and six other states alleges violations of the Sherman Act.

NCAA rules allow underclassmen to transfer once without having to sit out a year. But an additional transfer as an undergraduate generally requires the NCAA to grant a waiver allowing the athlete to compete immediately. Without it, the athlete would have to sit out for a year at the new school.

The NCAA has implemented stricter guidelines for granting those waivers on a case-by-case basis.

The states seek a temporary restraining order against the NCAA from enforcing the transfer rule. Other states involved are Colorado, Illinois, New York, Ohio and Tennessee.

The complaint alleges requiring athletes to sit can mean lost potential earnings from endorsement deals with their name, image and likeness (NIL) or professional careers. It points to exposure from competing in national broadcasts, noting: "One game can take a college athlete from a local fan favorite to a household name."

"It is ironic that this rule, stylized as promoting the welfare of college athletes, strips them of the

agency and opportunity to optimize their own welfare as they see fit," the lawsuit said.

West Virginia Attorney General Patrick Morrisey, a Republican running for governor next year, got involved after the NCAA denied West Virginia basketball player RaeQuan Battle a waiver to play immediately following his transfer from Montana State. Battle had previously played at Washington, but hasn't played this year after the NCAA denied Battle's waiver and appeal.

Battle, who grew up on the Tulalip Indian Reservation in the state of Washington, said his mental health is a big reason why he's at West Virginia. Battle said in a recent video that he has lost "countless people" to drugs, alcohol and COVID-19.

After Battle visited West Virginia, he learned that now-coach Josh Eilert had lived on the Pine Ridge Indian Reservation in South Dakota with his mother following his parents' divorce.

Battle's coach at Montana State, Danny Sprinkle, left for Utah State after the 2022-23 season. Battle said Sprinkle was one of his main pillars of support and guidance, so staying at Montana State wasn't an option. And although Battle would have kept his eligibility had he followed Sprinkle, Battle said his graduation date would have been significantly delayed.

Morrisey said in a statement that the NCAA "failed to recognize the underlying issues involving RaeQuan and many other student athletes in similar situations — there's no reason for the NCAA to deny this young man the ability to play the sport he loves and that helps him with his mental health."

MLB

Juan Soto traded to New York Yankees from San Diego Padres in 7-player blockbuster

Associated Press

NEW YORK — Juan Soto is headed to the New York Yankees in their first big move following the team's worst season in three decades.

They hope at least one more will follow.

New York acquired Soto and Gold Glove center fielder Trent Grisham in a blockbuster trade with the cost-cutting Padres on Wednesday night. San Diego received right-handed pitchers Michael King, Jhony Brito, Randy Vásquez and Drew Thorpe along with catcher Kyle Higashioka.

It was the second monster deal involving the 25-year-old Soto in less than two years. The three-time All-Star slugger has one season of team control left and is likely to get a salary around \$32 million after batting .275 with 35 homers, 109 RBIs and a .930 OPS in his only full season with the Padres.

San Diego obtained Soto from Washington on Aug. 2, 2022, after he turned down a \$440 million, 15-year offer from the Nationals.

Padres general manager A.J. Preller said his team needed pitching and the swap gives San Diego young arms who will be with the franchise for several years.

"It's very difficult to make a deal where we're trading a player the caliber of Juan Soto, but if we did that we wanted to make sure we shored up a bunch of needs. We were able to get some depth, with quality," Preller said at a late-night news conference in Nashville, Tennessee, where baseball's winter meetings were wrapping up.

New York went 82-80 last season, narrowly avoiding its first losing record since 1992, and finished 29th among the 30 major league teams in batting average.



AP Photo

The New York Yankees have acquired All-Star slugger Juan Soto in a trade with the cost-cutting San Diego Padres.

Soto joins a Yankees outfield that projects to have fellow All-Star Aaron Judge in center and newly acquired Alex Verdugo in the other corner. Soto has a 1.274 OPS in nine career games in the Bronx.

"Soto and Judge are Gotham's new dynamic duo," agent Scott Boras said.

Yankees executives will travel to California to meet Monday with free agent Yoshinobu Yamamoto, a person familiar with the planning told The Associated Press, speaking on condition of anonymity because details were not announced. The 25-year-old right-hander was 16-6 with a 1.21 ERA this season for the Orix Buffaloes of Japan's Pacific League.

Soto, like Verdugo, adds a left-handed bat to a lineup that was righty heavy for several seasons. Yankees lefties had 55 homers and 171 RBIs last year while righties had 164 homers and 479 RBIs, an imbalance for a team that usually takes advantage of Yankee Stadium's short porch in right.

"They were aggressive," Preller said. "They had a need and Juan is an incredible player and fit

the need really well. When you have two teams that line up, and you have a team that's calling you consistently, you usually get a feel that this is something that has a chance to happen and hopefully it's a deal that works out for both sides."

San Diego appears to be slashing payroll by as much as \$50 million after flopping last season and missing the playoffs despite World Series aspirations. The Padres also have a need for starting pitching after NL Cy Young Award winner Blake Snell, Michael Wacha and Seth Lugo became free agents.

Soto's relatively young age at free agency will be comparable to that of fellow Boras client Bryce Harper, who was 26 when he signed a \$330 million, 13-year contract with Philadelphia ahead of the 2019 season. In six major league seasons, Soto has a .284 batting average with 160 homers, 483 RBIs and a .946 OPS. He won a World Series title with the Nationals in 2019.

San Diego sent a bevy of promising prospects to Washington — including shortstop CJ Abrams and starting pitcher MacKenzie Gore — for Soto and first baseman Josh Bell. The Padres said the deal was worth it because they'd have Soto for three playoff runs. He helped the team reach the NL Championship Series in 2022, but the Padres underwhelmed last season despite also having stars Manny Machado, Fernando Tatis Jr. and Xander Bogaerts in the lineup.

While the Padres may have attempted to sign

Soto to a long-term contract, Boras generally prefers to have his star clients hit the free-agent market.

"It's great when you're able to sign players long term, but there's cost of doing that as well," Preller said. "For us, the ability to add players that are controllable, that we think are going to perform well, be with us for multiple years, I think from a big-picture perspective it was a move that just opened up a lot of different avenues for us."

King, a 28-year-old right-hander, averages 94-96 mph with his sinking fastball and had a 2.75 ERA last season while going 4-8 in nine starts and 40 relief appearances. He struck out 127 and walked 32 in 104 2/3 innings, excelling after moving from the bullpen into the rotation on Aug. 24.

King can become a free agent after the 2025 season.

Brito, who turns 26 in February, made his major league debut with the Yankees last season and went 9-7 with a 4.28 ERA and one save in 13 starts and 12 relief appearances. He struck out 72 and walked 28 in 90 1/3 innings.

Vásquez, 25, also made his big league debut this year and finished 2-2 with a 2.87 ERA in five starts and six relief outings.

Higashioka, who turns 34 in April, has spent his entire seven-year major league career with New York and batted .236 with 10 homers, 34 RBIs and a .687 OPS last season. He was a favorite batterymate of Yankees ace and 2023 AL Cy Young Award winner Gerrit Cole going back to their teenage years as teammates. Higashioka also can be a free agent next fall.

The 23-year-old Thorpe, selected in the second round of the 2022 amateur draft, was 14-2 with a 2.52 ERA at Class A Hudson Valley and Double-A Somerset last season. He struck out 182 and walked 38 in 139 1/3 innings.

Grisham, a two-time Gold Glove winner, batted .198 with 13 homers, 50 RBIs, 15 steals and a .666 OPS this year. He is eligible for salary arbitration and gives the Yankees a true center fielder likely to play a part-time role off the bench.

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William Wotring/The Dominion Post

Trinity's Charles Steptoe (23) shoots against Clay-Battelle on Thursday.

## BATTLE

FROM PAGE B-1

pointer against the stifling Trinity defense.

"We want to come out and win these big games," Trinity senior Carter Hartsock said after he led the Warriors with 17 points. "This is the type of game and Clay-Battelle is the type of team that prepares us for competition down the line. We want people to know who we are, and we want to be on the map."

Chayce Adams added 11 points for the Warriors who were able to hit six 3-pointers in the contest and went 11-of-18 from the charity stripe.

Barr led the Cee-Bees with 22 points while

Luzader added 12 points and 11 rebounds, and Cooper Payton scored 10. Clay-Battelle shot 50% from the field but attempted just 10 free throws and hit just four 3-pointers.

The Warriors continue a tough early-season schedule as they host Wheeling Central Catholic on Tuesday. Clay Battelle will host rival Cameron on Tuesday.

### BOX SCORE

Trinity 55, Clay Battelle 52  
CB 7 11 16 18 — 52  
TCS 16 10 14 15 — 55  
CLAY BATTELLE (0-1)  
Morgan 1 0-0 3, Spears 1 0-0 3, White 0 0-2 0, Payton 4 0-1 10, Barr 11 0-2 22, Luzader 3 6-6 12. Totals: 20-6-10-52.  
TRINITY (2-0)  
Lohman 4 0-2 8, Porta 2 2-2 7, Knisko 1 0-0 2, Hopkins 2 2-2 8, Adams 3 3-4 11, Hartsock 6 6-8 17, Steptoe 1 0-0 2. Totals: 19 11-18 55.  
3-Pointers — CB: Morgan, Spears, Payton 2. TCS: Porta, Hopkins 2, Adams 2, Hartsock.

## COLLEGE FOOTBALL

# Duke hires Penn State DC and ex-Miami coach Manny Diaz

Associated Press

Duke hired Penn State defensive coordinator Manny Diaz as its head coach on Thursday night.

The school announced Diaz's hiring in a news release and is finalizing plans for a news conference Saturday to introduce Diaz as the replacement to Mike Elko, who was hired by Texas A&M.

The move marks a return for the 49-year-old Diaz to the Atlantic Coast Conference as well as to the state of North Carolina. In addition to three seasons as Miami's coach, he spent six seasons on Chuck Amato's staff from 2000-05 at North Carolina State, about 20 miles from Duke's campus in Durham.

The Blue Devils fol-

lowed their successful recent formula by hiring a defensive-minded coach with little head coaching experience. Elko thrived as a former coordinator and first-time head coach.

In a statement, athletic director Nina King called Diaz "the right fit" and an "elite communicator and collaborator."

Diaz went 21-15 with Miami from 2019-21 while

reaching two bowl games in his only head-coaching stint. He also went 16-9 in ACC play, but the school fired him on the same day it hired current coach Mario Cristobal in an attempt to hasten a return to the national elite.

Diaz has spent the last two seasons with the Nit-tany Lions both as coordinator and linebackers coach.



## Rosenbaum Family House



Sunday, December 10th, 2023  
9AM

[runsanta5k.com/westvirginia](https://runsanta5k.com/westvirginia)

For more information,  
please contact Brandon  
Cook at 304-554-0240 or  
[bcook@wvuf.org](mailto:bcook@wvuf.org)

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Premier Properties  
By Barbara Alexander  
Barbara Alexander, Broker



### TOMMY'S TIP

Time for FALL CLEANING

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[mountainstatewaste.com](https://mountainstatewaste.com)  
or give us a call: 866-679-2776

\*Bulky item pick-up for current subscribers

## Monongalia County Canine Adoption Center

# Adopt-A-Pet

presented by **The Dominion Post**

These furry friends are awaiting their forever homes at the Monongalia County Canine Adoption Center on River Road in Morgantown.

for information about any of them, call: **304-291-7267**

9-Months-Old Male  
38 Pounds

**Chevelle**

9-Months-Old Male  
50 Pounds

**Wink**

1-Year-Old Female  
18 Pounds

**Melody**

**HILLCREST VETERINARY CLINIC**  
Please Spay/Neuter Your Pets!  
Kelley J. Owen, DVM • Aaron T. Pollock, DVM  
Jessica P. Anderson, DVM • Molly Allen, DVM • Mikell Adair, DVM  
3083 Point Marion Rd., Morgantown, WV 26505  
ph 304.292.6933 fax 304.292.8009  
[hillcrestveterinaryclinic.com](https://hillcrestveterinaryclinic.com)

1-Year-Old Male  
40 Pounds

**Chappy**

1-Year-Old Female  
70 Pounds

**Ophelia**

10-Month-Old Male  
50 Pounds

**Charlie**

If you are unable to become a forever owner but would still like to see pets get adopted, please consider becoming a volunteer or making a donation.

For more information, please call the Classified Department at **(304) 291-9420** or email: [classads@dominionpost.com](mailto:classads@dominionpost.com)

### Monongalia County Canine Adoption Center

**HOURS OF OPERATION:**  
Mon, Wed & Fri: 10am-4:30pm | Tue & Thur: 10am-6:00pm

Fee for Adoption: **\$125/Dogs** **\$85/Cats** *Cash Only*

**Includes:** Spay/Neuter, One Combo Vaccine & One Dose of Wormer

There are no guarantees and no refunds.







COURTS

Jonathan Majors’ accuser pressed about partying at Manhattan nightclub after alleged assault

Associated Press

NEW YORK — An attorney for Jonathan Majors presented grainy security footage from a Manhattan nightclub in efforts to cast doubt on the accuser’s claim she suffered “excruciating” pain and injuries following an alleged assault by the actor last spring.

The video compilation, played to a jury over several hours during the fourth day of trial on Thursday, showed accuser Grace Jabbari partying with a group of strangers she met on a street corner immediately after the confrontation with Majors in the backseat of a car.

Jabbari, a 30-year-old

British choreographer, has accused Majors of striking her on the side of the head and squeezing her hand until her middle finger fractured amid a dispute that began after she read a romantic text on his phone sent by another woman.

The charges have derailed Majors’ budding Hollywood career, lending unusual stakes to a misdemeanor trial as the actor aims to salvage his reputation and future parts – including a now uncertain role as the supervillain “Kang the Conqueror” in two upcoming Marvel films.

Testifying for the third straight day, Jabbari was peppered with questions by

Majors’ attorney about video clips that showed her using her injured hand for tasks like lifting a champagne glass, rifling through her bag, or brushing locks of hair behind her ear.

“You picked up the lime with your right hand?” the attorney, Priya Chaudhry, asked in one of many similar exchanges. “And you put the lime in your mouth? You sucked on the lime and then you put the rest of the lime rind back on the bar with your right hand, correct?”

Jabbari responded that she was running on adrenaline and shock following the assault and did not realize the extent of her injuries until she woke up

the next morning and “felt like I got hit by a bus.”

During the testimony, Majors looked on impassively, craning his neck at points to watch the video clips. Jabbari fled the witness stand in tears on multiple occasions during the cross-examination.

In the immediate aftermath of the altercation with Majors, Jabbari said she met three strangers on a Manhattan sidewalk who offered to help her get home. In surveillance videos, one of the bystanders can be seen confronting Majors, who briefly returned to the scene and gestured for Jabbari to get back in the car, before leaving again.

NATION

Judge says ex-Alaska Airlines pilot who tried to cut plane’s engines can be released before trial

Associated Press

PORTLAND, Ore. — An ex-Alaska Airlines pilot accused of trying to cut the engines of a passenger flight while off-duty and riding in an extra seat in the cockpit can be released from jail pending trial, an Oregon judge said Thursday.

Multnomah County Circuit Court Judge Thomas Ryan made the decision as Joseph Emerson pleaded not guilty to reduced charges of reckless endangerment; he previously faced attempted murder charges.

Emerson, of Pleasant Hill, California, has also pleaded not guilty to a federal charge of interfering with a flight crew, and the judge in that case also agreed that he could be released pending trial.

The release conditions agreed to by defense attorneys and prosecutors in the state case include that Emerson undergo mental health services, stay away from drugs and alcohol, and not come within 30 feet (9 meters) of an operable aircraft. His bail was set at \$50,000 and he had to post 10% of that, or \$5,000, to be released, his defense attorney Noah Horst said.

Emerson’s wife, Sarah Stretch, said she was happy her husband was coming home. Speaking to reporters through tears after the arraignment, she also said she was glad that the case has raised awareness of the issue of pilot mental health.

“I’m saddened that this

situation had to happen to my husband and to the people it affected. But I know that this has created a movement and momentum to help thousands of other pilots,” she said.

Horst said Emerson did not fully possess his mental faculties when he was on the Horizon Air flight and did not consciously choose to put people at risk.

“Is he criminally responsible? No. Does he need help? Yes,” he told reporters. “Does Mr. Emerson deserve to be home today with his family and surrounded by his friends? Yes, he does.”

He said Emerson was expected to be released from jail later in the afternoon.

Emerson is accused of trying to cut the engines of a Horizon Air flight from Everett, Washington, to San Francisco on Oct. 22 while riding in the cockpit as an off-duty pilot.

He was subdued by the flight crew and the plane was diverted to Portland, Oregon, where it landed safely with more than 80 people on board.

According to charging documents, Emerson told Port of Portland police following his arrest that he had been struggling with depression, that a friend had recently died and that he had taken psychedelic mushrooms about 48 hours before he attempted to cut the engines. He also said he had not slept in more than 40 hours, according to the document.

LEGAL ADVERTISEMENT

29439

WEST VIRGINIA DEPARTMENT OF TRANSPORTATION  
Division of Highways  
NOTICE TO CONTRACTORS

Dec. 8, 15

Bids will be received electronically by the West Virginia Department of Transportation Division of Highways through the Bid Express Bidding Service ([www.bidx.com](http://www.bidx.com)) and by sealed proposals (only when prequalification is waived) being received at its office in Building 5, Room 843, 1900 Kanawha Boulevard East, Charleston, West Virginia until January 09, 2024 at 10:00 AM (Eastern Standard Time). The bids will be downloaded and/or opened and read publicly thereafter for the constructions of the following project(s):

Call	Contract	State Project	Federal Project	Description
025	2022840003	S384-REC/AL-24	00 STBG-2024(005)D	PAVEMENT MARKINGS D-4 RECALL STRIPING 2024 DISTRICT WIDE COUNTY: DISTRICT 4

DBE GOAL: 10 % OF CONTRACT BID AMOUNT. BIDDER MUST PROVIDE WRITTEN ASSURANCE OF MEETING GOAL ON FORM IN PROPOSAL.

REMARKS:

Proposals will be received from prequalified and West Virginia licensed contractors only except that on Federal-Aid Projects a contractors' license is not required at time of bid, but will be required before work can begin. Registration is required with the Department of Administration, Division of Purchasing, in accordance with Chapter 5A, Article 3, Section 12 of the West Virginia Code. All contractors submitting bids on project(s) must submit electronically with their bid a Proposal Guaranty Bond for \$500.00 or 5% of the total bid, whichever is greater.

The West Virginia Department of Transportation Division of Highways reserves the right to defer, delay or postpone the date for receiving and publicly opening proposals for any project designated in this advertisement, without the necessity of renewing such advertisement. The deferment, delay, postponement, and the date that proposals will be received and publicly opened will be available on [www.bidx.com](http://www.bidx.com).

The West Virginia Department of Transportation Division of Highways hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, religion, sex or national origin in consideration for an award.

29385

ADVERTISEMENT MR-34-BR

Dec. 8

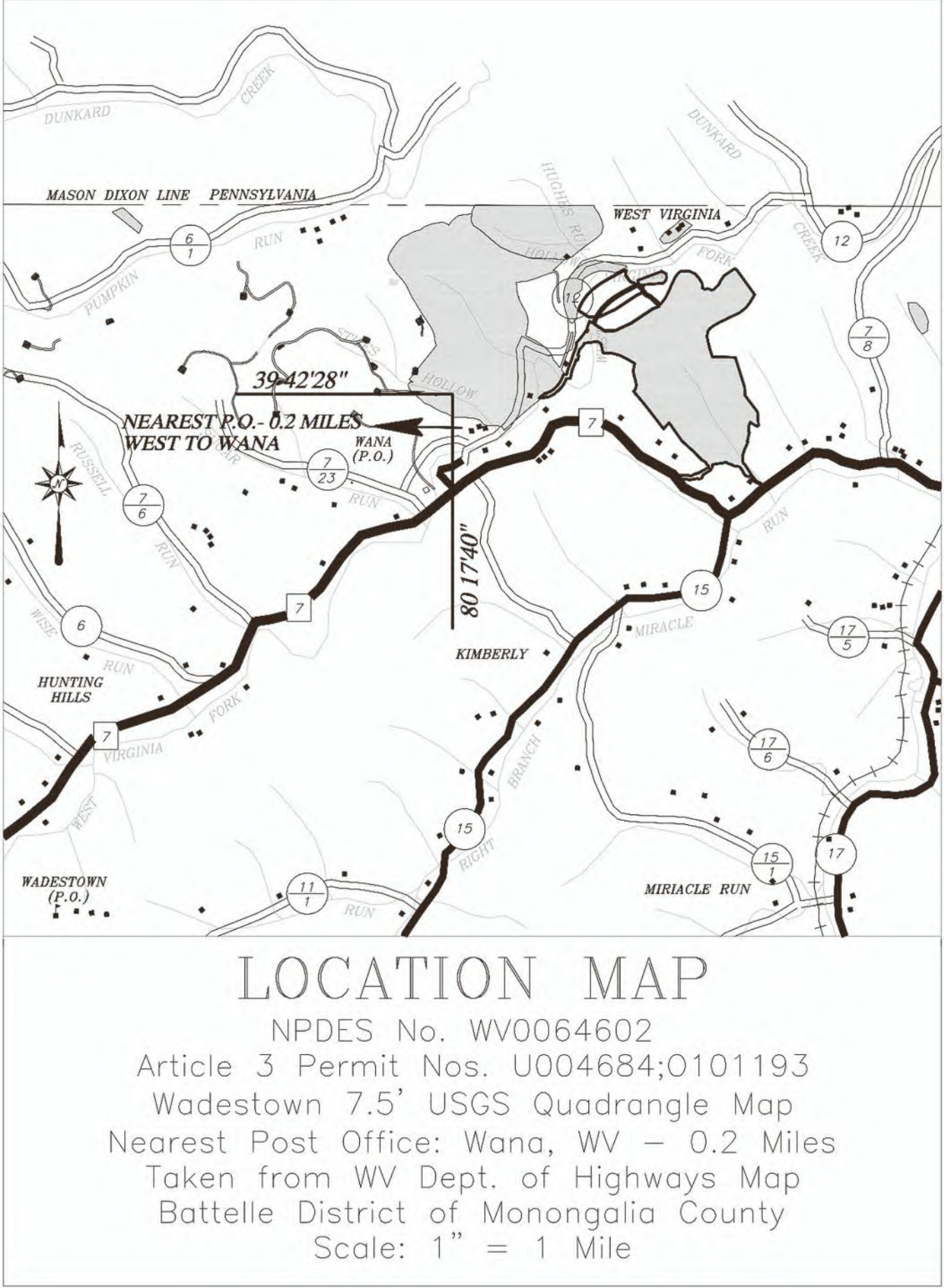
Notice is hereby given that Monongalia County Coal Resources, Inc., 46226 National Road, St. Clairsville, OH 43950 has submitted an application for the reissuance of Article 11/WVNPDES Permit No. WV0064602 to the Department of Environmental Protection, 47 School Street, Suite 301, Philippi, WV 26416-1150 in order to maintain, monitor and operate a coal preparation plant, refuse area, bathhouse sewage, loadout facility, deep mine and underground disposal area, AMD plant and stormwater in the Pittsburgh seam/mineral bed. The operation will discharge treated, stormwater into West Virginia Fork of Dunkard Creek, Pumpkin Run, Sugar Run, Unnamed Tributary of/and Sugar Run of West Fork, Unnamed Tributaries of/and West Virginia Fork, Unnamed Tributaries of/and Pumpkin Run, Unnamed Tributaries of/and Right Fork of Miracle Run and Unnamed Tributaries of/and Miracle Run all of Dunkard Creek and is located 0.75 (miles), northeast of Wana, in Battelle District of Monongalia County, Longitude 80°17'40.00" and Latitude 39°42'28.00" (Coordinates from USGS Topographic Map).

The Department of Environmental Protection is seeking information on private surface water intakes for human consumption located in the above listed receiving streams and located down stream of this operation. Please provide your name, phone number, mailing address, the name of the stream being with the intake, and the physical location of the intake. This information needs to be submitted to the address above.

An anti-degradation review has been conducted. Tier 1 protection is afforded because effluent limitations ensure compliance with water quality criteria for all designated uses. Where applicable, a full Tier 2 anti-degradation review has been conducted.

Comments on the Article 11 WV/NPDES application or requests for a public hearing regarding the Article 11/NPDES application shall be in writing and if a public hearing is requested shall state the nature of the issues proposed to be raised in the hearing. Such written comments or requests should be sent to the Department of Environmental Protection (DEP) at the address above, and must also reference the Article 11/NPDES permit number shown above. Comments received by 1/7/2024, or thirty (30) days from date of publication, will be considered. A copy of the Article 11/WVNPDES application, draft permit, rational page, and fact sheet (if required) will be available for inspection and obtaining copies during normal business hours at the DEP Regional Office located at the address above.

DEP Telephone No. 304-457-3219      Article 11/NPDES Permit No. WV0064602



LEGAL ADVERTISEMENT

29389

PUBLIC NOTICE

DECEMBER 8

The next meeting of the Board of Directors and Board Committee of the West Virginia University Hospitals, Inc. will convene on Tuesday, December 12, 2023 at the following times and locations.

\*Quality & Patient Safety Committee Meeting at 12:00 p.m. - 1 Medical Center Drive, Morgantown, WV 26506

\*Board of Directors Meeting at 2:00 p.m. - 1 Medical Center Drive, Morgantown, WV 26506

All meetings are open to the public.

28925

NOVEMBER 17, 24 DECEMBER 1, 8

NOTICE OF PUBLIC HEARING

PROGRESS OF TIF PROJECT PLANS AND TIF PROJECTS IN THE TAX INCREMENT FINANCING DISTRICTS KNOWN AS MONONGALIA COUNTY TIF DISTRICTS # 1 (STAR CITY), #2 (MORGANTOWN INDUSTRIAL PARK), #3 (MONONGALIA GENERAL HOSPITAL), #4 (UNIVERSITY TOWN CENTRE), AND #5 (HARMONY GROVE), WHICH HAVE BEEN ESTABLISHED BY THE COUNTY COMMISSION OF MONONGALIA COUNTY

A public hearing will be held at a regular meeting of The County Commission of Monongalia County, West Virginia (the "County Commission") on Wednesday, December 13, 2023, at 10:00 a.m. or as soon after as may be heard, in the County Commission Chambers at the Monongalia County Courthouse, 243 High Street, Morgantown, West Virginia, and at such public hearing any person interested may appear before the County Commission and present comments, protests and suggestions regarding the progress of Monongalia County Development Projects No. 1-5 for Monongalia County TIF Districts #1-5. At such public hearing all comments, protests and suggestions shall be heard by the County Commission regarding the progress of Project Plans Nos. 1-5 for the TIF Districts, in accordance with Chapter 7, Article 11B of the Code of West Virginia, 1931, as amended (the "West Virginia Tax Increment Financing Act").

29409

DECEMBER 8

AIR QUALITY PERMIT NOTICE

Notice of Open Comment Period

On September 6, 2023, Monongahela Power Company applied to the WV Department of Environmental Protection, Division of Air Quality (DAQ) for a permit to construct a coal barge unloading facility Fort Martin Power Station, which is located at 1732 Fort Martin Road, Madsville, Monongalia County, WV at latitude 39.710755 and longitude -79.927817. A preliminary evaluation has determined that all State and Federal air quality requirements will be met by the proposed facility. The DAQ is providing notice to the public of an open comment period for permit application R13-3631.

The potential emissions will be authorized by this permit action: Particulate Matter less than 2.5 microns, 0.40 tons per year (TPY); Particulate Matter less than 10 microns, 4.40 tons per year (TPY); Particulate Matter, 12.06 TPY.

Written comments or requests for a public meeting must be received by the DAQ before 5:00 p.m. on Monday, January 8, 2024. A public meeting may be held if the Director of the DAQ determines that significant public interest has been expressed, in writing, or when the Director deems it appropriate.

The purpose of the DAQ's permitting process is to make a preliminary determination if the proposed construction will meet all state and federal air quality requirements. The purpose of the public review process is to accept public comments on air quality issues relevant to this determination. Only written comments received at the address noted below within the specified time frame, or comments presented orally at a scheduled public meeting, will be considered prior to final action on the permit. All such comments will become part of the public record.

Edward Andrews, P.E.  
WV Department of Environmental Protection  
Division of Air Quality  
601 57th Street, SE  
Charleston, WV 25304  
Telephone: 304/926-0499, ext. 41244  
Email: [edward.s.andrews@wv.gov](mailto:edward.s.andrews@wv.gov)

Additional information, including copies of the draft permit, application and all other supporting materials relevant to the permit decision may be obtained by contacting the engineer listed above. The draft permit and engineering evaluation can be downloaded at:

<https://dep.wv.gov/daq/permitting/Pages/NSR-PermitApplications.aspx>

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VROOOOM!



Even children can be diagnosed with hypertension

**DEAR DOCTORS:** My nephew is 12 years old and was diagnosed with hypertension. I was surprised because I didn't realize this could be a problem for kids his age. I don't remember having my blood pressure checked as a kid. What information do you have about this?

Dear Reader: No matter someone's age, blood pressure plays an important role in good health. Living with hypertension, which is chronic high blood pressure, puts you at increased risk of developing a wide range of diseases and conditions. These include heart disease, heart attack, heart failure, stroke, kidney disease, eye problems, vision loss and changes to cognition. High blood pressure is known to increase the risk of microvascular disease. This is a type of heart disease that affects the smallest arteries that serve the heart. It can also lead to peripheral artery disease. This is a narrowing of the arteries that serve the legs, arms, stomach and head.

When someone develops hypertension as a

child or teen, it greatly magnifies their risk of the condition following them into adulthood.

Tracking blood pressure in children can be a bit of a challenge. That's because the "normal" range depends on the child's age, height and sex. Accurate measurement also requires equipment that is sized and calibrated specifically for use in children. Once a child passes from adolescence and into early adulthood, another set of blood pressure metrics begin to apply.

As with adults, hypertension in children falls into two distinct categories. The most common is primary hypertension, also known as essential hypertension. This is high blood pressure that has no clear cause. The other category, known as secondary hypertension, arises due to an underlying disease or condition.

Health care providers use a person's medical history and family history to narrow down potential causes. Those findings can lead to additional blood and lab tests to help identify the cause.

Friday, Dec. 8, 2023

Use your resources to get ahead and your energy to finish what you start. Your enthusiasm will create a stir and encourage people join your team. Be cautious regarding finances and investments.

**SAGITTARIUS (Nov. 23-Dec. 21)** — Slow down and give yourself enough time to deal with anything that doesn't sit right with you.

**CAPRICORN (Dec. 22-Jan. 19)** — Let your charm help you avoid drama. Your vision will help you put your money where it will bring the highest returns.

**AQUARIUS (Jan. 20-Feb. 19)** — Last-minute purchases will be costly and emotionally draining. Don't let overindulgence be your downfall.

**PISCES (Feb. 20-March 20)** — Consider your qualifications, experience and where you see yourself heading, and you'll find the right path.

**ARIES (March 21-April 19)** — Make better decisions. Don't let your ego or emotions prevent you from doing what's right. Choose your words wisely.

**TAURUS (April 20-May 20)** — Take advantage of an opportunity to try something new. Let your ambition lead the way, and success



EUGENIA LAST

will follow.

**GEMINI (May 21-June 20)** — Execute your plans with precision. The most effective way to influence others is with a passionate approach.

**CANCER (June 21-July 22)** — Hone your skills, stretch your mind and fine-tune your body. Refuse to let emotional matters cost you.

**LEO (July 23-Aug. 22)** — Donate your time and skills to a cause that concerns you. Show discipline regarding overindulgence.

**VIRGO (Aug. 23-Sept. 22)** — Keep the peace. Get permission before you make changes that will affect other people. Learn something new.

**LIBRA (Sept. 23-Oct. 23)** — Explore your options. Find out where you stand and who is in your corner.

**SCORPIO (Oct. 24-Nov. 22)** — Your persistence and precise plan will turn heads and encourage the support you need to reach your goal.

CROSSWORD

- ACROSS**
- 1 Not very busy
  - 5 Navigation aid
  - 8 Charity
  - 12 Domesticated
  - 13 "— you for real?"
  - 14 Water-filled trench
  - 15 Proof
  - 17 Domed house
  - 18 Butter serving
  - 19 Bottle
  - 20 Auctioneer's exclamation
  - 21 Muffles
  - 23 Brake part
  - 26 Yield, as territory
  - 27 Sales agent
  - 30 Intended
  - 32 Composition for piano
  - 34 — suzette
  - 35 "Thinker" sculptor
- DOWN**
- 36 Range of vision
  - 37 Headgear
  - 41 "— face it"
  - 42 Completely wrecked, as a car
  - 44 Engrave
  - 47 Iridescent stone
  - 48 NZ bird
  - 51 Bellow
  - 52 Elite U.S. commando at sea (2 wds.)
  - 54 Lazy
  - 55 Storm's center
  - 56 Saucy
  - 57 Nat King —
  - 58 Feeling down
  - 59 — Domini
- DOWN**
- 1 Pace
  - 2 Kind of lamp
  - 3 Leave unmentioned



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Answer to Previous Puzzle

ITS	RAMA	FLOP
POI	ADAM	RAGE
SEN	CELT	INRE
OSS	ICLE	SEDER
	FOE	BIN
LASSO	SOLDIER	
APEN	NATO	SAGA
MACK	RUNE	MAC
ARTISAN	GLADE	
	NUB	AGE
BARGE	ASHAMED	
ALOP	PLIE	AVE
LEVI	ALDA	REN
KEEN	DYED	TRY

- 4 Join
- 5 Lunatic
- 6 Where gamers assemble
- 7 Skinned
- 8 Wrongly
- 9 Corporate emblem
- 10 Where shoppers assemble
- 11 Tire cleat
- 16 "All About —"
- 21 Profound
- 22 — do-well
- 23 Dismiss
- 24 Charter
- 25 Sign
- 27 Ill-mannered
- 28 Redact
- 29 Animal enclosures
- 31 Design style
- 33 Narrated
- 38 Makes expliation
- 39 Tropical fruit
- 40 Toiled
- 42 Playing card
- 43 Isle of —
- 44 Guitarist
- 45 Clapton
- 46 Knap (hyp.)
- 46 Christen
- 48 Sharp
- 49 Bring home the bacon
- 50 Palo —
- 53 Resort

CURTIS



PEANUTS



BY RAY BILLINGSLEY

BY CHARLES M. SCHULZ

MARMADUKE BY BRAD & PAUL ANDERSON



"Why didn't you come with a snooze button?"

SCRABBLE G.R.A.M.S.

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PAR SCORE 145-155  
BEST SCORE 204

FOUR RACK TOTAL  
TIME LIMIT: 20 MIN

DIRECTIONS: Make a 2- to 7-letter word from the letters in each row. Add points of each word, using scoring directions at right. Finally, 7-letter words get 50-point bonus. "Blanks" used as any letter have no point value. All the words are in the Official SCRABBLE® Players Dictionary, 5th Edition.

For more information on tournaments and clubs, email NASPA - North American SCRABBLE Players Association info@scrabbplayers.org. Visit our website - www.scrabbplayers.org. For puzzle inquiries contact scrgams@gmail.com

12-08

Solutions — B-6

THE GRIZZWELLS



BEETLE BAILEY



FRANK & ERNEST



BORN LOSER



HAGAR THE HORRIBLE



BY DIK BROWNE

GARFIELD



BLONDIE



RHYMES WITH ORANGE



MUTTS



BY PATRICK MCDONNELL