

## Appeals court turns down store clerk

By MICHAEL GRACZYK  
Associated Press Writer

HOUSTON (AP) — The 5th U.S. Circuit Court of Appeals on Tuesday rejected an appeal from a Texas death row inmate who acknowledged participating in three murders and at least five robberies during a two-month-long crime spree in Houston in 1996.

Robert Lee Thompson was condemned for the December 1996 shooting death of Mansoor Bhai Mohammed during a robbery at a Houston convenience store where the victim worked.

The New Orleans-based appeals court rejected all 15 claims filed by Thompson's lawyers, who were seeking what's known as a certificate of appealability to allow them to move forward with their appeals.

Thompson, 33, does not have an execution date.

The 10th-grade dropout was 21 at the time of the slaying. He had no

## Investigations find no wrongs in police Taser use

HOUSTON (AP) — In some 1,700 incidents in which Houston police officers fired a Taser stun gun, the department found no wrongdoing — despite investigating about 70 complaints, a newspaper has found.

Those complaints included an officer who shocked his stepson and another one who used his stun gun on a 59-year-old woman during a dispute over laundry.

Over the last four years, only five officers have been disciplined for misusing their Tasers — even though none of them actually shocked a suspect. The department reprimanded the officers for threatening others with the stun guns, discharging them repeatedly while off duty and brandishing the weapon during a dispute in an elementary school carpool line, according to records obtained by the Houston Chronicle.

“To have (69) complaints and

previous prison record.

Among his requests in his appeal, Thompson had sought unspecified documents from the Harris County district attorney's office and wanted to question jurors, his trial lawyer, the prosecuting attorney and courtroom bailiff as well as others. The appeals court rejected the request for “lack of specificity.”

Thompson also had requested an evidentiary hearing in federal court because he contended the state courts had failed to pursue his complaints about what he said was a potentially racist comment by a jury member.

His appeal also argued his conviction and death sentence were unconstitutional, that prosecutors suppressed evidence in violation of his due process rights and that his trial lawyers were ineffective.

The 5th Circuit said it agreed with a federal district court that earlier turned down his appeal. State courts also denied him.

only a few sustained — that is reflective of successful use,” said Assistant Chief Brian Lumpkin, who oversees police internal affairs. “The numbers show that we have used Tasers responsibly.”

Critics have claimed that officers often use them on unarmed blacks who did not commit crimes.

Tasers, first purchased by the Houston department in late 2004, were advertised as an alternative to the deadly force of firearms. Houston Mayor Bill White in November 2006 called for an independent analysis, which is expected to be made public Sept. 8.

Houston officers deployed their Tasers 1,724 times between December 2004 and May 2008, prompting 69 internal affairs investigations. More than half began after citizens filed complaints. Five investigations remain open, but no wrongdoing was found in 56 others, the

Among his arguments, Thompson contended his conviction and death sentence were improper because an accomplice, Sammy Butler, also was convicted of murder but did not receive a death sentence.

In their rejection, the appeals court noted that Thompson “does not contend that he was a minor participant who did not attempt to kill, intend that a killing occur, or show reckless indifference to human life.”

“The Constitution is not violated where, as here, the focus was on the defendant's actions and intent,” the court wrote.

Mohammed, 29, was fatally shot in the chest. Another clerk at the same store was shot four times but survived.

Evidence at his trial showed Thompson, who is black, told detectives he went on a crime spree in November and December 1996 because God told him to do something about Asian and Middle Eastern store clerks who discriminated against blacks.

newspaper found.

It is not uncommon for people shocked with Tasers to not be charged with a crime.

A Houston Chronicle analysis of the first 900 incidents in which officers deployed their Tasers found that more than a third of the people whom officers shocked faced no charges. In about 50 other cases, charges were filed but dropped by prosecutors or dismissed by judges and juries.

The Chronicle found that the majority of Taser incidents escalated from common police calls including traffic stops, nuisance calls and reports of suspicious people.

Police officials have said the outcomes do not affect whether officers' actions are ruled justified.

Tasers are manufactured by Scottsdale-based Taser International.

## Get Ready for Microsoft Office 2007 without Upgrading Your Office 2003



Carol Ray-Holmes  
MCP, MCAS, MCBS

PowerPoint 2007. Is your Microsoft Office version ready to handle this?

A new version of Microsoft Office means new file formats and file extensions — therefore documents written with Office 2007 programs won't open directly on computers running Office 2003, XP, 2000 or Office 97.

What's the alternative for users who won't immediately migrate to Office 2007? There are some great document converters, viewers and other useful add-ons that won't let old Office users feel paralyzed in any form.

Let's look at some of the possible workarounds.

Get the Microsoft Office Compatibility Pack for the Word, Excel, and PowerPoint 2007 File Formats. The Compatibility Pack will let you read Office 2007 documents in Microsoft Office 2000, Office XP, or Office 2003. So you can open a .docx file with Word 2003 or .pptx with PowerPoint 2003.

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http://www.microsoft.com/downloads/. It's very easy to create a Word 2007 document using Word 2003 or even Word XP. Just downloading this pack allows you to create 2007 versions of Word, Excel, or PowerPoint files by opening a blank file and using the Save As command in your version of Word, Excel, or PowerPoint. Microsoft has released free document viewers for all popular Office programs that let you read or view Office files without having to install the corresponding program. For example, you can open and read a Word 2007 document on a machine that doesn't have Word 2007 or any of the other Microsoft Office programs.

For you Visio users, the Visio 2007 Viewer allows anyone to view Visio drawings and diagrams created with Visio 2007 or earlier versions. The Visio 2007 Viewer is implemented as an ActiveX control that loads and renders Visio drawings inside Internet Explorer.

The PowerPoint viewer allows you to view presentations created in PowerPoint 97 and later versions. It also supports password-protected PPT files; however, it won't support macros. You can view and print presentations, but you cannot edit them in the PowerPoint Viewer 2007.

What are other important Microsoft add-ons for Office 2007 and Office 2003 users?

Visual Studio 2005 Tools for Office 2007 — an add-on to Microsoft Visual

Studio 2005 that enables you to build application-level add-ins for applications in the 2007 Microsoft Office system and the Microsoft Office 2003 System. Also supports InfoPath 2007.

Word 2007 Redaction — Word 2007 Redaction Add-in makes it easy for you to mark sections of a document for redaction. You can then redact the document so that the sections you specified are blacked out and cannot be converted back to text or retrieved.

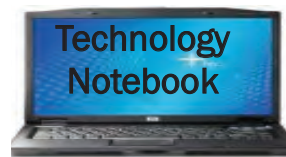
Office 97 File Converter Pack — provides file converters and image filters for Microsoft Office programs, from Office 97 to Office 2003.

Office 2007 Save as PDF — free add-on for Office 2007 to export Word 2007 documents or Excel 2007 Spreadsheets to PDF files without requiring Acrobat Writer.

Update: You do not require Windows Vista to run Office 2007. It will work perfect with Windows XP SP2.

Resources: Microsoft and Lady Ray Computer Services, LLC (a Microsoft Authorized Training and Certification site.)

Carol Ray-Holmes is a new technology columnist for the Houston Sun. She has more than 20 years of computer and technology experience and we know that her column will be beneficial to our readers. You may send your questions to: tech@houston.com and she will answer them in future columns.



## Settlement cost Texas Lottery almost \$100 grand

AUSTIN (AP) — The Texas Lottery Commission paid nearly \$100,000 to settle a lawsuit filed by a former employee who said he was fired for going public about problems with a vital computer system.

According to figures released to the Fort Worth Star-Telegram, former Texas Lottery Commission systems analyst Shelton Charles was paid \$58,688 and his lawyers received nearly \$40,000 from the state.

The settlement has been sealed by mutual agreement, but the Star-Telegram obtained the settlement amount through the Texas Open Records Act and a long-standing policy that taxpayer money cannot be spent in secrecy. The Star-Telegram's request that the entire agreement be made public is pending.

Charles was a 10-year lottery employee when he e-mailed several state lawmakers in 2005 warning them the commission's backup computer system, intended to allow the agency to continue functioning in a disaster, had never worked properly and that the state would be out millions of dollars if the mainframe crashed.

In court filings, Charles said top agency officials didn't want word to get out and “bullied” lottery employees into silence.

Charles, who is African-American, also said commission officials discriminated against minority employees.

The Lottery Commission, in its court filings, denied Charles' assertions and said its computer systems are sound.

Charles was fired for insubordination, not for taking his

concerns to legislative leaders, commission officials say.

The agency also sought to have then-acting Director Gary Grief removed as a defendant, a move rejected by a federal appeals court.

The 5th U.S. Circuit Court of Appeals chastised the lottery commission and the Texas attorney general's office for filing “a clearly unwarranted appeal” it said was designed to run up Charles' legal bills and discourage him from continuing the lawsuit.

Lottery Commission spokesman Bobby Heith declined to comment Wednesday on the details of the lawsuit or on the settlement, citing the confidentiality clause.

Charles' lawyer, Robert Schmidt of Austin, said Charles also could not comment due to the agreement.

## Federal prosecutor responds to race claims

DALLAS (AP) — The U.S. attorney's office has offered its strongest defense yet against claims that racial bias drove a corruption investigation at Dallas City Hall that led to federal charges.

Lead prosecutor Marcus Busch said in a court filing this week that a request by Ray Jackson, the lawyer for former Mayor Pro-Tem Don Hill, to have the 166-page indictment thrown out because investigators singled out blacks is “gratuitous invective.” The Dallas Morning News reported in Saturday's editions.

“The prosecution of this case ... was based solely on the sufficiency of the evidence establishing the offenses charged in the indictment — nothing more, nothing less,” Busch wrote.

Hill was among 16 people, 12 of them black, named in a federal

corruption indictment in September. They are accused in a bribery and extortion scheme within Dallas City Hall.

In late July, Jackson asked U.S. District Judge Barbara Lynn to dismiss the indictment, accusing prosecutors of trying to thwart Hill's mayoral campaign last year by targeting him and other black politicians with high-profile search-warrant raids at City Hall in 2005.

Hill has said an FBI agent told him “Your career is over” as they searched his office. But authorities have long denied they unfairly targeted black politicians.

The indictment accuses developer Brian Potashnik of bribing Hill, former planning commissioner D'Angelo Lee and current Dallas state Rep. Terri Hodge in exchange for their support of his low-income housing

developments.

Jackson has also accused the government of ignoring the fact that ex-Dallas Mayor Laura Miller accepted thousands of dollars in campaign contributions from Potashnik.

In the court filing, Busch responded that none of the charges in the indictment allege wrongdoing simply because someone accepted campaign contributions.

“These charges arise out of an overall scheme to give or withhold official governmental acts and influence with respect to affordable housing tax credit projects in exchange for money and property,” he wrote. “The defendant has not identified a single other person thus situated who the government has failed to indict.”

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