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November 26, 2015, December 3, 2015,
December 10, 2015

IN THE PROBATE COURT OF MACON COUNTY, ALABAMA
IN THE MATTER OF THE ESTATE OF ERIC D. MARKS, JR., Deceased.
NOTICE BY PUBLICATION

Letters of Administration of said deceased having been granted to Tiffany Johnson Cole on the 15th day of September, 2015 by the Honorable Alfonza Menefee, Judge of Probate of Macon County, notice is hereby given that all persons having claims against said estate are hereby required to present the same within the time allowed by law or the same will be barred.
11-12 thru 11-26

IN THE PROBATE COURT OF MACON COUNTY ALABAMA
IN RE: THE ESTATE OF ROBERT HATCH, DECEASED
Letters of Administration on the Estate of Robert Hatch deceased, having been granted to the

undersigned on the 9th day of November, 2015, by the Honorable Alfonza Menefee, Judge of Probate, Macon County, Alabama, notice is hereby given that all persons having claims against said Estate are hereby required to present the same within the time allowed by law or the same will be barred.
Edward B. Raymon
Administrator
11-12 thru 11-26

IN THE CIRCUIT COURT OF CHAMBERS COUNTY, ALABAMA
LAFAYETTE NURSING HOME
PLAINTIFF,

VS.
GLENN BOOTH DEFENDANT.
CASE NO. CV-2015-900106.00
NOTICE
TO: GLENN BOOTH
Notice is hereby given to the above named individual that an action has been filed in the Circuit Court of Chambers County, Alabama. You must file an Answer to the subject Statement of Claim within thirty days of the date of this notice or a default judgment shall be entered against you in this matter.
Information may be obtained from Kesa Johnston Dunn, Attorney for the Plaintiff.
LISA BURDETTE, CLERK OF COURT
11-5 thru 11-26

Attorney for Macon Sheriff Brunson says Strange's appeal has no merit

By **MIKE CASON**
mcason@al.com

A lawyer for Macon County Sheriff Andre Brunson said last week that Attorney General Luther Strange's appeal in the VictoryLand electronic bingo case has no merit and is a waste of taxpayer money.

"Macon County is tired of Attorney General Luther Strange causing the residents of Macon County and east Alabama to suffer by destroying their livelihoods in his political pursuit of VictoryLand," lawyer James Anderson said in a statement.

Anderson, who lost to Strange in the 2010 race for attorney general, said the constitutional amendment passed by Macon County voters made the sheriff the authority for determining the legality of different forms of bingo, including electronic.

VictoryLand owner Milton McGregor also released a statement, saying Circuit Judge William Shashy's ruling was "crystal clear."

"The attorney general's effort to push his political agenda at taxpayers' expense is unfortunate, but it will not have any effect on the work we're doing to put people back to work very soon," McGregor said.

McGregor said VictoryLand has taken more than 4,000 job applications and will soon be hiring.

The attorney general's office declined comment, other than to say that its appeal speaks for itself and that the Alabama Supreme Court would have the final say.

Shashy ordered the state to return 1,615 machines and \$263,105 seized from the casino in February 2013. The order is on hold pending the state's appeal.

Shashy, a Montgomery County judge appointed by the Supreme Court to handle the case, found that the seized machines were legal under a constitutional amendment approved by Macon County voters in 2003.

The state contends the devices are slot machines, which are illegal in Alabama.

The state says the seized machines don't meet a six-point legal test for bingo. The Supreme Court established the test in a 2009 decision in a Lowndes County case, *Barber v. Cornerstone Community Outreach, Inc.*

The test essentially allows traditional bingo, with competing players listening for numbers drawn at random, marking their cards and announcing when they have won.

The machines seized from VictoryLand, which look similar to slot machines, only require players to press a button and watch spinning reels or similar displays while the machines determine whether there's a winning pattern on a small bingo grid.

The games "do not remotely resemble the traditional game of

bingo," the state argued.

But Anderson said the Macon County amendment, which is Amendment 744 to the state Constitution, makes the sheriff the authority and the Cornerstone test does not apply.

The amendment says, "The sheriff shall promulgate rules and regulations for the licensing and operation of bingo games within the county."

Former Macon County Sheriff David Warren wrote those rules, last revised in 2012.

The rules define bingo as a game played with a five-by-five grid for marking randomly drawn numbers or symbols, with a predetermined pattern needed to win. It can be any form of bingo legal under federal law, including electronic, the rules say.

Spinning reels and other graphics are permitted but must not affect the outcome.

Players must compete against other players, so the machines have to be linked.

"So it's up to the sheriff to come up with what the rules and regulations for those games are," Anderson said.

In its appeal, the state argued that the "common, ordinary meaning" of bingo, which fits the six-point test, must apply in every county with an amendment.

Amendment 744 does not mention electronic bingo. Lawmakers could have added electronic bingo to the amendment if the intent was to make it legal, the state argued.

Shashy, in ruling against the state, also determined that the state was "cherry-picking" its enforcement because, according to evidence heard in court, about 1,800 of the same machines were in operation at facilities in Lowndes and Greene counties as of July.

Shashy noted that the state had earlier allowed a Houston County facility and two in Greene County to use the same machines for about three years each and that VictoryLand was shut down for most of that time.

The state disputes the claim of unequal enforcement because it has raided and closed casinos in those counties, only to later see them reopen.

Three casinos operated by the Poarch Band of Creek Indians in Alabama use electronic bingo machines similar to VictoryLand's.

Strange sued the tribe in federal court, but the courts ruled the tribe had sovereign immunity from the state's claims, and the case was dismissed.

VictoryLand expects to file its response to the state's appeal by about Dec. 17. The state would then have 14 days to file a response.

The court could order oral arguments, although the state did not request them.

McGregor (From Page 4)

same type of machines confiscated by Strange, but newer models with more bells and whistles.

If his gamble pays off, and reopening the west gaming room is successful, he'll open the east gaming room. If that works he will continue to expand, eventually reopening The Oasis hotel, which now sits like an aging monument in the desert of an empty parking lot.

Now inside VictoryLand, temporary walls make large rooms look smaller, doors are blocked and cafes closed. Before it was shut in 2010, 100,000 people used to come through the doors each week, taking their chances on bingo machines that, to the naked senses, looked and sounded a lot like slots. The casino opened again briefly, but was closed again after Strange confiscated the machines in 2013 in a civil forfeiture case.

All that's open today is the pari-mutuel betting area, where a handful of people gather above the overgrown racetrack to make bets on races in faraway places.

McGregor greets employees by name as he walks through that space now. He shakes hands with

customers and smiles.

He is McGregor, after all.

Perhaps more subdued than he was when his name was synonymous with political clout in Alabama, but the same man.

As always, he points to the positives of his operation, the people employed there and the \$320 million in taxes he says have been paid since VictoryLand opened, including more than \$50 million each to the state general fund and the Education Trust Fund.

He won't say how much money he has lost — or how much his operation was pulling down when it ran at full tilt. Just that the cost — and the bill for repairs — has been "substantial." He is, he says, in the same tax bracket he used to be.

Despite it all. Despite Strange and former Gov. Bob Riley and the courts he's been fighting for years — and is almost sure to face again.

He's rolling the dice again. He's put a lot down, and he's ready to let it ride.

"I don't know how I could feel more comfortable," he said.

Dillman (From Page 1)

Macon County was Rhett Hooper who ran for sheriff in 2010.

Signatures turned in by Dillman will have to be verified by the probate judge after the petitions are checked out by the Macon Board of Registrars. As in independent, Dillman would first appear on the ballot for the general election in November of 2016.

Incumbent Macon County Commission Chairman Louis Maxwell is the lone qualifier for the Democratic Party primary in March of 2016. No Republicans qualified.

Former Macon County Commission Chairman Frank Lee had considered running for the chairmanship, but didn't qualify. Lee said if he had run it would have been as a Democrat and doesn't plan to qualify as an independent.

Signatures of 3 percent of the total voters that participated in the 2012 election are required to run as an independent.

Among those signing Dillman's petition were county and municipal leaders, Democrat and Republican alike. Dillman said they signed to place him on the ballot knowing and wanting competition to strengthen both the victor and loser.

"Macon County lacks political competition," Dillman said.

Raised on Long Island, N.Y., Dillman entered the U.S. Navy in 1966 upon graduating from Island Trees High School in Levittown. Dillman earned his Bachelors Degree from Southern Illinois University while serving the Navy and Marine Corps before retiring in 1986 while stationed in Camp Lejuene. As a hospital corpsman — or medic — he proudly served the U.S. Marine Corps for 10 of his 20 years.

He is married to Dorothea Dillman with two adult children, Tina and Franklin, and five

grandchildren. Dillman attends the Loachapoka United Methodist Church.

"Having unadvertised budget hearings and voting during work-day hours and the ability to take more of our tax dollars without a vote by citizens crossed my red line," Dillman commented.

"With one in four of our county neighbors living in poverty, more taxation is not the answer for governmental services. Cutting back on non-essential expenditures and 'political entitlements' is the answer to Macon County's socio-economic problems."

Some of Dillman's platform:

- A county owned and managed website and social media will provide an environment welcoming citizens to be more informed and active in county government.

- Audio-visual equipment to enable citizens in the audience to participate and follow speakers, commissioners and county employees with their handouts before them during presentations of county business.

- Record video and post on-line county government meetings.

- If additional county taxes are needed, citizens directly affected will have a vote after being informed of consequences if rejected unlike what happened in March 2015.

- My monthly compensation for county service will be on-line for all to see how their taxes are spent.

- Tighter control of county fuel usage.

- All meetings will be advertised in the same location and format as the regular meetings.

- All meetings will be in the evening hours — unless an emergency dictates otherwise.

"Vote for change, change your vote," is Dillman's motto encouraging citizens to vote for him.

Extension Office Holiday Open House Dec. 4

The community is invited to join Macon County Extension Office Staff for the Annual Holiday Open House. The event will be Friday, Dec. 4 from 11 a.m.-1:30 p.m.

There will be a free food demonstration, hand washing

demonstration, holiday safety tips, door prizes, food tasting and much more.

The Macon County Extension Office is located at 207 North Main Street Tuskegee. Call Gloria Powell at 334-727-0340 for more information.

Eyes Above the Horizon Flight Program Dec. 5

Eyes Above the Horizon is a 1-Day Flight Introduction Program for students ages 11-18 who are interested in learning about aviation will take place on Moton Field, Saturday, Dec. 5 from 9 a.m.-3 p.m. There is no cost for student participation. Light snacks and lunch

will be provided. No previous aviation experience is required. Participants will generally be selected on a first-come, first-selected basis. For more information about the Eyes Above The Horizon program or if you have any questions or comments, please email info@legacyflightacademy.org.