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maryland

state review

Dream comes true for flutist

BALTIMORE (AP) — Flutist Tatiana Arana was almost out of time, but when a fellow Central American turned into a benefactor, she was able to realize her dream of continuing to study music in the United States.

This week marked the deadline for the 21-year-old native Costa Rican to come up with enough money to continue in this country and study at the Peabody Conservatory. She mounted a last-ditch \$11,000 fund-raising campaign three weeks ago. Last Thursday, another Central American came through.

"This shows you that you never know until you try," said Emily Contreras, Ms. Arana's music teacher. Ms. Contreras recently left the Pittsburgh Symphony Orchestra to join the RSO. Ms. Arana wanted to continue studying with Ms. Contreras.

Ms. Arana came to the United States when her husband was studying on a Fulbright Scholarship. He returned to Costa Rica, but after she was accepted as a flutist at the Yampoué Festival in Massachusetts last summer, she wanted to remain in this country.

She was accepted for the fall term at the Peabody Conservatory, but there were no available scholarship funds to help meet tuition, room and board.

Then on Thursday, Ms. Arana visited City Hall for a Hispanic Cultural Association of Maryland meeting, knowing that Peabody officials were going her just a week to come up with tuition.

She met Fedelia Pareda, a former Guatemalan and president of Centro Social Hispano-Americano, who offered to pay the balance of Ms. Arana's expenses.

Polk, AIDS researcher, dies; 46
BALTIMORE (AP) — Dr. B. Frank Polk, who helped pioneer AIDS research as a professor of epidemiology at The Johns Hopkins University's School of Public Health, died of a brain tumor in Boston Tuesday, the university said. He was 46.

Polk had been conducting several studies, still in progress, on heterosexual transmission of acquired immunodeficiency syndrome and on the risk of infection by the AIDS virus among recipients of screened blood, plasma, transfusions, intravenous drug abuse, and shared sex partners.

Polk was a member of a committee that started the Hopkins hospital AIDS Inpatient unit in February 1985. It was only the third in the U.S. at the time, the university said.

Southern Hotel up for auction
BALTIMORE (AP) — The historic Southern Hotel, an 80-year-old building located downtown, will be auctioned off.

A Florida-based developer's \$25-million plan to renovate the building for office use has fallen through. Michael Verman, a member of the group that has been negotiating the sale to Sunbelt Developers Inc. of Coral Gables, Fla., said his group will try to sell it at an auction on the premises Nov. 15.

Verman said the sale to Sunbelt fell through because Sunbelt, owner A.A. Griffin, wanted more time to decide whether to move ahead with his project, and the owners, Southern Hotel Limited Partnership, did not approve the request. Sunbelt, which was exploring plans to convert the building to first-class office space, in the third group to fail to move ahead with its plan for the building in the past three years.

State drops thrift prosecution
ROCKVILLE (AP) — Prosecutors have decided against seeking a new trial to collect punitive damages from defendants in a state suit stemming from the collapse of Community Savings and Loan of Bethesda.

The Maryland Deposit Insurance Fund, which has been working to recover money for depositors hurt by the state's 1983-84 crisis, indicated Monday it would not appeal for a new trial on the punitive aspect of the case, the lawyers said.

Circuit Judge J. James McKenna declared a mistrial after jurors announced they were deadlocked Friday on whether to award \$1 billion in punitive damages. A day earlier, the same panel found six defendants liable for \$12 million in compensatory damages for the thrift's 1985 collapse.

No foul play found in Byrd's death
BALTIMORE (AP) — No evidence of foul play has been found by Baltimore police investigating the death of Richard Byrd Jr., son of the famous polar explorer.

A preliminary medical report showed Byrd, whose body was found in a forested Baltimore warehouse Oct. 3, died of dehydration and malnutrition.

Investigator Charles Gilbert told a Winchester, Va., radio station Monday night that police still don't know how Byrd, 46, ended up in the warehouse.

Byrd had been mistaken for a vagrant at the warehouse several days before his body was found, Gilbert said. A custodian found the body three weeks after Byrd failed to appear at a ceremony in Washington to honor his father on a U.S. postage stamp. Byrd's father, Adm. Richard Byrd of Winchester, was the first person to fly over the ice and south poles.

Demonstrators protest federal AIDS policies

ROCKVILLE (AP) — Hundreds of demonstrators, unhappy with the federal government's response to the AIDS crisis, surrounded the sprawling Food and Drug Administration headquarters today and vowed to block the building.

It was unclear after the first hour of the protest whether they would be successful.

The demonstrators began gathering before 7 a.m. and circled in front of the main entrance 20 minutes later, chanting "Act up, fight back, fight AIDS" and "That drugs, not people."

Minutes later, groups of protesters broke away from their single-point area on a large parking lot, roped off by police across the street from the building, and began circling in front of the building's other three entrances.

Marshals coordinating the protest urged the protesters to keep moving to avoid arrest. Demonstrators have said they intend to investigate mass arrests later in the day.

"Keep it moving. Keep it moving. Let's go. Let's go," shouted one marshal as he directed demonstrators to a rear entrance of the 17-story building where about 100 protesters gathered.

Montgomery County police officers were allowing protesters into the main entrance at the protest gate. But later, at a rear entrance,



Demonstrators angry with federal policy regarding AIDS protest in front of the Food and Drug Administration headquarters in Rockville Tuesday.

Employees were turned away by the police after a host of a dozen or so demonstrators had lined up with the workers and surged toward the door.

There was minor pushing and shoving as the police slowly moved the demonstrators back about 10 yards from the door.

"It's OK. We're here," an unidentified employee said as she and several colleagues walked away wondering what would be done next.

Police Chief Donald Brooks watched as his officers pushed the demonstrators back from the rear door but made no arrests in the first hour.

"People have a right to protest as long as they keep it peaceful," he said. "I expect it to be a good day."

Leaders of the protest described the FDA's response to the AIDS crisis as criminally inadequate.

Monday, a small contingent of police watched as a series of protesters outside the headquarters department ridiculed the Reagan administration, saying it has done little to help AIDS victims or support research toward a cure.

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Monday's rally was organized as a mock trial with speakers after speaker reading off a list of "charges" against the administration.

The decision to plead not criminally responsible is not for courts, but civil, Louisa.

But the Adams said the consequences of a plea of not criminally responsible "are so grave and personal that a competent defendant should have the right to make his or her own decision as to whether to implore that plea."

The opinion noted that state defendant who is found not criminally responsible enjoys criminal immunity, but generally is committed to a state institution.

"The fact remains that the defendant who was not criminally responsible is faced with both the stigma of a criminal conviction and with indefinite commitment to a state institution," Adams wrote.

The opinion said that a defendant does not have the mental capacity to decide whether to reject the defense of not criminally responsible cannot be allowed to make that decision and that it is up

Plea of insanity can't be required

ANNAPOLIS (AP) — The Court of Appeals ruled Tuesday that a defendant who is mentally competent and sane cannot be required to plead not criminally responsible by reason of insanity.

The ruling came in an appeal filed by James William Treese, who was convicted of rape in Prince George's County Circuit Court Jan. 14, 1986, after he was required to enter a plea of "not responsible for criminal conduct" in addition to the plea of "not guilty."

In a previous setting ruling, the appeals court unanimously ordered a new trial for Treese.

In his criminal court trial, Treese told Judge Howard S. Chasnow that he did not plead not criminally responsible, which was entered by the court, "is a plea I am not going to accept."

Despite his protestations, Chasnow ruled that Treese's lawyer had the right to enter a plea that his client should be entered on his behalf.

State claims Cardin not too ill for prison
BALTIMORE (AP) — State prosecutors say convicted savings and loan thief James Cardin is not too ill to go to prison.

Cardin's lawyers claim the 64-year-old Baltimore developer is ill to such an extent that he cannot stand the physical and degenerative lung disease to which he was being subjected by Old Court Savings and Loan Association.

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But a competent defendant must be allowed to decide for himself, the court said. "In a free society, the individual faced with a choice of this sort should be allowed to make it and to live with its consequences," the opinion said.

In a separate issue raised in the same case, the court said it may be necessary to "some cases where criminal responsibility is at issue to have bifurcated, or two-part, trial."

The first would first decide whether a defendant is guilty and with indefinite commitment to a state institution, Adams wrote.

The opinion said that a defendant does not have the mental capacity to decide whether to reject the defense of not criminally responsible cannot be allowed to make that decision and that it is up

to the trial judge to determine competence.

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