



Singin', dancin' and playin' for Christmas

Students from Westmoreland Elementary School presented their annual holiday concert in the high school auditorium. In left photo, Samantha Geiser, Rachel Martin and Philip Walter kicked up their heels. Singing, center photo, were Megan DeArmitt, Celia Pambianco and Jillian Ungvasky. Stephen Elston and Miranda Amos added some sax sound, right photo. Below, Santa (Steven Rosencrans) and his reindeer, from left, Tiffany George, Kelli Spess, Christine Zavaskas, Nicole Razawich, Brian Ziller, Erin Kovalick, Sara Getz. Thanks to Bev Hetro or providing the photos.

DISTRICT COURT BRIEFS

Parking lot fight leads to charges

John David Edwards, 22, of 27 Carpenter Rd., Harveys Lake, faces charges of simple assault, disorderly conduct and harassment as the result of a fight in the parking lot of the Dallas Wine & Liquor store Nov. 1.

According to police reports, Edwards and Brian Burkhardt of Pinecrest Ave. in Dallas exchanged obscenities after the car Edwards was driving came close to Burkhardt. Burkhardt's brother, who witnessed the incident, said Edwards nearly hit him. Brian Burkhardt then cursed at Edwards, who got out of his car and returned the remark. Witnesses said Burkhardt then removed his shirt and he and

Edwards began to struggle. Edwards then punched Burkhardt in the face and he fell to the ground, and was unconscious. An employee of the liquor store called the Dallas ambulance, and Dallas Borough patrolman James Martin responded as well. Edwards and a friend had driven away, but soon returned and Edwards said "I'm the one involved in this." He admitted punching Burkhardt after the two showed each other a few times.

The case was sent to Luzerne County Court after a hearing before District Justice James Tupper. A charge of recklessly endangering another person was dismissed.

Wilkes-Barre General Hospital.

Winters waived her right to a preliminary hearing on charges of driving under the influence, failing to stop at a stop sign, driving at an unsafe speed, careless driving, disregarding a traffic lane and failing to keep right.

• Manley Smith Jr., 41, RR 2, Box 52, Harveys Lake, who was observed by Jackson Twp. officer Barry Stubeda driving slowly and erratically on Hillside Rd. Sept. 23. Interviewed after he was stopped, Smith admitted having smoked marijuana that evening. Smith submitted to a urine test at Wilkes-Barre General Hospital, which proved positive for marijuana.

He is charged with driving under the influence. Charges of careless driving and driving while his license was suspended were dismissed.

• Christopher Caines, 19, of RR 1, Box 68A, Shickshinny, who was arrested after 2 a.m. Aug. 17 when John Fuches, a Lake Twp. patrolman, noticed his Camaro lacked an inspection sticker and had the taillights covered. When Fuches pursued the car, he said he noticed it weaving along Rt. 118. Caines was unable to complete field sobriety tests, and was taken to Wilkes-Barre General Hospital for a blood test that showed the alcohol level at .106. In addition to driving under the influence, Caines waived charges of failure to keep right, operating a vehicle without a valid inspection sticker, consumption of alcohol as a minor, careless driving and underage purchase of alcohol.

• Constance Kane, 30, of 196AA Ashton Rd., Harveys Lake, who was arrested about 1:30 a.m. Oct. 13 when Dallas Borough officer Michael Prokopchak noticed her Mitsubishi Mirage traveling in the center of Rt. 309, and weaving from side to side. Kane failed field sobriety tests, and a breath test

at the Dallas Twp. police station found her blood alcohol level at .217, more than twice the legal limit.

Kane waived a preliminary hearing on charges of driving under the influence and careless driving.

• Thomas Noon, 44, of 1124 Bronson Rd., Sweet Valley, who was arrested by John Richards, Harveys Lake Borough police officer near midnight on Aug. 29. Richards said Noon's car nearly collided with his patrol car, and then driving on and off the roadway several times on Lakeside Drive. When Noon stopped his car near the amphitheater, he ran towards Chicky's Bar, but tripped and fell. Noon got up and went into the bar, and officer Damian Hoover followed him in. Noon refused to submit to testing. Following a preliminary hearing before District Justice James Tupper, he faces charges of driving under the influence of alcohol, careless driving and driving while his license was suspended. Charges of fleeing a police officer and failing to keep right were dismissed.

• Bruce Wilkins, 31, of RD 1, Box 301, Stillwater, who was arrested by Kingston Twp. officer Frank Buckler at about 3 a.m. Oct. 18. Buckler responded to a call about a possible drunk driver on Harris Hill Rd. Wilkins's '97 Chevrolet was driving on the right front rim and weaving across the road. Wilkins did not stop when Buckler turned on his lights and siren and Buckler finally pulled up beside the car and motioned Wilkins to stop. After failing field sobriety tests, he was taken for a breath test which showed his blood alcohol level at .115.

Wilkins waived his right to a preliminary hearing on charges of driving under the influence, careless driving and failing to keep right.

THEFT, FORGERY CHARGED

David John Kusma, 28, of West Wyoming faces two counts each of receiving stolen property and forgery after he was arrested trying to pass a stolen check at the Pioneer American Bank branch inside Mr. Z's Market in Dallas Sept. 11.

Police said Kusma had cashed a check on Aug. 8 for \$245 made out to Joe Gregoire and signed Barbara Winsock. That check and one Kusma was trying to cash Sept. 11, also made out to Joe Gregoire in the amount of \$255, were reported stolen.

A charge of passing bad checks was dismissed.

DUI CHARGES

The following defendants face county court trials for driving under the influence of alcohol or a controlled substance.

• Paul Niznik, 28, or 463 Main St., Kingston, who was arrested just after midnight April 17 when Dallas Twp. patrolman Jeffrey Dennis saw the car he was driving travel in the wrong lane on Main Rd. Dennis said he followed Niznik's car onto Rt. 309 South, and continued to move erratically. When Dennis tried to pull Niznik over, using his lights and siren, the car's brake lights came on, then it continued to travel slowly.

Dennis also used his car's PA speaker until Niznik stopped at the intersection with Pioneer Ave.

When Dennis questioned him, Niznik said his license was under suspension, and Dennis noted signs of intoxication. He failed field sobriety tests and a breath test administered at the Dallas Twp. police station registered a blood alcohol level of .196, nearly twice the legal limit.

Niznik waived his right to a preliminary hearing on charges of driving under the influence, disregarding a traffic lane and driving while his license was suspended.

• Ann Winters, 42, of RD 1, Box 288B, Dallas, who was arrested after 2 a.m. Oct. 1 after police saw her black Ford pickup truck drive through the stop sign at Lake St. in Dallas Borough at a high rate of speed. When Dallas Twp. officers Dennis and Brian Feeny chased the truck with lights and sirens on, it continued up Lake St. at a high rate of speed, weaving back and forth between lanes. Winters' truck finally stopped near Shrine Acres, and Dennis smelled alcohol when he approached it. Winters first told police she had had only two beers, then later said she had had three. She failed field sobriety tests and registered .209 on a blood alcohol test given at



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