

Occupy Las Vegas protesters camp at struggling gas station

Laughlin deputies' action prompts infighting among constables

By KRISTI JOURDAN
LAS VEGAS REVIEW-JOURNAL

They demanded all of the money in the cash register. It was \$3,516.

They would need to collect on the credit card transactions, too.

A handful of armed deputies from the Laughlin Township constable's office executed a District Court order Saturday to seize \$40,000 in assets from the University Sinclair gas station on Flamingo Road and Maryland Parkway. The station is facing financial troubles, and

its owners are waging a public relations campaign against Bank of Nevada by allowing protesters with the Occupy Las Vegas movement to camp on

► SEE **INFIGHTING** PAGE 5B
District attorney's office being asked to clarify matters



JERRY HENKEL/LAS VEGAS REVIEW-JOURNAL
Protest signs sit outside Katja Crosby's Sinclair gas station on Monday. Members of Occupy Las Vegas moved into the station over the weekend to give Crosby some support after Laughlin constable's deputies served her and collected money on a court judgment.

CANDLELIGHT VIGIL

A death among friends



MARTIN S. FUENTES/LAS VEGAS REVIEW JOURNAL
John Eisele, right, comforts Chris "Twist" Erle during a candlelight vigil Monday night for slain bartender Phil Wells. Erle was the boyfriend of Wells, who was shot to death early Monday while at work at The Garage.

Crowd gathers to mourn popular bartender shot to death at work

By JESSICA FRYMAN
LAS VEGAS REVIEW-JOURNAL

A kiss on the cheek and a big hug came with every hello from popular bartender Phil Wells.

"He was always so happy and willing to just be everybody's friend," said 46-year-old Cecil Kester, a regular customer of The Garage, where Wells, 29, worked.

But early Monday at the gay bar, a

place known for making friends quickly was transformed into a site where a dear one was lost.

About 5:30 a.m., a man walked in and shot Wells dead.

Las Vegas police arrested Tracy Kaufmann, 50, of Knoxville, Tenn., in connection with the shooting on Flamingo

► SEE **SHOOTING** PAGE 5B
Friends say suspect was bartender's ex-lover

Rancher calls bid for rural water a cancer to be stopped

By ED VOGEL
LAS VEGAS REVIEW-JOURNAL CAPITAL BUREAU

CARSON CITY — A month removed from his last pancreatic cancer operation, weakened-but-wily White Pine County rancher Hank Vogler drew comparisons Monday between the Southern Nevada Water Authority's pipeline to eastern Nevada and the aggressive disease that tried to kill him.



Hank Vogler
Rancher

"This cancer must be stopped before it metastasizes into all the valleys of rural Nevada," said Vogler about the water authority's plan to siphon groundwater from several sparsely populated valleys, including his own.

He joined several American Indian leaders in pleading for State Engineer Jason King to deny the authority's request to pump up to 126,000 acre-feet of groundwater a year from beneath an area they consider their ancestral home.

"I have the most to lose," said Vogler, who is part American Indian and fighting to protect the water he uses for his sheep ranch in Spring Valley, about 50 miles east of Ely.

Already widely quoted thanks to his homespun sense of humor, Vogler made headlines earlier this year when he threatened to call his sheep and other livestock as witnesses during the state water hearing now under

► SEE **RURAL** PAGE 4B
Rancher urges look at ocean desalination

'Smokin Joe' Frazier mourned as self-deprecating champ

The boxing world mourned "Smokin' Joe" Frazier on Monday in Philadelphia with its cataract eyes, cauliflower ears, and crushed-velvet hyperbole.

But I say it's time we sing his praises. That's right, sing.

A little off key, but with a lot of soul — just the way he lived his amazing life.

In the ring, Frazier was an under-sized Everyman, straight from the Philly streets. He was a pit bull who threw punches like lit dynamite sticks. His misses were audible in the cigar-fogged arenas, and when he landed that big left hook — boom! — jaws cracked and rafters rattled.

But it's when he pursued his life's other passion, singing, and took his show on the road, that he reminded us he was more than a heavyweight champion. He showed the world he was his own man who sang, and danced, to his own beat.

Sports fans scoffed at Frazier and his backup band, The Knockouts. Joe kept a tune in more than a spit bucket, and the band was filled with ringer musicians and singers from the Philly soul music scene. Most people, though, didn't check out his show to see



John L. Smith
COMMENTARY

the energetic soul man. Rather, they wanted to take a gander at the heavyweight champ on stage. Few knew that Frazier was so into his music that he actually rehearsed his songs between rounds in the gym.

When he opened at Caesars Palace in March 1970, he was a newly crowned champion, following his impressive win over Jimmy Ellis. He opened with "I've Got a Hammer" and pounded away in a one-hour set. He admitted having opening-night jitters.

"I was a little up tight at first," he told AP's Terry Ryan. "It was like feeling someone out for the first two rounds. You have to find out what they want."

But, he reassured skeptics, "Singing isn't anything new to

me. I've been singing as long as I've been boxing. I'd be here even if I wasn't champ. Some people think singing is easier than boxing, but singing is four or five times harder."

Joe settled in, but a few days later, he took the old pre-show, good-luck salute of "break a leg" a bit too literally.

In his first set, Joe was moving and grooving when he decided to show off and do the splits a la James Brown.

Down went Frazier — with a broken right ankle.

True to his fierce ring persona, he regained his footing, finished the set and a later 2 a.m. show before being taken to the county hospital for an X-ray.

"I do the same thing in training," he explained. "It's the Frazier split. I jump up and stick my legs out. In the ring they have resin and I wear boxing shoes. This time I guess the floor was a little slippery. It was a freakish thing."

And one that might have changed the course of his boxing career. Less than a year later, Frazier entered the ring at Madison Square Garden against Muhammad Ali. Both were undefeated. Frazier was the champion of record, but Ali was the darling of the celebrity

crowd and much of the press.

Fifteen grueling rounds later, Frazier remained undefeated. Ali remained in the world spotlight while Frazier burned in the shadow.

So formidable was Ali's persona that acclaimed author Budd Schulburg penned the biography "Loser and Still Champion" about the importance of Ali's place in the history of the heavyweight division.

No one was writing a literary paen to the street-tough soul brother named Frazier.

On Monday in Philadelphia, Ali was among the thousands assembled to say goodbye to Smokin' Joe. Gone from liver cancer at 67.

Ali's man Gene Kilroy, the Las Vegas casino host, was there. Kilroy says that when the minister spoke about Frazier, he reminded everyone that "it's not how many times you get knocked down. It's how many times you get up. And Joe Frazier got up."

Contrary to many reports, Kilroy notes that Frazier and Ali had largely mended their differences. Frazier said he was looking forward to coming out to Las Vegas in February for Ali's 70th birthday at the MGM Grand.

"Maybe we'll go for the fourth time," Frazier told Kilroy in September during a visit to Las Vegas. Then he added, "No, we had our day in the sun. Now it's time to make love."

Ali was known as a great prankster with the sharpest tongue in the history of the heavyweight division, but no one ever called him self-deprecating. Frazier, the dog-eared Everyman, was capable of laughing at himself.

When the Miller Brewing Co. hired him to promote Lite beer, he kept his sense of humor. In one commercial, he said he enjoyed the taste so much, "it makes me wanna sing!" Then he watched as the room cleared all around him.

Frazier's stint at Caesars ended with a bad break, but by 1977 he was back in Las Vegas at the Hacienda headlining "The Smokin' Joe Frazier Revue." It didn't last, but he wasn't deterred.

In a life filled with triumph and defeat, nothing ever stopped Joe Frazier from singing his music, his way.

John L. Smith's column appears Sunday, Tuesday, Wednesday and Friday. Email him at Smith@reviewjournal.com or call 702-383-0295. He also blogs at lvrv.com/blogs/smith.

► SHOOTING: Friends say suspect in slaying was bartender's ex-lover

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Road near Maryland Parkway. Official charges will be released today.

Friends of the victim called the suspect his ex-lover who may have been stalking Wells. His friends said they learned the detail from family after his death, as Wells never let on that he had personal issues.

"He always just listened to our problems and helped us with ours," said Brandon Busche, a 29-year-old regular customer and friend. "He'd give the shirt off his back. He would pull money from his tips to buy me a drink."

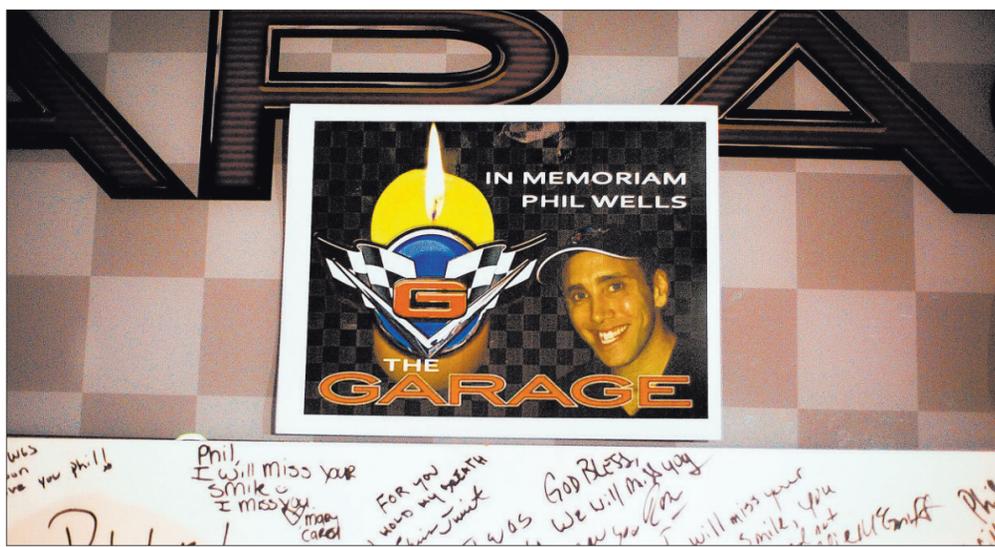
There was one thing Wells did complain about: not enough Dolly Parton songs on the jukebox.

"Anytime you came to the bar, he was always singin' Dolly," said Matthew Schatswell, a 30-year-old customer and friend.

Not shy, Wells often sang his favorite Dolly tune, "Islands in the Stream," a cappella. He, of course, had a season pass to Dollywood, a Tennessee amusement park owned by the country singer.

About 150 customers, friends and family of the bartender gathered to share memories and mourned at a candlelight vigil outside The Garage on Monday night. The bar will reopen at noon today.

Wells' uncle stepped forward from the



MARTIN S. FUENTES/LAS VEGAS REVIEW JOURNAL

A sign with a photo of slain bartender Phil Wells is displayed at The Garage during a candlelight vigil Monday night. The bar, where the shooting occurred, is at 1487 E. Flamingo Road, near Maryland Parkway and the University of Nevada, Las Vegas.

crowd to tell the loyal customers they were equally loved. He said he found a gratitude card in Wells' loft filled with daily notes about all his patrons.

"It's the bartender's job to make you feel like you're the only one in the world," said Ron Holsey, 46, a customer of The Garage. "He did that. He was an exceptional bartender."

Wells tended bar in Knoxville for

nearly a decade before moving to Las Vegas late last year. Before getting the job at The Garage in April, he worked at Escape Lounge on West Sahara Avenue near Arville Street.

Wells loved to sip cocktails, with margaritas and sangria being recent favorite tastes.

Outside the bar scene, 24-year-old Chris "Twist" Erle, who was dating

Wells, said the bartender enjoyed art and talking about philosophy.

He also played softball with a team of other bar employees.

But Wells' interests always circled back to one thing, Erle said: friends.

"His favorite hobby was to be sociable."

Contact reporter Jessica Fryman at jfryman@reviewjournal.com or 702-383-0264.

► INFIGHTING: District attorney's office being asked to clarify matters

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their property at the busy intersection.

The execution of the court order also has caused infighting among Clark County constables about how the job of peace officer should be done, and the district attorney's office is being asked to clarify things.

Laughlin Township Constable Jordan Ross, whose office now has a Las Vegas bureau, said his department has picked up work serving court papers in Las Vegas Township because of the large workload. Laughlin is about 100 miles south of Las Vegas. This was the first time the department had worked in Las Vegas, Ross said.

"We're happy to pick up the slack," Ross said. "The Las Vegas Township constable's office is large and backed up."

Ross' office gets a cut of the fees and is paid for mileage each time deputies serve papers. It's 2 percent for the first \$3,500 collected, and any sum over that is half a percent. So, Ross' office made about \$275 from serving the gas station.

DRUMMING UP BUSINESS

But Las Vegas Township Constable John Bonaventura was never notified by Ross about his serving papers in the area — a gentlemen's agreement all constables are supposed to abide by, he said. His office has been fielding calls from media outlets since the court order was executed although his office is not involved.

"They're causing all of this ruckus," Bonaventura said of Ross and his deputies. "We're getting the backlash from it. We have nothing to do with this. ... They're looking around at their own townships and saying, 'Gee, there's no work around here.' They're trying to get more fees and drumming up business in Las Vegas."

Bonaventura has asked the district attorney's office for an opinion about county constables taking business away in his township. Nevada Revised Statutes reads, "Each constable shall be a peace officer in his or her township."

"They're supposed to be in their own townships," Bonaventura said. "They're broke, and they're trying to make money."

Ross disputed the contention that constables have limited jurisdictions, saying each constable is a recognized peace officer throughout the state. Court papers determine who has power and where the department can execute an order.

"The NRS is a grant of power, not a restriction of power," he said.

One of the deputies executing the order at the Las Vegas gas station was from Goodsprings Township. Constable Gary Rogers said he had no knowledge that anyone from his department was involved in the matter and that he is conducting his own internal investigation.

Ross said the deputy is with the Goodsprings Township constable's office but was sworn in as a Laughlin Township deputy constable on Veterans Day. The paperwork hasn't been submitted to the county clerk's office yet, Ross added. The clerk then will forward the information to the recorder's office.

SLEEPING ON THE STREET CORNER

More than a dozen protesters with the Occupy Las Vegas movement stayed in tents on the street corner outside the gas station Monday. Owners Katja Crosby and Ali Moghadam asked the occupiers for help in drawing attention to their financially strapped business.

Occupy Las Vegas is a chapter of the national Occupy Wall Street movement protesting corporate greed and influence in politics. The local group has staged several protests in Las Vegas over the last few weeks and plans to continue to do so until a nationwide protest period ends on Nov. 21.

"It's a little rougher sleeping here," protester Collin Williams said. "There's been this complaint that Occupy Las Vegas hasn't accomplished anything.

Meanwhile, it's quite possible that while we're sitting here we'll have flushed out a corrupt constable and helped to defer the seizure of assets of a business."

The group is seeking out homeowners facing foreclosure, too, he added. The group intends to occupy foreclosed homes, although it has not indicated when that will happen.

"THERE MUST BE SOME CONFUSION"

Michael Mazur is the attorney representing Bank of Nevada in the court order. Mazur also is a deputy for the Goodsprings Township constable's office but was not present when the court order was executed.

As for a potential conflict of interest with his legal representation of the bank and his outside duties as a constable deputy, Mazur said there is none.

"There must be some confusion," Mazur said. "This was an entirely different branch. It was sent to Laughlin. We work with all constables in the state. ... My office handles the paperwork, and we forward it out. I don't have active involvement on a constable level with these cases."

Mazur said his clients are just trying to get paid.

"We're seizing personal property and cash on debts that weren't paid. They borrowed the \$40,000 from my client. They took the money and sold the goods," Mazur said.

Moghadam, the manager of the gas station and Crosby's husband, said he offered to make \$200 monthly payments two years ago. Since then the family has offered to make \$420 payments. The bank refused the offer because it would hardly make a dent in the loan's interest.

"We're not denying we owe the money," Moghadam said. "We tried to pay, we just want a lower payment. All of our other creditors have worked with us."

But Mazur said that never came up in negotiations and that the defendants refused to return phone calls or attend arbitration meetings and never delivered a settlement proposal.

Crosby said she tried to represent herself at arbitration meetings because she couldn't afford an attorney but was dismissed by Mazur.

"I'm in shock over the whole thing," Crosby said. "I was struck by everything when they came in. They were big men with guns. I told them I wasn't doing well. I wasn't lying when I told them I wasn't doing well."

Contact reporter Kristi Jourdan at kjourdan@reviewjournal.com or 702-455-4519.

NOT YOUR USUAL PIONEER WOMAN

A "china doll" as tough as nails.

KNOWN AS THE MISTRESS OF THE MORMON Trail, Helen J. Stewart not only paved the way for women in the west, but also was instrumental in laying the groundwork for the future of Las Vegas.

Born in the Midwest in the mid-1800s, uprooted and transplanted as a young girl into California, Helen J. Stewart experienced the rigors of pioneer life early. Married at nineteen, mother at twenty, widow at thirty with four children and pregnant with her fifth, she had no time to ponder her fate. Instead, she became a force to reckon with.

Sally Zanjani and Carrie Townley Porter chronicle the extraordinary life of a woman dedicated to providing for her family and improving the lives of those around her, a woman ahead of her time who befriended Indians as well as congressmen, a woman who truly was the "First Lady of Las Vegas."

MEET HELEN!

Author Carrie Townley Porter will present a program AS Helen J. Stewart

SATURDAY, NOVEMBER 19TH

Nevada State Museum

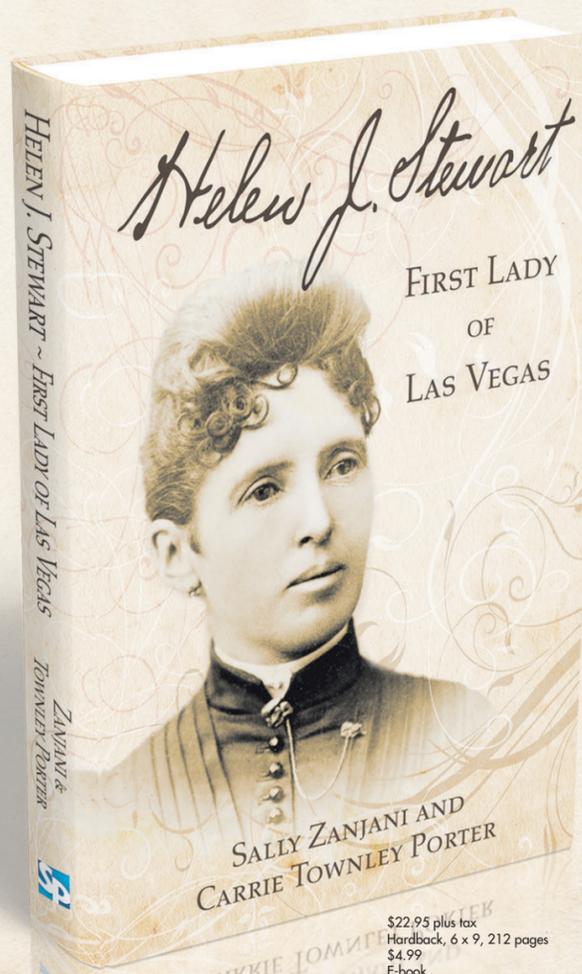
309 South Valley View Boulevard

PROGRAM 1:00 PM

BOOK SIGNING 1:30-3:00 PM

Program is free to the public. Admission to the galleries is \$9.95 for adults, free for children and museum members. **Information: 822-8746**

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