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BURN BAN IN EFFECT, NO GROUND FIRES

by order of Presidio County

County officials initiate search for new surveillance equipment, deputy

By SAM KARAS
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PRESIDIO — At yesterday's regular meeting, the Presidio County Commissioners Court approved the first steps toward a new mobile surveillance unit and a deputy for the sheriff's office. With the commissioners' blessing, the PCSO will be able to move forward with both projects — which the department hopes will have a positive impact across the county.

First, the commissioners voted in favor of initiating an RFP (request for proposals) to replace an ailing mobile surveillance unit mounted on the back of a PCSO vehicle for use on patrol.

The software on the old mobile unit was outdated and the only place to take it for the necessary repairs was in Florida. Rather than have a staff member drive across the country, the PSCO opted to replace it instead. "We thought the best thing to do was to dispose of it through the [Operation] Stonegarden grant program," PSCO Secretary Elmore explained.

The Operation Stonegarden program — a federal network of grants offered to border governments to help offset the cost of law enforcement equipment and staffing — originally funded the unit. The new, up-to-date model is already an approved purchase through the department's Operation Lone Star funds — the state-level wave of funding for law enforcement on the border. "This one is a lot more high-tech," Elmore said.

The upgraded equipment boasts a number of features intended to help the PSCO in the county's most remote reaches. The mobile unit can be charged indefinitely off of a vehicle's battery and has a number of imaging options: high-quality daytime photo and video recording and a sophisticated thermal camera that can sense a person up to six miles away.

The unit is also equipped with GPS trackers and a number of laser scopes to help officers determine exact distances and waypoints. The unit can ride compactly in the back of a vehicle or it can be extended — the largest available unit can stretch up to 34 feet high.

To help guide the purchasing and implementation process, the commissioners appointed a committee of Elmore, Precinct 2 Commissioner Margarito

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The West Texan Media Group, LLC



Staff photo by Mary Cantrell

From left, FBI Special Agent Greg Cipriano, Alpine Mayor Catherine Eaves and FBI Special Agent Jeffrey Downey commemorate the grand opening of a new Alpine branch of the FBI El Paso Field Office.

FBI establishes permanent presence in the Big Bend region with new Alpine office

By MARY CANTRELL
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ALPINE — This Tuesday, the Federal Bureau of Investigation El Paso Field Office held a ribbon cutting ceremony to commemorate the grand opening of its new Alpine branch — a brand new facility located just off of U.S. 90 on the west side of town that currently employs two special agents.

"We're very proud to be here and have this building in Alpine," said Jeffrey Downey, special agent in charge of the El Paso Field Office, following the recitation of the Pledge of Allegiance and a prayer led by the FBI Alpine branch's chaplain. "You don't see a space like this everywhere. I think it's a demonstration of the commitment to this community that we have a standalone building – a very nice building – with FBI markings on the outside."

In an interview with *The Big Bend Sentinel* following opening remarks and the ribbon-cutting, Downey offered further insight into why the agency wanted to have a permanent physical presence in the remote town of Alpine, a place he referred to as a "high risk area" within FBI El Paso's jurisdiction due to its proximity to the Texas-Mexico border.

"Based on the threat picture in the area of various criminal matters that are going on — corruption, national security concerns at the border — the FBI decided we need to invest more resources down here," said Downey. "Ultimately, we ended up building the building as a result of that."

The El Paso Field Office includes two "resident agencies" — one in Midland, and now, another in Alpine, which will serve Brewster, Jeff Davis, Presidio and Pecos counties. The two special agents who are stationed in Alpine were present for the opening event, but were purposefully not identified, said Downey.

The Alpine agents will focus on the breadth of federal crimes, said Downey, including national security, cyber crime — of which the area was a target, he said — drug trafficking, crimes against children and more.

"There is a great deal of work to be done in these four different counties here," said Downey.

A focus of the event was continued collaboration with local law enforcement — many of which were present for the ceremony, which saw around 40 attendees including Border

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In remote Presidio County, attempt to block road access yields a complex legal fight

By ALLEGRA HOBBS
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PRESIDIO COUNTY — On Tuesday morning, 394th District Court Judge Jennifer Wright presided over a hearing on access to a road snaking through remote, rural Presidio County. Ayres Road — also known as County Road 27 — begins at the Hot Springs Road and ultimately runs into vast tracts of private land belonging to warring legal parties.

A total of six lawyers were present to grapple with the question: who gets access to the stretch of Ayres Road that passes through 80 acres belonging to defendants Mary Baxter and Neil Chavigny? The couple is being sued by Maria Maurial, an Austin-based "land investor" who last year swiped up 480 acres near their remote property. Her only means of accessing a home on her impressive acreage, she says, runs through that of Baxter and Chavigny, who have barred her entry with a locked gate. It is an unprecedented gesture in the road's roughly century-long history, claim her lawyers, who have now vociferously argued across multiple public venues that the road is a county road open for public use.

That's a claim that has yet to be proven, the opposing legal team counters.

"There's no official county record that they have submitted that show the road in question is indeed a public dedicated road," said Sam Ballard, one of four attorneys representing the defendants, at a February hearing on the matter.

The nature of Maurial's foray into the remote territory has been called into question throughout legal proceedings. The defendants worry she plans to rent it out to vacationers rather than occupy it herself.

Their concern is bolstered by a since-removed apparent advertisement for the property on the website of her company Emacity Land Investments, under a section labeled "Ranches for rent." Maurial's website described the ranch as a peaceful, secluded getaway "embraced by the arms of the earth."

Screenshots of this section of the site remain documented in court filings. "The stress and tensions of a hectic culture siphon away as you kick back and let go, soaking up the clean quiet atmosphere and panoramic mountain views," the site description read. "The only sound comes from nature — the mockingbird, dove, and an occasional coyote."

Maurial was joined, roughly a month after filing the initial lawsuit, by co-plaintiffs Pinto Canyon Ranch, LLC and Forth Ranches LP, both

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In rural counties, Texas law puts low-income defendants at a disadvantage

By WILLIAM MELHADO
The Texas Tribune

With livelihoods and futures on the line, a two-tiered system of justice enshrined in the Texas Criminal Code is putting some of the poorest rural Texans at a disadvantage after an arrest.

While indigent residents — those who can't afford an attorney — of counties with more than 250,000 people must be provided with a court-appointed lawyer within one day of requesting counsel, the wait for rural Texans could stretch up to five days.

Lawmakers approved this system 22 years ago, in part to address a long-standing problem — a persistent shortage of lawyers working in rural Texas — by requiring counties to create appointment procedures and establish qualifications for attorneys representing indigent clients.

The law, however, also gave the state's less-populous counties more time to assign a court-appointed attorney, jeopardizing the right to legal representation as guaranteed by the U.S. and Texas constitutions.

"That's changing the law to make the problem legal. It's not fixing the problem," said Pamela Metzger, a law professor and director of the Deason Criminal Justice Reform Center at Southern Methodist University in Dallas.

For low-income residents of almost 200 rural counties, where few if any lawyers may practice, delays in representation can translate into more time in jail and rushed plea deals — both of which can lead to loss of jobs, housing and child custody.

To address the pervasive shortage of teachers and doctors, rural America has created financial incentives, educational pipelines and other strategies to attract and retain professionals.

Similar innovations for lawyers, however, are lagging in parts of rural Texas.

The problem has drawn the attention of several Republican lawmakers who recently filed identical House and Senate bills to establish a favorable loan repayment program for lawyers who choose to work in rural parts of the state where relatively lower salaries and few law firms can limit opportunities, particularly for young lawyers struggling with law school debt.

Under House Bill 4487 and Senate Bill 1906, lawyers would receive up to $180,000 to repay student loans if they practice criminal law in a rural area for four years. The goal is to encourage novice legal professionals to build careers, families and community ties in rural Texas.

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Sen. Blanco files HEAL Texans Act in hopes of expanding rural healthcare options

By SAM KARAS
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AUSTIN — On March 7, State Sen. César Blanco filed the Healthcare Expanded and Accessed Locally for Texans Act, or the HEAL Texans Act. The legislation would allow advanced practice registered nurses (APRNs) to provide primary care to patients without contracting a doctor — a restriction that doesn't apply in 26 other U.S. states.

Blanco's district encompasses a vast area in Far West Texas, including some of the state's least populated counties. "If you live in one of the state's many underserved counties and need care, you have only two options: a long trip to find a provider, or go without care," Blanco explained at a press conference. "The HEAL Texans Act will eliminate barriers to care, expand local options across the state — particularly in rural and underserved communities — and most importantly, put patients first."

The HEAL Texans act is designed to counter existing restrictions that Blanco feels are unnecessary and redundant. Since 2013, Texas has not required direct on-site observation by a primary care physician for APRNs providing medical services within the scope of their certifications — instead, current law requires a monthly check in from a contracted physician.

Creating such a contract can be time-consuming and costly, Blanco explained. Proponents of expanding scope of care for APRNs say that overall costs will be lower for patients across the board — according to a report from the Brookings Institution, annual spending on physician care is roughly 10 times that of spending on care provided by nurses.

The report concludes that the spending gap doesn't sacrifice quality of care — or fair wages for nurses. The number of nurses entering the workforce has been outpacing the number of doctors, many of whom are encouraged to go into lucrative specialty fields — APRNs could potentially fill the gaps left by new doctors pursuing specialties rather than general practice.

Opponents disagree, arguing that filling roles typically assigned to doctors pushes nurses into roles beyond their training. At the press conference hailing Blanco's introduction of the bill, lobbyists from the Texas Medical Association staged a public interruption. "We say 'no' to nonphysician practitioners who want to expand their legal scope of practice beyond what their education, training, and skills safely allow," the organization wrote in response.

Blanco felt the Texas Medical Association mischaracterized his legislation, which he differentiated from other states' pushes to expand the "scope of care" for nurse practitioners. "APRNs would only be doing work they already do, just without the administrative and financial barriers of contract agreements with physicians," he wrote in a press release.

JD Newsom of the Big Bend Regional Hospital District said that the HEAL Texans Act was one of a few pieces of state legislation he was keeping an eye on. "I think it's an innovative approach to try to solve a crisis in rural areas — about

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FBI

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Patrol, Drug Enforcement Administration, Brewster County Sheriff and Alpine Police Department officers.

"It's something that needs to be stressed, our collaborative work going forward," said Special Agent Greg Cipriano, supervisor of the Midland and Alpine resident agencies, addressing the gathered crowd. "I look forward to the partnerships out here, working with you all on your mission and working with you to support our mission here."

Brewster County Sheriff Ronny Dodson, who attended the opening ceremony, said he was aware of the ongoing effort to establish a permanent FBI presence in the area, and spoke to the prior benefits of having FBI agents on the ground.

"They moved some agents here and it was easy. We could visit with them and they could come get in our cars and see what we were looking at," said Dodson.

The sheriff's office would continue to work with the FBI on crimes that are brought to their attention that are under federal authority, and for local cases when lab diagnostics are required, for example, said Dodson.

"It's nice having the agents here, we know 'em, we like 'em. They're very friendly, they come and visit, they don't just hide behind these locked doors, they're out and they actually come into our offices and ask for help from us too," said Dodson.

While declining to share the new facility's specific features, Downey said the building was equipped with capabilities that would be made available to other local law enforcement.

"There's a lot of agencies down here in a remote area. It's built for an area that we can all come and utilize it," said Downey.

Downey said the need for an Alpine office has grown over the years. FBI agents used to commute two and a half hours to Alpine from the Midland office to work on criminal and national security cases, even after a full-time agent was assigned to the area back in 2014. In 2017, an FBI agent was stationed full time at a local Border Patrol station.

In 2016, Congress allocated $600,000 to the FBI for the new Alpine building, but there wasn't "adequate General Services Administration" space, according to Downey, so the agency opted to build a new facility from scratch. Construction began in 2021 and wrapped up in June 2022. Downey said that despite supply chain and other delays during the building's construction, agents continued to work on cases involving drug trafficking, child pornography, public corruption, and the Big Bend National Park child endangerment case.

While there are no expansions planned at this time, said Downey, the new FBI facility in Alpine was built to grow and could hold up to eight employees.

"We're always reevaluating where our agents are and where the need is. This building specifically was designed for expansion and for growth so we have the ability to add more agents and more staff to this office, as we deem necessary," said Downey.

He added that while the high security outfit was not promoting an open door policy, per se, community members would be able to file reports and talk to the local agents at the new facility, and the FBI would continue to have a presence in the community and with other local law enforcement. Event attendees were invited on a tour of the new facility Tuesday.

"This is forever," said Downey. "We're not going anywhere."

Alpine Mayor Catherine Eaves attended the event and assisted both Downey and Cipriano with the ceremonial ribbon cutting, and said she was supportive of the FBI's presence in the Alpine community.

"It shows the tremendous commitment that the FBI has for the community. We're very grateful to have them here." said Eaves. "Especially being close to the border, it's important to have our law enforcement. The city supports law enforcement in every way possible."

Texas law

(Continued from page 1)

In addition, some rural counties have banded together to create public defender offices that provide lawyers for indigent residents. Although the offices are providing needed relief, hundreds of rural defense attorneys have retired, died or moved away in recent years, leaving some areas underserved.

"If you were to ask me what's the No. 1 problem with Texas public defense today, I would say access to counsel in rural areas," said Geoff Burkhart, executive director of the Texas Indigent Defense Commission.

181 different ways to appoint lawyers

In 2001, lawmakers created different timelines to appoint lawyers for some of the poorest Texans based on where they live.

For those in counties with at least 250,000 residents, indigent defendants who request a lawyer must be provided legal counsel within 24 hours. Smaller counties, however, have three business days, meaning delays can stretch to five days in case of a weekend.

The law sought to address glaring deficiencies in legal representation for low-income Texans by requiring counties to standardize appointment procedures, whether by creating a rotational system of defense attorneys, a public defenders office or some other process.

But lawmakers, concerned that smaller counties lacked the needed resources, provided a longer deadline to appoint a lawyer, according to a bill analysis from the House Research Organization.

"While some areas, particularly large urban jurisdictions, report that they appoint attorneys for indigents within hours or a day or two, in other areas it is not uncommon for defendants to spend weeks — sometimes even months — in jail," the analysis said.

In a 2002 written opinion on the law, then-Attorney General John Cornyn said he believed the two-tiered system did not violate the constitutional guarantee of equal protection under the law.

The need for uniformity, Cornyn wrote, "must necessarily be balanced against the need for workability given the size of the state and the variations in size, resources, and problems of its numerous counties."

The variations in Texas' criminal justice system extend to how courts determine if a person is indigent and how those individuals are appointed lawyers. Texas doesn't have statewide guidelines about who can be provided a court-appointed lawyer, so each county creates its own rules.

According to research by the Deason Center at SMU, there were 181 different plans for appointing counsel in 2019, each with their own standards of determining when someone meets the financial threshold to receive a court-appointed attorney. Those plans can consider income, assets, financial obligations and more when considering if someone is "not financially able to employ counsel," which is the state's definition of indigent.

"A pretty horrifying prospect"

Legislative technicalities aside, the two-tiered system has resulted in different systems of justice for Texans based on where they live.

For example, in Culberson County — home to about 2,000 people in Far West Texas — 216 misdemeanor charges were filed in fiscal year 2021, but none of those charged received a court-appointed lawyer.

According to the Texas Indigent Defense Commission, 12 other counties also did not provide a court-appointed lawyer for any misdemeanor charges in fiscal year 2021, while 53 other counties had a 10% appointment rate.

In comparison, Bexar County, home to San Antonio and about 2 million residents, had an appointment rate of 58% for misdemeanor charges.

For low-income defendants charged with felonies, the issue has been less acute. Data from the state's indigent defense commission found that appointment rates for felonies stayed relatively consistent over the past decade, oscillating between 70% and 90%, which was generally in line with national averages.

Bexar County reported a 90% appointment rate for felony charges in fiscal year 2021, while Real County, with about 3,000 people, had a rate of 72%.

What the data doesn't show is the amount of time defendants spend in jail while waiting for help from a lawyer.

Many indigent Texans can spend more than a week waiting for a lawyer, said Nathan Fennell, a staff attorney at the Texas Fair Defense Project, a nonprofit that provides legal help and advocates for policy changes to the criminal justice system.

"Imagine sitting in jail for a week without a lawyer, and the most critical time to have a lawyer in a lot of ways … [it's] a pretty horrifying prospect," Fennell said.

In Hockley County, just west of Lubbock and home to roughly 20,000 people, Sheriff Ray Scifres said gaps in the indigent defense system can mean longer-than-necessary jail time.

"Everything for us is about length of stay — how long are these pretrial detainees staying in our facility?" Scifres said. "And of course the longer they stay, the more that is going to cost your local taxpayer."

Across vast swaths of Texas, lawyers who represent indigent clients can be responsible for defendants in far-flung counties. For those juggling private cases and other duties, the driving distance can add a substantial burden.

Rural lawyers are no less capable than their urban counterparts, but they're stretched thin, said Bill Helwig, district attorney for Yoakum County, with a population of almost 8,000 along the Texas-New Mexico border. The need for more help is undeniable, he said.

"You can only spread really good jelly on bread so thin," Helwig said.

One-quarter of rural defense lawyers have left

While the lack of professionals in small communities is not a new problem, the issue has become more acute, Burkhart said.

In the past seven years, the state has lost a quarter of its rural defense attorneys to insufficient compensation, retirement and death, he said.

According to a recent policy brief from the Deason Center, less than 1% of Texas lawyers were practicing in the criminal justice system in the state's 159 smallest counties in 2021. Of those 846 lawyers, less than half had accepted an appointment to represent an indigent client, the center found.

As a result, rural defendants are four times less likely to receive a court-appointed lawyer than their urban counterparts facing a misdemeanor, according to the policy brief.

While the number of qualified attorneys has been declining in rural Texas, new lawyers are not arriving to sufficiently fill the void, Burkhart said.

Caytlin Pichla is an exception to that trend. Pichla passed the bar exam in October and opted to start her career, and her family, in Spearman, a Panhandle town with about 3,000 residents.

A first-generation college student and attorney, Pichla said that after graduating from Texas Tech University School of Law, she interviewed with law firms in larger cities but declined the higher salaries in favor of Spearman's sense of community as well as its child care options.

It's also where she saw the most need.

"This is where I need to go to help people," she said.

But defending low-income clients can have financial consequences, particularly as the average graduate leaves law school with $180,000 in student loans. And Black graduates' student loan debt is on average 97% higher than their white peers.

Hustling for court cases to repay those student loans isn't a viable option for many new attorneys trying to establish their practice in a rural community, Burkhart said.

State District Judge Curt Brancheau — based in Hansford County, which is home to Spearman — said there is a moral and constitutional obligation to ensure that people receive adequate legal representation.

"The state has a vested interest in protecting indigent defendants by finding a way to fund their defense — and young, youthful attorneys who are willing to go to bat, I think, are a big part of that equation," he said.

Brancheau said he's worked alongside district, county and defense attorneys to recruit new lawyers to practice in the northernmost reaches of Texas, but the problem has defied easy resolution.

"You know it's bad when the state and the defense are working together," he said.

Raising the bar in legal deserts

In Tom Green County, where San Angelo is the county seat, a lonely public defender's office serves as an oasis in the legal desert so common to rural parts of the state.

"I've only ever practiced in rural Texas as a public defender," said Joe Stephens, the chief public defender at the Concho Valley Public Defender's Office. "I just firmly believe that this is where the need is the greatest."

Stephens' office serves a combined population of about 300,000 replacing a system in which private lawyers were assigned on a rotational basis. Instead of ad hoc representation, the new system provides consistent defense for impoverished residents and serves as a needed counterweight to prosecutor offices, he said.

"We are in jail all the time. With every single docket that is happening in any of our counties that demands our presence, we're there," Stephens said. "Ideally, it lifts the bar of representation and police work and prosecution and everything across the state."

The Concho Valley Public Defender's Office serves 12 of the roughly 70 Texas counties covered by public defender offices, which includes rural and urban parts of the state.

Burkhart said the number of counties covered by offices has doubled in the past five years.

The Hill Country Regional Public Defender's Office began serving five counties north and west of San Antonio in 2021. In one of those, Bandera County, the appointment rate for misdemeanors rose from 10% in 2019 to 38% in the first year of the office's existence.

More than improving the quality of legal representation, public defender offices provide full-time positions and guaranteed caseloads for attorneys, offering job security and benefits for new lawyers who want to move to rural parts of the state.

But the offices, typically funded by counties with help from the state's indigent defense commission, are expensive to build and expand.

Rep. Reggie Smith, R-Sherman, wants to add a more proactive approach to meeting the financial concerns of young lawyers.

Smith, a longtime rural lawyer himself, is the author of HB 4487, a student loan repayment proposal for graduates practicing law in rural parts of Texas. The bill would provide state money to help repay loans for prosecutors and defense attorneys who work in counties with fewer than 100,000 residents. Eligible recipients could receive up to $180,000 over four years, with lesser amounts for shorter periods of work.

"If you don't have young attorneys coming out of school who are interested in moving to the rural areas, then your justice system really — whether it's prosecution or defense — your justice system really breaks down," Smith said.

It's not yet clear how much taxpayer money would be needed to fund the loan forgiveness program, but Smith said the state's historic budget surplus could serve as one potential source.

State Sen. Kevin Sparks, R-Midland, filed an identical bill in the Senate.

Beyond expanding rural public defender offices and providing financial incentives to work in those areas of the state, Metzger encouraged the creation of educational pipelines to recruit rural students to attend college and pursue legal careers.

Metzger pointed to similar models for doctors, like Nebraska's Rural Health Opportunities Program, which dedicates admission slots for students from rural areas who want to practice medicine.

She said Texas should replicate programs like those in Kansas, New York and North Carolina that mentor students who want to become rural lawyers.

Like the loan forgiveness proposal and rural public defender offices, however, educational pipelines would require taxpayer support, typically a tough sell at the Legislature.

"Ultimately, the Legislature can and should take an interest in public safety and constitutional rights for rural areas," Metzger said. "What do we have to do to get people to defend your constitutional rights?"

Correction, March 16, 2023 at 3:46 p.m.: A previous version of this story incorrectly identified the number of people and counties served by the Concho Valley Public Defender's Office.

This article originally appeared in The Texas Tribune *at https://www.texastribune.org/2023/03/16/rural-texas-attorney-shortage-legislature/.*

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CORRECTIONS: An article in the 3/16/23 issue of *The Big Bend Sentinel*, "Marfa resident Caitlin Murray named executive director of the Chinati Foundation," stated the Chinati Foundation consisted of 3,400 acres and housed the work of 12 international artists. The foundation oversees 340 acres and 13 artists. We regret the errors.

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The Chinati Foundation is a museum created by the artist Donald Judd.

Indoor Viewing by guided tour only.
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THURSDAY THROUGH SUNDAY

Visitor Center, Bookstore, and Outdoor Viewing: 9 A.M. to 5 P.M.

Full Collection Tour at 9:15 A.M.
lasts 4½ hours plus a 2-hour lunch break

Selections Tour at 9:45 A.M. and 1:45 P.M.
lasts 3 hours and covers 2 miles of walking

Open Viewing of the Artillery Sheds from 11 A.M. to 2 P.M.

Dan Flavin's *untitled (Marfa project)* and the Special Exhibitions Gallery with installations of work by John Chamberlain and Sarah Crowner from 2 to 5 P.M.

Tickets are required.
Reservations are encouraged and capacity is limited.

For tickets and tour information, visit chinati.org.

Attempt to block road access

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headed by John Fort IV, whose ranchland is reached by following the road past Mauriel's property. Fort's father, John Fort III, has been the family member involved in legal proceedings.

Fort has, by his own admission, never been denied passage through the Baxter-Chavigny estate — he has simply come to fear he and his family might be one day, after negotiations over a prospective easement fell apart, per his own sworn deposition, and believes he should have guarantee of access independent of his neighbors' permission.

In the most recently filed amended petition — the fourth since the convoluted legal battle began in November of last year — Mauriel and Fort's attorneys assert an argument that hinges on history.

They argue that the road has historically been a county road and was maintained as such until Baxter bought the 80 acres in 2011. The locking of the gate that marks the entry into the Baxter-Chavigny property is unprecedented and unlawful, they claim, entitling their clients to relief both monetary (at least $250,000) and non-monetary. Previous occupants of land along the road — including the Vizcaino and Judd families, who owned Fort's ranchland before him, and the Daltons, which owned Maurial's property before her — have long enjoyed uninhibited access, posing their clients for either prescriptive easements or easements by estoppel, they argue.

Baxter and Chavigny's attorneys have argued in court that it is unproven that Ayres Road is a public, county-maintained road — but even if it is, that designation would stop at the entry to Baxter and Chavigny's private property. The attempted easement claims are moot, they say, because the plaintiffs can't show unity of ownership, or evidence they once owned the tract of land they're seeking to pass through.

The trouble started in July 2022, shortly after Maurial bought the property at 316 Ayres Road from William Dalton. Up until this point, per court records, Baxter had locked the gate leading to her property but willingly shared the lock's combination with her neighbors, including Fort. Emails between John "Jeff" Fort III and Baxter, exhibits in the case file, show when this openness shifted with the arrival of Maurial.

"Because I'm not looking forward to a bunch of VRBO'ers (via our new neighbor) coming through my place, I will be changing the lock combination this week," wrote Baxter in an email dated July 31, 2022. The Judd Foundation — which owns land accessed by the road — was also aware of the change, she wrote, as was Border Patrol. "Thank you in advance for not sharing the combination with any undesirables, including shifty politicians or real estate agents."

> *"I don't like gates across roads personally, but this is not something I'm sure we have jurisdiction over."*

Indeed, days earlier, a lawyer for Baxter and Chavigny had sent Maurial a letter stating that her entry on their property without permission was "unauthorized and considered a trespass," and that a new lock was being placed on the gate to prevent her entry.

Shortly thereafter, on August 8, Maurial emailed then-Presidio County Judge Cinderela Guevara requesting that she "assist" in the matter, records show.

In a sworn deposition, Maurial testified that she believed upon purchase she would have access to her property due to conversations with the previous owner and neighbors, who she says informed her of an "agreement for all the neighborhood to have access." A handful of those neighbors have submitted affidavits testifying that the road has historically been open for use.

When asked, in her deposition, whether she intended to rent out the ranch — identified on her website as "Split Rock Ranch" — Maurial responded that she didn't know, and clarified that her website is "under construction." When asked why she includes nearby attractions (including the city of Marfa and the Prada Marfa installation) on the listing, she responded, "Because I am a West Texas lover, and I want people to know what is in there."

"I'm a true believer that nature can heal your soul," she continued.

The website for Emacity, Maurial's LLC, advertises 10+ acre tracts of land in Presidio County for sale, which Maurial testified was unrelated to Split Rock Ranch. Emacity exists to help buyers "create the dream of land ownership," per the website, wherein Maurial introduces herself as a "land investor" passionate about West Texas.

In the course of her deposition, Maurial also spoke to the hardships of being denied access to the land she owns — her house on the land had incurred damage from a storm during the time she was unable to access it, she said.

In November, shortly after the lawsuit was filed, the court issued a temporary restraining order prohibiting Baxter or Chavigny from restricting Maurial's access to the road. At a court hearing in early February, Maurial was granted a temporary injunction allowing her access to the property with certain restrictions. Judge Wright ordered the two parties to go into mediation in an attempt to settle the matter within 90 days to avoid a trial.

At Tuesday's court hearing, it was revealed that a resolution could not be reached despite undergoing three rounds of mediation. Rod Ponton, one of Maurial and Fort's two attorneys — the other being Joseph Hood — called for a jury trial. The date of that trial has yet to be determined.

In the meantime, Judge Wright ruled to end Maurial's temporary injunction, barring her access to the road for the time being. The road that traverses the Baxter property is not a public county road, Wright concluded.

"That's a private road that belongs to Mary Baxter, and because it's Mary Baxter's private road, she can certainly block it off, refuse people entry, she can bulldoze it up if she wants to — it's her's," said Judge Wright, but not without acknowledging the hardship placed on the plaintiff.

"Ms. Mauriel, this is terrible, I feel awful for you — just awful — but I'm going to follow the law, and this is how I see it," said the judge. "All the reading I have done does show that you can indeed landlock somebody in Texas. And I'm sorry, but that's where we are today."

Seemingly resigned to await the outcome of a jury trial, the matter unexpectedly reared its head again the following morning, at Wednesday's regular Presidio County Commissioners Court meeting — attorney Joseph Hood, accompanied by his clients, appeared before the court to ask that officials "acknowledge a historical fact," that the road in question "has been a county road and remains a county road to this day," and that they "unlock or remove" the gate currently blocking the road. Both Jeff Fort himself and longtime local Chon Prieto testified to the road's historical usage as an uninhibited county road.

Ballard, also attending the meeting via Zoom, noted there was no designated agenda item on the road in question, and that Judge Wright had ruled in his clients' favor just the day before.

County officials, for their part, sympathized with the plaintiffs, but maintained it was not currently their place to take any action on the matter. This was a legal case currently being battled out in the district court, noted County Commissioner David Beebe.

"I'm concerned if this case is in the district court, and we do anything today, we might be interfering in something that's not our business," said Beebe.

"I don't like gates across roads personally, but this is not something I'm sure we have jurisdiction over," he went on to say.

Presidio County Judge Joe Portillo agreed, and the item was abandoned — but not before the judge briefly reflected on his childhood traversing the very road in question.

"I don't remember gates, I don't remember locks," said Portillo. "This is not settled, I don't think we should act on it. I just think it's a shame."

HEAL Texans Act

(Continued from page 1)

having enough providers to provide the services we need," he said.

The federal government uses a metric that designates certain areas as health professional shortage areas (HPSA). Almost 7.5 million Texas residents live in HPSAs, and a total number of 1,038 providers are needed to fill all the gaps. Presidio County is designated as a "high need" HPSA, requiring another provider to meet existing needs — though where that provider should be placed within the county is not specified.

Getting medical providers to relocate to the remote county has always been a challenge. Newsom believes that challenge will still remain, even if restrictions on APRNs are lifted. "I don't think it solves that problem for us — but it does make it easier for [APRNs] to practice in the long term," he said.

A particularly attractive part of APRNs' role in community medicine is additional certifications that allow them to practice as midwives. Fears about nurse shortages have persisted in the Big Bend region since 2021, when the labor and delivery wing cut hours and diverted patients to Fort Stockton. "It would be great if we had different options for labor and delivery," Newsom said.

For now, Newsom — and other rural healthcare specialists — are waiting for the end of the legislative session. If the bills die, it'll be another two years before the cycle begins again. "Will it help us? Maybe — but it's on my list of bills that I'm watching," Newsom said.

County officials

(Continued from page 1)

Hernandez and Treasurer Frances Garcia to offer their expertise. The total price tag is $663,000 for the unit; the county will be using an existing vehicle.

Next, PSCO Chief Deputy Joel Nuñez gave a brief presentation in support of the department's plan to hire a third deputy to cover the northern half of the county. The plan had been in the works since 2015, when the department added a third deputy to cover Presidio. They'd talked about adding another one for Marfa — but that plan fell by the wayside after the Marfa Police Department — scrapped in 2009 and temporarily replaced by a contract with the PSCO — rebooted in 2017.

Nuñez explained that the three Presidio deputies were sometimes called to assist in Customs and Border Protection (CBP) operations — the new Marfa deputy would be more focused on strictly domestic concerns. "We have a lot of activity [on the border], it's increasing," Nuñez said. "We want someone to cover more of the normal duties of a deputy — citizen complaints, highway patrol, community presence."

The commissioners court ultimately voted in favor of hiring another deputy. For the rest of the fiscal year, the new hire will be bankrolled by seized funds and then will become a permanent part of the county budget during the next cycle.

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Opinion

LETTER TO THE EDITOR

Dear Editor:

I have read Mr. Anschutz's letter in this week's paper which states Liz Lambert's vision for Marfa, and I feel compelled to publicly agree with him.

There have been many reasons why I have loved Marfa, starting lots of years ago when I was just a kid and came to Marfa with my parents.

It is just like Mr. Anschutz says. Most of us came to Marfa because of its unique history, its wide open spaces, its beautiful ranch lands and its suggestion of freedom from the torments of a more complicated civilization out there beyond us. I can truly say that it was NOT to be caught up in more urban sprawl.

Also mentioned in Mr. Anschutz's letter was a little problem we have with water supply out here that needs to be addressed before anyone starts building huge development projects. I have been familiar with drought and the need to be conscious of water supplies all my life, since my own father was a rancher in Central Texas, and also since there were long drought periods during those times as well.

In more recent times, Far West Texas has been pretty well plagued by continual drought for years with only occasional rain spells which fall way short of any truly needed rainfall and the kind of rains which fill underground aquifers.

In my years of living in Marfa (37 years), I feel I have noticed a decline in the water purity and quality itself since I first came here, maybe due to dropping water levels. Since I am not the water expert, this could only be verified by someone who is an expert. Nevertheless, my point is that water supplies are precious, especially here in Far West Texas, so local officials really need to weigh out with good conscience just how much the Marfa area can support a big development project.

And lastly, it always amazes me how those who have been blessed with good financial fortune never can stop the addiction to changing everything they can get their hands on. When is satisfaction ever reached? What one person sees as improvement may be what someone else sees as destruction. For so many years, Far West Texas has been a haven from all the maddening crowds for lots of people. I doubt that most of them come out here seeking more urban sprawl.

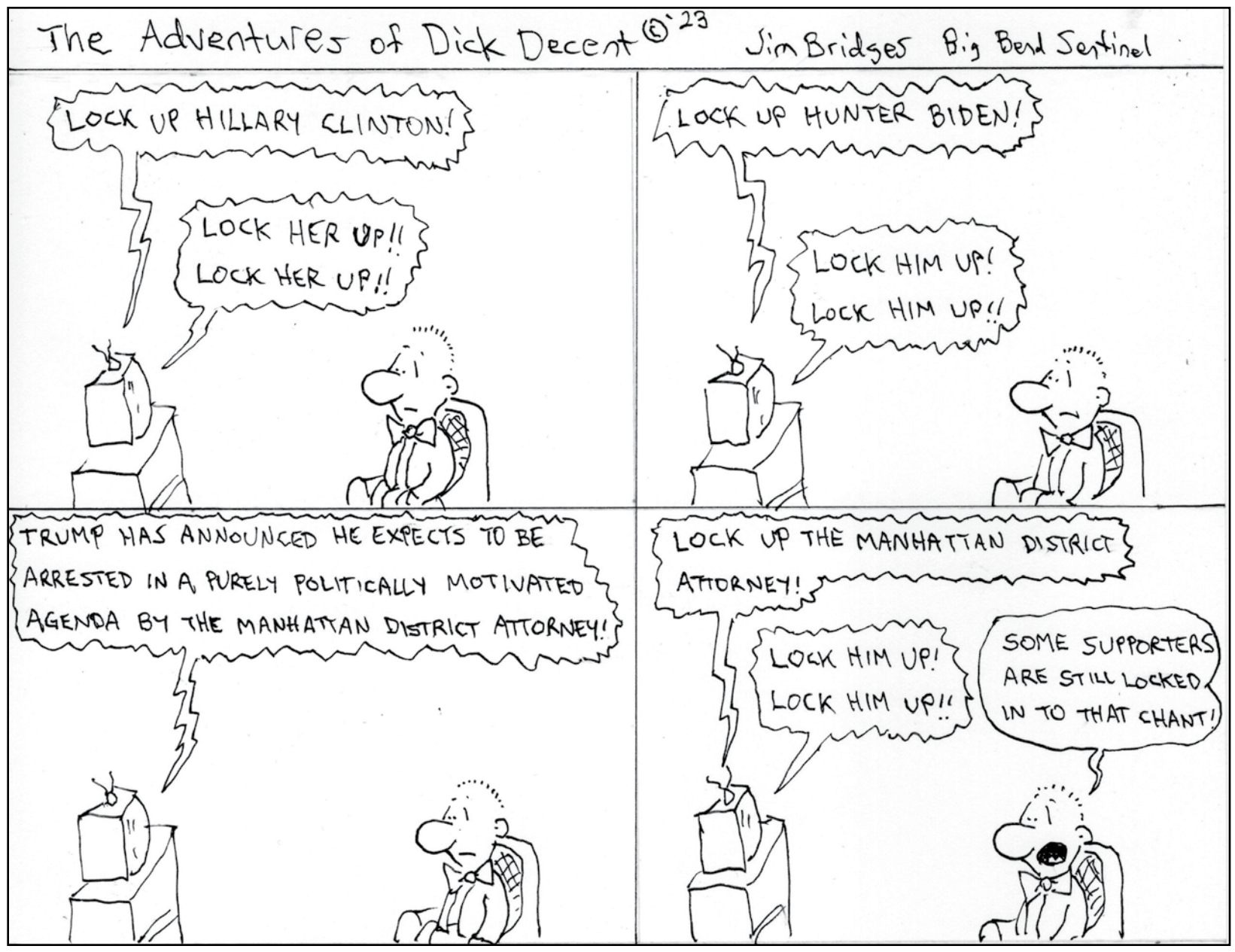
I certainly hope that city and county officials will consider the sound and practical concerns of huge projects for our area and not just turn a deaf ear and a blind eye to legitimate concerns. Unfortunately, money seems to talk louder than common sense much of the time.

Nancy J. Wood
Marfa

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- We may reach out to ask questions and verify the identity of the sender. We do not run letters anonymously unless the sender is privately identified and has a reasonable claim to anonymity.
- We reserve the right to hold or refrain from publishing a letter for any reason and we thank you for always sharing your letters with us.

- ***The Big Bend Sentinel Editorial Staff***



OUR WATER MATTERS

Waters of Balmorhea

By TREY GERFERS
tgerfers@pcuwcd.org

Located in and around the town of Balmorhea, the San Solomon Spring system is an oasis in the middle of an otherwise arid landscape. The system comprises six major springs, including San Solomon, Phantom Lake, Giffin, Saragosa, West Sandia and East Sandia, whose significant flows support the region's unique wildlife and endangered species. Every year, thousands of visitors swim in these waters with the fish and turtles in the world's largest spring-fed pool at Balmorhea State Park.

In a report titled "Hydrologic Conceptualization of San Solomon Springs in the Delaware Basin," Rebecca Nunu and her colleague, Dr. Ron Green of the Southwest Research Institute, recently released their latest findings on this beloved location. Nunu is a groundwater hydrologist with particular experience and interests in aqueous geochemistry. In explaining her work, she notes that "any spring, river, or groundwater sample has its own 'geochemical fingerprint.' This fingerprint can be studied using ions and isotopes, which are natural characteristics of the water. Fingerprints are used to distinguish one water from another with different histories, flow paths, and ages. In my research, I use geochemical fingerprints to determine the sources of water (also known as recharge areas) to springs." By identifying these sources, it is possible to better protect the flows that supply these springs because the "impact of pumping on spring discharge cannot be determined if source areas to springs are unknown." According to Nunu, "It is extremely important to constrain recharge areas to springs, especially iconic springs like San Solomon, so that these water resources remain viable for municipal, agricultural, and recreational needs."

The authors collected water samples from all six springs that contribute to the San Solomon Springs system and subjected them to different forms of analysis. Their findings indicate that there are four flow components that contribute to San Solomon Springs. Nunu explained that these include: "(i) the main component of regional flow through carbonate rocks and upwelling through the Edwards-Trinity Aquifer at the springs; this component originates over 50 miles away in Culberson County and feeds all six springs; (ii) source water that flows through or upwells into the springs which is then added via irrigation return flow to the alluvium; this additional flow component provides recharge to East Sandia and West Sandia Springs; (iii) a separate, local flow component near Saragosa Spring that contributes to its springflow; and (iv) dilute and recent recharge from local precipitation that enters the regional system and discharges at the springs; this component is documented for San Solomon, Giffin, Phantom Lake, and East Sandia, but we are unsure how/if these flow paths feed West Sandia and Saragosa."

Among the "lessons learned" during this project, the authors note that the "source areas to all six springs are generally west and northwest of the springs" and that "development of water well fields in the source areas located upgradient and west of the springs could be detrimental to the future viability of the springs" with "development of groundwater well fields near the common borders of Culberson, Reeves, and Jeff Davis counties" being of particular concern. Considering that "extraction of groundwater from the source areas that sustain the springs could deplete the springflow if excessive pumping is experienced," the authors aim to "focus future investigations on areas from which water may be extracted to support growing demands."

Nunu is hopeful that her research can "play a small role in extending the sustainability and viability of San Solomon Springs. If we know where recharge is coming from, water resource managers can be strategic in protecting these key recharge areas that provide water to the springs. By that same token, pinpointing these areas also provides insight into where development can be least impactful." According to Nunu, "There is a reason San Solomon Springs is called the 'Oasis in the Desert.' This precious gem has bolstered the economy and community for almost a century; the value it has brought to Balmorhea and surrounding areas is immeasurable. My goal is to contribute to our scientific understanding of San Solomon Springs so that the value it brings to Balmorhea continues for generations to come."

Trey Gerfers is a San Antonio native and serves as general manager of the Presidio County Underground Water Conservation District. He is also chairman of the Presidio County Water Infrastructure Steering Committee and president of the Marfa Parks and Recreation Board. Trey has lived in Marfa since 2013.

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OP-ED

HEAL Texans Act: Bridging the healthcare gap for Texans

By SENATOR CÉSAR J. BLANCO

When I travel across Far West Texas, the lack of healthcare access locally is the number one concern I hear the most about from constituents. When I talk to senior citizens, they often say, "West Texas is a great place to retire, but a bad place to grow old." When I talk to women and new mothers, they tell me about their struggles in finding basic prenatal and reproductive care. They tell me how they need to travel hundreds of miles away because there are no providers in the area to offer something as basic as a sonogram. I've heard from a mother with four kids in rural West Texas, that she must wait weeks or months to get her kids the pediatric care they need because the pediatrician is only in town every so often.

These are the stories I hear too often. Every single one of the eight counties I represent is designated as a "primary care health professional shortage area." But these stories and these challenges are not limited to Far West Texas.

Our state is facing a healthcare access and workforce crisis.

We do not have the primary care workforce to care for Texans. According to the Department of State Health Services (DSHS) our current medical education system and "Physician Pipeline Model" will not be enough to remedy our primary care shortage.

The current physician shortage is worsening, and fewer physicians are practicing in rural or underserved areas. To make matters worse, physicians in rural areas are also closer to retirement age than physicians in urban areas. There are 437 primary care health professional shortage areas in Texas where an insufficient number of providers are available to care for our growing population. That's 230 counties (90%) within Texas classified as primary care health professional shortage areas impacting over 7.5 million people. Another 15 million Texans, half the population of the state, live in mental health professional shortage areas.

We need an all-hands-on-deck approach and doing nothing is not an option.

That's why I filed Senate Bill 1700, the Healthcare Expanded and Accessed Locally for Texans Act, or the HEAL Texans Act.

The HEAL Texans Act will expand access and options to quality healthcare for Texans closer to home and address our state's healthcare workforce shortage. This bill will modernize Texas' outdated occupational licensing laws that are holding back advanced practice nurse practitioners (APRNs), like nurse practitioners, from providing primary care to underserved Texans.

Texas is one of a handful of states that does not allow nurse practitioners to provide primary care unless they have a delegation contract with a physician. This contractual delegation requirement hurts access to primary care and leaves Texans with fewer healthcare options, especially in rural and underserved areas.

The HEAL Texans Act would allow nurse practitioners to practice to the full extent of their professional ability, doing the work they already do — just without the administrative and financial barriers of having a supervising physician.

Twenty-seven other states have already done this. Texas is behind the curve when we should be leading. Texas has already ended direct, on-site physician supervision in 2013. Current law only requires a supervising physician to check in with a monthly phone call and review only one chart delivered by nurse practitioners. Similarly, current law does not require the supervising physician to see any patients, be on-site where the nurse practitioner works, or even work in the same city or county.

Data from other states that have removed barriers to nurse practitioners' authority show: increased access to primary care for patients, especially in rural and primary care health professional shortage areas; more options in the healthcare market for patients; lower healthcare costs for patients; better patient outcomes; and a more efficient healthcare system for everyone.

In addition, all branches of our U.S. Military and VA hospitals give nurse practitioners full practice authority on bases and VA hospitals across Texas. If it's good enough for our service members and veterans, it should be good enough for all Texans! And most importantly, if you like and have access to your doctor, you can keep your doctor.

Last week, a statewide poll commissioned by Texans for Healthcare Access found that 90% of Texans think that it should be easier for patients to receive care from APRNs and 81% back the removal of the costly contract requirement for APRNs. With 90% of the state designated as a health professional shortage area, it is not surprising that 90% of Texans want more options and easier access to healthcare.

This is not about nurses.

This is not about doctors.

This is about Texans getting the quality healthcare they need closer to home. And we can deliver better access and better options by passing the HEAL Texans Act.

Senator César J. Blanco proudly represents the people of Culberson, El Paso, Hudspeth, Jeff Davis and Presidio counties in the Texas Senate.

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Community

New Sul Ross play, 'Silent Sky,' tells the story of lesser-known astronomer Henrietta Leavitt

By MARY CANTRELL
mkcantrell@bigbendsentinel.com

ALPINE — The Sul Ross Theatre Department will put on "Silent Sky," a play written by Lauren Gunderson that chronicles the life of Henrietta Leavitt — a woman who made significant contributions to the field of astronomy yet wasn't recognized in her lifetime — from March 24 to April 2.

The play is set in America in the early 1900s, beginning with Leavitt's decision to take a job at the Harvard University Observatory in Cambridge, Massachusetts. Marjie Scott, Department of Fine Arts chair and the play's director, said the department chose to perform "Silent Sky," in part, due to the lesser-known nature of Leavitt and her discoveries.

"We hear a lot about Edwin Hubble and Galileo and Isaac Newton and the men from the math and science world, but we don't hear a lot about the women, specifically in astronomy," said Scott. "It was important to me to highlight the life of this woman, Henrietta Leavitt, who was a scientist and made major contributions to astronomy that helped other astronomers figure out actually how vast our universe is."

By charting Cepheids, or groups of stars, Leavitt measured stars brightness in order to estimate their distance from earth, a process now referred to as period-luminosity relation. Her method, essentially a way to measure the universe that didn't exist before, led to our current understanding that there are billions of galaxies beyond the Milky Way.

Olivia Pertuso, a graduate student who is performing the role of Leavitt in the play, said she researched the astronomer's work and personal life in order to better understand who she was, which gave her an even greater respect for her character.

"She was just so involved in her community, not only at Harvard, but with her family, and she was just really a well-balanced woman," said Pertuso.

"Silent Sky" revolves around a small cast which also consists of the characters Annie Jump Cannon and Williamina Fleming, real women who worked at the Harvard Observatory alongside Leavitt. Under the instruction of a renowned male astronomer, the "women computers," as they were referred to, charted the stars and assisted with research but were not encouraged to develop their own theories.



Photo courtesy of Sul Ross Theater Department

"Silent Sky," a Sul Ross theater production opening this Friday on campus, tells the tale of little-known American astronomer Henrietta Leavitt.

The play reveals pieces of Leavitt's life — including a trip to her family home in Wisconsin and an ocean liner excursion — up until her early death from stomach cancer in 1921. Scott said audiences can expect to be moved by the performance.

"I think this play touches me every time I see it, and I've seen it so many times in rehearsal," said Scott. "I still laugh and I still cry and I still react in this visceral way to it because it's such an incredible thing that she did, what she was up against and still managed to do."

Concepts of the universe and night sky are brought to life through lighting and set design in the play and make up a big part of the performance, said Scott.

"It's a lot of fun because we're playing with the passage of time, we're playing with the night sky, playing with what these women were seeing on the plates that they studied. They were looking at these glass plates that depicted photographic images taken by a telescope," said Scott.

The show will also be accompanied by original piano music that was written specifically for the performance.

While "Silent Sky" features a historic tale, the idea of diversifying science, technology, engineering and mathematics (STEM) fields is very much a part of national conversations today, especially at the collegiate level. Recent films like the 2017 production Hidden Figures shed light on the experiences of three African American women behind an important NASA space mission.

Scott said while women are still underrepresented in STEM, putting on a play like "Silent Sky" helps reveal how far women have come, yet also serves as a reminder of the work that still needs to be done in order to achieve gender equality.

"I think honoring and recognizing the women that were left out of the history books is one more step that we can make to contribute to awareness of women in STEM," said Scott. "They've always been there, they just haven't really been talked about and honored the way that they should have been."

Lead actress Pertuso agreed, and said she hopes everyone walks away inspired by Leavitt's story. The department will host special performances for local middle and high school students as well as the Sul Ross Women's Conference taking place this month in conjunction with Women's History Month.

"Silent Sky" runs weekends from March 24 to April 2 in the Marshall Auditorium, located in the Morelock Academic Building. Performances begin at 7:30 p.m. on Fridays and Saturdays and 2 p.m. on Sundays. Tickets are $15 for general admission, $10 for children 12 and under and seniors 65 and over, and free for veterans and active military. "Silent Sky" is appropriate for all audiences.

To purchase tickets, visit www.bit.ly/sulross-theatre. For questions contact finearts@sulross.edu or call 432-837-8218.

Little Juice delivery service comes to Marfa on March 27

By ALLEGRA HOBBS
allegra@bigbendsentinel.com

MARFA — Little Juice, a new local venture headed by Marfa resident Sara Goodleaf, will begin delivering its fresh, cold-pressed juices straight to customers' doors the week of March 27.

The service's official launch comes on the heels of a handful of successful pop-up events hawking the colorful, glass-bottled products. Most recently, Goodleaf hosted a successful tasting event at the Big Sky Yoga space over the weekend, where locals were invited to sample the company's wide array of offerings, which include a mixture of greens, beets, roots, and citruses.

"It's been amazing," said Goodleaf of the community reception so far. "I've honestly only received positive feedback, which feels really good."

Little Juice's website is already live and accepting pre-orders — customers can purchase 16-ounce bottles of juice at $11 apiece and 2-ounce bottles of highly-concentrated blends ("little boosts") at $3.75, or can sign up for a subscription service for regular weekly deliveries. The juices are delivered in cooler bags packed with ice, so recipients won't have to worry about being home to receive the perishable items right away. Once received, the juices will be good in the fridge for four days.

Goodleaf said she hopes to eventually offer a pick-up option, but for now, the delivery process fulfills her desire to have control over her product's handling.

"Since the items are perishable, I want to have total control of them from creation to the customer," said Goodleaf. "It's a perishable item, it's raw, so you really want to maintain the standards of the juice."

Little Juice will also be selling in-person at the Saturday Farmer's Market beginning on April 1, located at the USO Building.

The glass bottles can be returned to Little Juice for reuse, said Goodleaf — for customers with subscription services, she can pick up the old bottles while dropping off the new, while those who placed one-time orders will be able to drop them off at Marfa Wine Co., which she currently manages.

Goodleaf has been managing the Wine Co. for a few years now, but has wanted to launch something of her own — she settled on fresh juices, a fairly inaccessible product in remote Marfa, unless you do it yourself.

"I was thinking of ideas, and I've been juicing for myself at home for quite a while," said Goodleaf. "And after talking to people over the years, I had heard there's a shortage of options for that here."

Finding good produce in the area is a challenge, she acknowledged. She uses produce mostly from distributor Ben E. Keith, but said she hopes to find local farmers to buy produce from. She uses as much organic produce as possible, and estimates her juices currently consist of about 75% organic product, though that percentage varies week-to-week.

Goodleaf said she has found it rewarding to tell folks about the benefits of cold-pressed juices, specifically — store-bought juices still hold health benefits, she said, but much of their nutrients are lost in a process that uses heat. Juices that are cold-pressed, she explained, retain those nutrients.

And for Marfa residents who already juice at home, Goodleaf emphasized that she supports folks getting their nutrients through whatever means, whether it's by supporting her business or through their own efforts. She just hopes to make access to fresh juice more convenient and accessible for all.

"There are a lot of people in town who are already juicing just for themselves, and their main complaint is they hate washing their juicer," she laughed. "So at least I can do that for everyone who orders."

"It's convenient," she continued. "I'm trying to make it as easy as possible for people to get the juice, to get it delivered to them, and just be able to enjoy it."



Photo by Rachel Rinehart

Sara Goodleaf hosted a tasting event for Little Juice, her new cold-pressed juice delivery service, at the Big Sky Yoga space over the weekend.



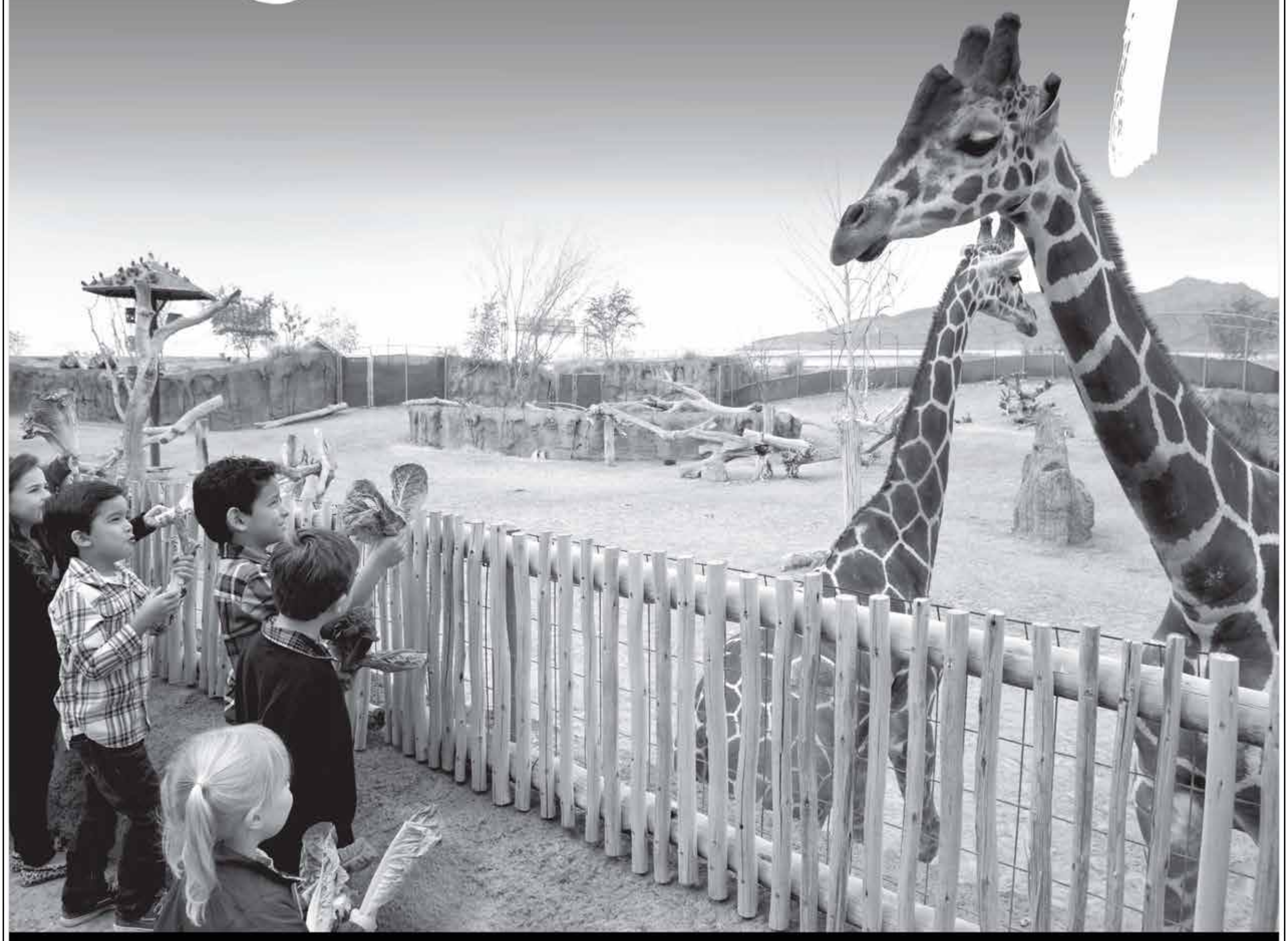
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Family Crisis Center of the Big Bend hosts 20th Annual Desert Chihuahua Challenge this weekend

TERLINGUA — This Saturday, the 20th Annual Desert Chihuahua Challenge benefiting the Family Crisis Center of the Big Bend will take place in the Terlingua Ghost Town.

The event is an all-day affair, kicking off with registration from 10 a.m. to 12:20 p.m., games and other events from 11 a.m. to 1 p.m., and a dog costume contest from 12:30 to 1 p.m. There will be food and music provided by Dr. Fun throughout the day. A silent auction featuring donations from local businesses will also be held.

Mike Drinkard, legal and client advocate for the center, said he was excited for the upcoming event, which has become not only a fundraising tradition to support the important work of the center, but a morale boost to commemorate the start of spring.

"It is to raise awareness about our mission and awareness of domestic violence, sexual assault," said Drinkard. "When we first started the races 20 years ago it was at a time when there were no tourists. Everybody was getting a little down, [there was a] lack of activity, and it had been winter, so it's maybe more to raise morale than to raise money, but it is a fundraising event for us."

In addition to being a fun event for the Big Bend region's human residents, the dog races entertain local canines as well.

"The first year we thought this would be really dumb — 'the dogs aren't going to race,' and all that — but as soon as they got down on the track and we opened up the starting gate they ran, they loved it," said Drinkard, noting the event is not exclusive to the chihuahua breed.

"People think it's just the chihuahuas, but there are multiple categories. It's for all small dogs that will fit in the starting gate. Dachshunds, poodles, just any mix, that as long as it gets in the starting gate, it's okay. Big dogs can participate in the costume contest."

Last year, the event raised around $1,500 for the center. In 2022, the Family Crisis Center of the Big Bend was able to provide $51,000 in financial assistance to their clients in the form of food, housing, and childcare needs.

For more information, including registration or sponsorship, call 432-371-3147 or visit https://www.fccbb.org/



Staff photo by Sam Karas

The crowd cheers as the first heat begins at the 2022 Terlingua Chihuahua Races.





Photos courtesy of MISD Athletics

L to R: Jack Annalise Marquez attempts her third lift at squat at the state powerlifting meet with a PR of 375. Ava Flores competes in the long jump in recent action at the Van Horn Memorial Relays.

Sports Updates from MISD athletic director

By LINDA OJEDA

MARFA — The Shorthorn softball team dropped Tuesday's matchup with Anthony in a three-hour game that saw Marfa fall early on, only to battle back too late in the game, resulting in a loss of 12-13 to the Wildcats. Offensive standouts were Ava Flores (3-5), Amaya Gomez (1-1 double), Raven Martinez (3 RBIs), and Loretta Rivers (2 RBIs). Marfa hosts Van Horn at home on Tuesday at 5 p.m.

Marfa's track team heads to Rankin on Thursday with the 3200m run beginning at 2:30 p.m.

Shorthorn golf hosts a tournament at the Marfa Municipal Golf Course with tee times set for 9 a.m.

Junior Jack Annalise Marquez competed in the state powerlifting meet last week, and while she didn't ultimately place in the competition, is confident she will have the opportunity to compete again next year.

"I felt very proud of myself for being able to make it so far. It was amazing to also see all of the other competitors that worked hard to get there as well in the big stadium," said Marquez. "Even if the outcome wasn't what I would have wanted, it was an incredible experience to know what to expect again next year."

Marquez said she will continue to focus on powerlifting in the off season, keeping next year's state powerlifting competition top of mind.

"If I keep increasing throughout the summer it will not only guarantee a spot at state next year, but also help in my other sports that I am competing in," said Marquez. "My goal for state next year is to make it to and maintain my spot at the top because I know that I am capable of accomplishing gold at state."

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First United Methodist Church

Do not fear, for I am with you,
do not be afraid,
for I am your God;
I will strengthen you,
I will help you,
I will uphold you with my
victorious right hand.
Isaiah 41:10

Sundays 9 am
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PLEASE RECYCLE THIS PAPER

DRAWING OF THE WEEK



Aubrie Aguilar
12th Grade
"Flourishing"

Sudoku & Crossword puzzles:

UNIVERSAL Sudoku Puzzle

Complete the grid so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.

		7				4	9	1
1		5		6			3	
4				7	2	8	5	
	5	8	7	2				3
		6	8	1	5	2		
2				9	3	5	7	
	6	2	3	5				4
	9			4		1		5
5	4	1				3		

3/6

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DIFFICULTY RATING: ★☆☆☆☆

Solution from last week's puzzle:

SOLUTION:

2	8	6	9	5	4	7	1	3
7	5	9	8	1	3	6	2	4
3	1	4	7	2	6	9	8	5
6	2	8	5	4	9	1	3	7
4	7	3	1	6	2	8	5	9
1	9	5	3	8	7	4	6	2
8	4	2	6	7	5	3	9	1
9	6	7	2	3	1	5	4	8
5	3	1	4	9	8	2	7	6

2/28

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Universal Crossword

Edited by David Steinberg March 20, 2023

ACROSS
1 "Poker Face" singer Lady ___
5 Like an uncooperative mule
10 Prospective law
14 Neat to a fault
15 Broadway star Menzel
16 Smoothie berry
17 Pride parade letters
18 Less wild
19 The "D" of DMV: Abbr.
20 Late Brazilian soccer icon
21 Insert, as an online video
22 Furtive "Hey!"
23 Warns
25 Story lasting many episodes
27 Suffer a major defeat
29 What shows one's colors?
30 Peer (at)
31 Society's troubles
32 Expected to win
35 Feudal farmworker
39 Actor Mahershala
40 Dallas hoopster, briefly
41 Name bookended by 40-Across
43 Operatic solos
48 Utters
49 Wimbledon, e.g.
52 They're too loud for indoors ... and a hint to the words bookending 49-Across, 4-Down and 10-Down
54 Parody
55 "Gidget" actress Sandra
56 "Whole ___ Love" (Led Zeppelin hit)
58 Mend, as a seam
59 Ignited
60 Bags at a farmers market, say
61 Matrimonial vows
62 They only exist in sci-fi, as far as we know
63 Coldest temperatures

DOWN
1 She's a friend
2 Name hidden in "exchange looks"
3 "Anne of Green ___"
4 Diana Prince, to Wonder Woman
5 Like M&M's or Skittles
6 Comic Sandler
7 Go out on a ___
8 Leg joint
9 Weekend event for bargain hunters
10 Publicity that may bring 15 minutes of shame
11 Scores the game-winning basket, say
12 Splashes against
13 Minuscule
24 It gives skiers a lift
26 Jazz legend Fitzgerald
28 HS diploma equivalent
29 Dot on a die
32 Ma, pa, bro and sis, e.g.
33 In the manner of
34 Musical master
36 Almond-flavored liqueur
37 Thumbs-down vote
38 Screens at sports bars
42 Nixes, presidentially
43 Singer DiFranco
44 Trick question?
45 Reply to "Look at that!"
46 Advocacy org. for former U.S. soldiers
47 ___ Paulo
48 "Wow, amazing!"
50 (Don't watch this in a cubicle)
51 Break up with suddenly
52 Persuasive piece in the paper
53 Fret (over)
54 ___ Lanka
57 Braying animal

PREVIOUS PUZZLE ANSWER

C	A	S	H	■	G	O	A	S	K	■	I	T	E	M
A	R	E	A	■	A	N	K	L	E	■	N	O	V	A
R	I	C	H	■	S	C	I	O	N	■	J	O	I	N
D	A	T	A	■	O	U	T	E	D	■	O	N	L	Y
■	■	■	H	A	V	E	A	S	O	A	K	■	■	■
N	E	W	A	G	E	■	■	■	L	I	E	G	E	S
A	R	I	■	O	N	A	R	O	L	L	■	R	A	W
U	R	N	S	■	S	L	O	G	S	■	C	O	V	E
R	E	D	O	■	■	F	U	R	■	■	A	W	E	D
U	D	O	N	■	S	A	X	E	S	■	V	A	S	E
■	■	W	I	P	E	■	■	■	T	R	E	S	■	■
R	A	S	C	A	L	S	■	I	P	A	D	P	R	O
A	L	A	■	S	L	U	M	B	E	R	■	I	O	U
I	T	S	■	T	E	R	M	I	T	E	■	N	O	S
D	O	H	■	E	R	E	A	D	E	R	■	E	M	T

3/19

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www.upuzzles.com

☺ MARFA SCHOOL LUNCH MENU ☺

MAR	Thu, Mar 23	Fri, Mar 24	Mon, Mar 27	Tue, Mar 28	Wed, Mar 29
BREAKFAST	BREAKFAST SANDWICH	DUTCH WAFFLE, SAUSAGE	PANCAKES, BACON	BREAKFAST BURRITO, HASH BROWN	WAFFLES, SAUSAGE
LUNCH Menu courtesy of PORTER'S SINCE 1945 Celebrating 70+ years of serving our customers. 432-729-4375 www.myporters.net	BREADED MOZZARELLA STICKS, MARINARA SAUCE, TINY TOMATO CUP, GARDEN SALAD, PEARS	SLOPPY JOE SANDWICH, CORN, CUCUMBER CUP, ROSY APPLESAUCE, COOKIE	CHICKEN SPAGHETTI, BREADSTICKS, GARDEN SALAD, TINY TOMATO CUP, ORANGE SMILES	FRITO PIE, BEANS, VEGGIE CUP, CHILLED PINEAPPLE, COOKIE	PIZZA POCKET, FRESH BROCCOLI FLORETS, MARINARA SAUCE, CINNAMON APPLESAUCE

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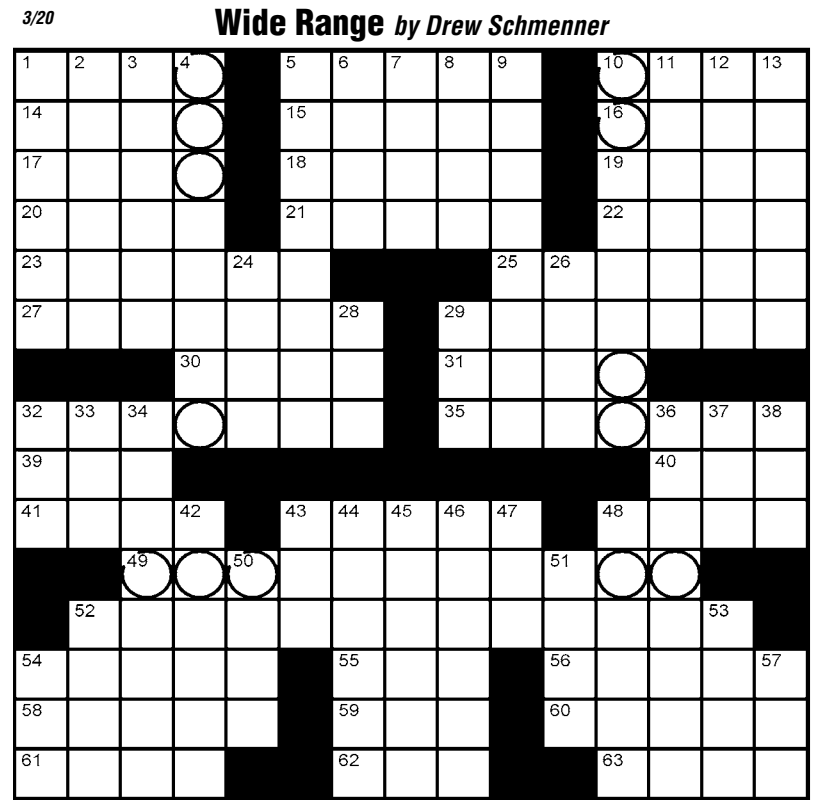
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MARFA SHORTHORNS SPORTS CALENDAR

THU, MAR 23: HS Track @ Rankin, 2:00pm
FRI, MAR 24: District UIL Academic Meet @ Fort Davis
FRI, MAR 24: HS Softball vs Fort Hancock @ Fort Hancock
MON, MAR 27: JH Track @ Wink
MON, MAR 27: HS Golf - Marfa Invitational
TUE, MAR 28: HS Softball vs Culberson @ Marfa

3/20

Wide Range *by Drew Schmenner*



Marfa's Alamito Foundation takes MISD students on a Texas college tour

MARFA — The Alamito Foundation, a local land conservation and youth empowerment program, recently hosted 10 Marfa High School juniors and seniors on a college tour across the state.

Students on the trip were Yvette "Kily" Ortiz, Fernanda Rivera, Samantha Martinez, Maribel Meraz, Janelly Pereria, Aubrie Aguilar, Isaac Nunez, Andru Bentley, Alexander Luna and Joel Martinez. Chaperones were Caroline and Connor Travis and MISD Student Success Coordinator Jessica Murphy.

"It was so insightful to have private tours arranged for our students to tour so many campuses," said Murphy of the event. "The information definitely helps to give future students guidance on potential colleges that meet their interest and needs."

The first stop was Texas State in San Marcos, where students enjoyed the beautiful riverside campus and heard all about the school from the current students that served as our tour guides.

Next, students received a personalized tour of The University of Texas San Antonio from Marfa High School alumnus Odalys Chacon. She walked participants through "a day in the life of a college student" starting at her dorm room and walking to the different buildings she frequents as a freshman. Chacon also spoke on college success in a lecture hall.

Chacon recalled how her tour with the Alamito Foundation two years ago got her excited for college. "Fast forward two years later — I'm giving the tour to kids from my hometown! I had so much fun, and I'm hoping they saw that it is possible to get here even though we come from a small school," said Chacon. "The Marfa kids have so much ambition and potential. I'm so glad they got the opportunity to tour the UTSA and look at the variety of resources the university offers."

The final day was spent touring around Texas A&M University. "We took every opportunity to take a picture with our thumbs up and say 'HOWDY!' to everyone we passed. We might have some future Roadrunners, Bobcats and Aggies in our midst after this incredible adventure!" said event organizer Caroline, who emphasized the goal of the college tours is to introduce Marfa's youth to new opportunities.

"I thank the Alamito and Young Life leaders for this opportunity to look at these colleges," said Marfa High School junior Sam Martinez. "It really made me have a better perspective about how my future in a college would be."

Marfa High School senior Janelly Pereria agreed. "I almost didn't go on the trip for a few reasons, but I'm beyond glad I did! It truly could not have gone better! I had such an amazing time visiting the colleges. They gave me an entirely new view of college and my decision to attend one."



Photo courtesy of Caroline Travis

Marfa's Alamito Foundation recently led Marfa High School juniors and seniors on a Texas college tour.Races.

OBITUARY



Johnson

Gerald W. Johnson Jr., 75, of Alpine, Texas, passed away on March 20. Jerry was born on January 14, 1948, to Col. and Mrs. Gerald W. Johnson. He attended various primary schools and graduated from Henderson State University in Arkadelphia, Arkansas.

He served as a captain in the U.S. Army from 1973-1979 and met his wife, Sheila, and got married on March 8, 1980, in Denver, Colorado. He moved to Alpine in 1989 to open the very first McDonald's in town.

Jerry was a board member of the Alpine Ambassadors, Friends of Fort Davis, West Texas Gas, Brewster County Appraisal District, and the Ronald McDonald House Charity in Odessa.

He volunteered for the horseback riding programs at Camp Mitre Peak and Big Bend Country Therapy.

Jerry served as mayor of Alpine from 2008-2012. He was currently serving as a councilman on the Alpine City Council and as a Texas Silver-Haired Legislator.

He is survived by his wife, Sheila; his children, Hayley (Benny) and Trey (Lizeth); and his granddaughter Ashlynn.

Jerry's funeral service will be held at First Baptist Church in Alpine at 10 a.m. on Saturday, March 25, with burial at Elm Grove Cemetery.

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Thu Mar 23

Local Fantasy Author Nicholas McIntire at Front Street Books
6:00pm at 121 E Holland Ave in Alpine
Join us for a book signing and talk for the Archanium Codex's "A Wicked Wind."

Fri Mar 24

Big Bend Chapter of the Native Plant Society Talk with Jeff Keeling
10:00am at Sul Ross State University in the Warnock Science Building in Alpine
Jeff Keeling will have a talk on plant evolution. The public is invited.

Desert Wines with Abe Schoener at Alta Marfa Winery
3:00pm - 7:00pm at 1305 W San Antonio Street in Marfa
Join our discussion about desert wines, while tasting wine from both Abe (of Scholium Project & LA River Wine Co.) and Alta Marfa. Free to all, 2 free wine pours.

Travel Talk at Alpine Public Library
7:00pm - 9:00pm in the AEP Room at APL at 805 W Avenue E in Alpine
Cecilia Riley and Mike Gray will share their explorations of the natural and cultural history of Panama.

Presidio Bluebonnet Music Series: The Grand Tourists
7:00pm - 9:00pm at the American Legion, 905 O'Reilly in Presidio
Brought to you by the City of Presidio - Concention and Visitor Bureau. This event is free.

"Silent Sky" Opening Night
7:30pm at the Marshall Auditorium, SRSU at 400 N Harrison St in Alpine
The play "Silent Sky" by Lauren Gunderson about the life of astronomer Henrietta Leavitt, opens March 24 and runs through April 2nd. Tickets https://sulross.hometownticketing.com/

Sat Mar 25

Landscape Drawing & Painting En Plein Air at The Chinati Foundation
10:00am - 3:00pm on 3/25 and 3/26 in Marfa
The Chinati Foundation invites area adults to a free, two-day workshop exploring landscape drawing and painting en plein air led by artist Kb Jones. Beginner artists are welcome and urged to participate! Enrollment in this free workshop is limited. To sign up, please email education@chinati.org, with subject line: Kb Jones Workshop.

Spring Hubbub Open Air Market and Food Drive
11:00am - 3:00pm at Marfa Coffee Company at 317 W San Antonio St in Marfa
Collecting canned and nonperishable food for the Marfa Food Pantry.

Have an upcoming or weekly event?

Please submit a two sentence maximum description of your weekly event including who, what, when, and where by Tuesday at 10 am to ads@bigbendsentinel.com

Ongoing Weekly Events & Classes

Free Meditation Classes for Local Law Enforcement, City, County, and Healthcare Workers
Thursday at 5:30pm at Marfa Public Library

Mira Marfa
Monday: Yin Yoga at 6:00pm
Tuesday: Flexibility Flow at 9:30am; Dance Family at 6:00pm
Wednesday: Astanga Inspired Yoga at 5:30pm
Thursday: Asana Clinic at 6:00pm
Sunday: Primary Series at 10:00am; Dance Family at 6:00pm
105 W Texas St, $15 drop-in fee; no one will be turned away for lack of funds

Big Sky Yoga
Monday: Vinyasa at 6:00pm
Tuesday: Hatha at 9:00am
Wednesday: Restorative at 3:00pm; Vinyasa at 6:00pm
Thursday: Yin Yoga at 6:00pm
Friday: Breathwork at 9:00am; Vinyasa & Core at 12:00pm
Saturday: Vinyasa at 10:00am
New location: 105 E Oak #4 (in the ally behind the Wrong Store)

Step it Up (Step Aerobics)
Tuesday at 6:00pm, Thursday at 9:00am & Saturday at 9:00am @ Big Sky Yoga
All fitness levels welcome. New location: 105 E Oak #4 (in the ally behind the Wrong Store)

Free Zumba Classes
Monday & Wednesday at 6:00pm at Marfa Public Library

Free Meditation Classes
Tuesday at 6:00pm at Marfa Public Library

Life Drawing with Model
Tuesday from 7:00pm - 9:00pm at Talent Studios in Alpine
Join this vibrant artist community, make new friends and hone your drawing skills. Reserve your easel by texting 206.619.4699

Baby & Toddler Storytime
Wednesday at 11:00am at Marfa Public Library

The Magic Around Us Youth Drum Circle
Friday at 4:30pm at Marfa Public Library

AA (online & sometimes in-person)
Saturday at 12:00pm at https://tinyurl.com/y686nnw2 & in-person at Marfa Public Library

The Alpine Farmers Market
Saturday at 9:00am on historic Murphy Street in Alpine

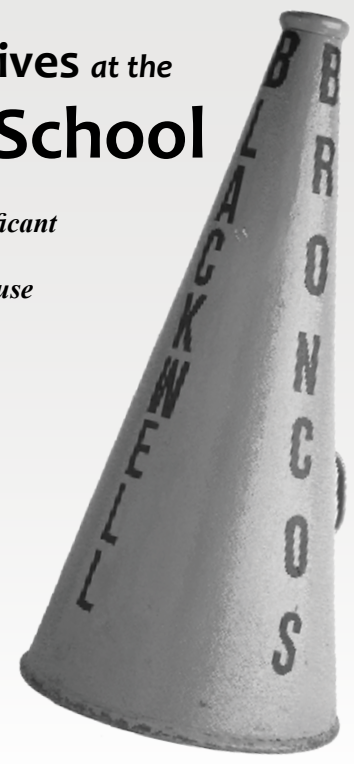
Note: Schedules are subject to change. Please call or visit business websites to confirm that event is happening.

Marfa History Lives *at the*
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FOR SALE

• MARFA ESTATE SALE •

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FRIDAY 25th at 8:00am - 4:00pm
SATURDAY 26th at 8:00am - 4:00pm

This estate sale contains many gorgeous pieces of heirloom furniture, MCM and imported teak. Japanese furniture and accessories. Lots of western and contemporary clothing. Hats & Boots. Lighting, multiple dining table and chairs, bar carts, outdoor furniture, home goods, new front load washer dryer set, (3) refrigerators, dining table & chairs, cleaning supplies, dinnerware, new All-Clad cookware set, kitchen supples, dinnerware, storage boxes & organizing accessories, bed rooms sets,flatscreen TVs,office supplies, arts and craft supplies,and much more.

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***Please do not block driveways when parking**
***Not Responsible for Loading or any Accidents**

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PUBLIC NOTICES

The Marfa Parks and Recreation Board meets every third Thursday of the month at 6:00pm in the Casner Room at City Hall. The public is invited to attend.

PUBLIC NOTICE

The City of Marfa is accepting HOT applications for events occurring April 1 - September 30, 2023.

Please send completed applications to HOTgrants@cityofmarfa.com no later than 5 pm on Friday, March 24, 2023.

Find more information and applications at cityofmarfa.com/bc-hot.

GOVERNMENT NOTICE

A bill to create a Special District Local Law, to create the Presidio International Port Authority, to manage, develop, and operate ports and related infrastructure to facilitate International trade in Presidio, Texas, will be submitted to the Texas Legislature in this session of the legislature.

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CITY OF MARFA RFP
MUNICIPAL SOLID WASTE COLLECTION AND DISPOSAL SERVICES

NOTICE TO VENDORS

Sealed proposals will be received by the City of Marfa, Texas until 4:00 p.m. CST, April 24, 2023 for the purchase of services as follows per proposal instructions and specifications:

REQUEST FOR PROPOSAL (RFP)
MUNICIPAL SOLID WASTE
COLLECTION AND DISPOSAL SERVICES FOR THE CITY OF MARFA, TEXAS

Qualified prospective Proposers may obtain a copy of the RFP at 113 S. Highland Ave., Marfa, Texas 79843 or online at https://cityofmarfa.com/rfps. Proposals received later than the date and time above will not be considered in the proposal process. Facsimile or electronic transmittals will not be accepted.

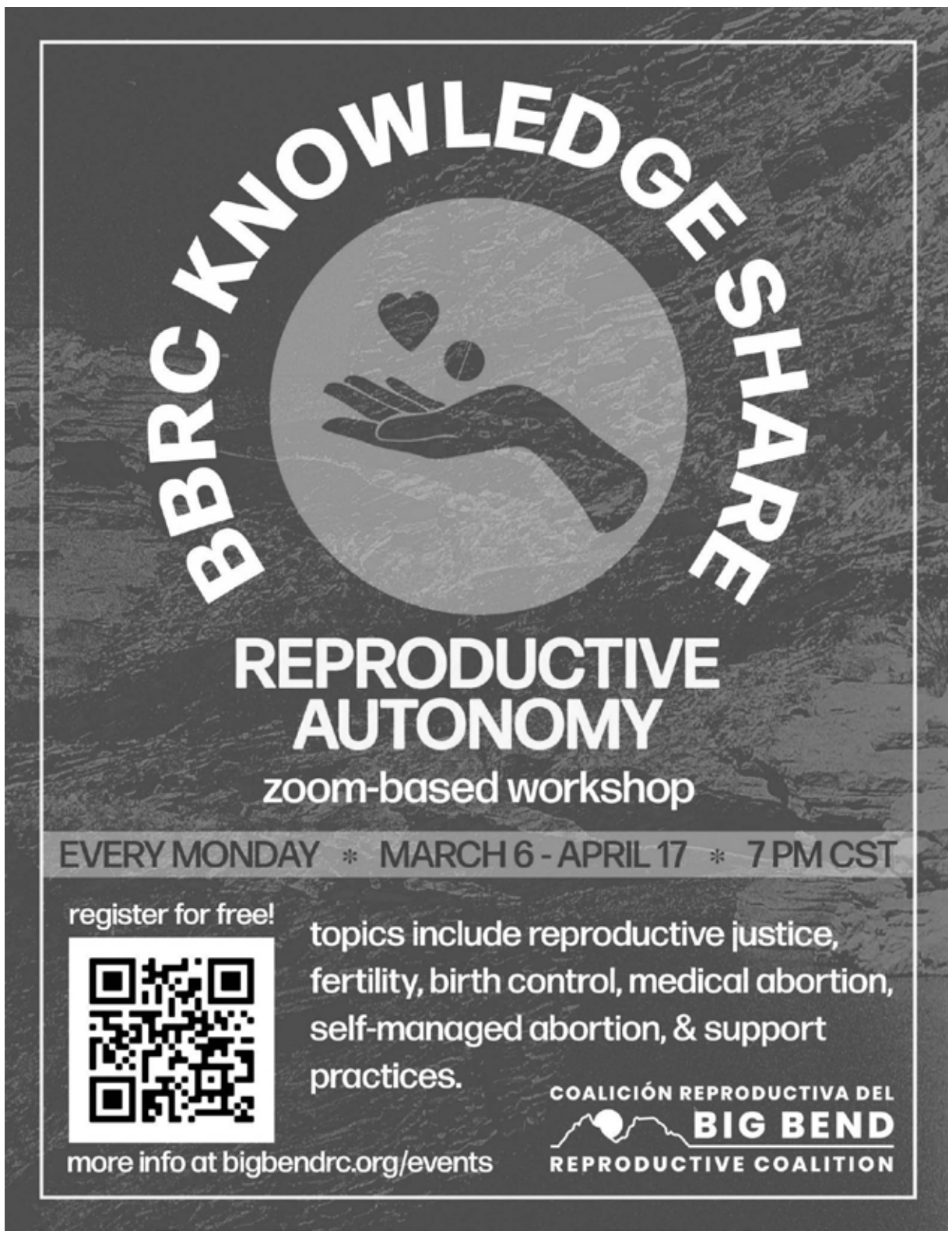
For questions regarding this RFP, please contact:
Mandy Roane, City Manager
mroane@cityofmarfa.com

The City of Marfa reserves the right to accept or reject any proposals or any part thereof or any combination of proposals and to waive nay or all formalities in any proposal and to make an award in any manner, consistent with law, deemed in the best interests of the City.

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Eddie Pallarez
councilmemberpallarez@cityofmarfa.com

Presidio Mayor John Ferguson:
City Hall: (432) 229-3517
Email: jferguson@presidiotx.us

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Email: mayor.eaves@ci.alpine.tx.us

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