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Separation board urged for Fitzgerald officers

BY DIANNA CAHN
Stars and Stripes

WASHINGTON — At a pretrial hearing last month, the Navy painted two junior officers at the controls the night the USS Fitzgerald collided with a merchant vessel off Japan as negligent and complacent officers who failed to communicate adequately and who were accountable for the deaths of seven sailors on board.

But after some deliberation, the Article 32 hearing officer has recommended that Lt. Irian Woodley, the ship's surface warfare coordinator, and Lt. Natalie Combs, the tactical action officer, should not face court-martial, according to Combs' lawyer.

Cmdr. Anthony Johnson recommended that both cases go before an administrative separation board, where each sailor likely will face a board of inquiry to determine whether their performance was substandard and whether they should be separated from the Navy.

"It's not a foregone conclusion," said David Sheldon, Combs' attorney.

Johnson's recommendation goes to Adm. Frank Caldwell, the consolidated disposition authority who ordered the Article 32. Caldwell can accept the recommendation or decide whether the two officers should face court-martial or other punishment. Caldwell is likely to make his decision next week, Sheldon said.

The Navy would not comment about the recommendation. "We will not discuss anything short of a decision" by the consolidated disposition authority, said Lt. Cmdr. Daniel Day.

Sheldon said he doubted that Caldwell or the Navy would press for a court-martial after the recommendation and in the wake of the evidence that the defense presented during the one-day hearing May 12.

Prosecutors portrayed the defendants as failing in their jobs — not using the tools at their disposal properly, and not trying to get faulty equipment fixed and therefore failing to see close calls in busy waters over the course of the night. The defense argued that the ship's radars and electronic equipment never worked properly and that the crew was exhausted from working 20-hour days with no time to train or to make repairs. The problems were systemic, the defense argued, leaving the officers unaware of the other ship's approach.

The Fitzgerald never should have gotten underway in the shape it was in, Sheldon argued at the hearing.

Calling the Article 32 hearing a "dog and pony show," Sheldon charged that the Navy wanted a show of justice but was really hoping not to have to go through a full court-martial that would expose the systemic problems that led to back-to-back collisions in the Pacific last summer.

"I think the Navy would be very hard-pressed to proceed down the path of court-martial," Sheldon said Thursday. "The glimpse you got of what we could marshal as a defense is really startling."

Eighteen sailors and officers received nonjudicial punishment in the wake of the Fitzgerald collision in June and the deadly collision of the USS John S. McCain with a tanker near the Singapore Strait in August that killed 10 sailors.

A series of court-martial and Article 32 proceedings were scheduled. So far, the commanding officer and a chief petty officer on the McCain have pleaded guilty to dereliction of duty, as did the officer of the deck aboard the Fitzgerald. Combs and Woodley pleaded not guilty and opted for Article 32 hearing, while the Fitzgerald commanding officer, Cmdr. Bryce Benson, waived his right to an Article 32 and is pending court-martial.

Several senior Pacific Fleet commanders lost their jobs after the collision, including the head of Pacific Fleet and the commander of the carrier strike group.

Still, Sheldon argued that the Navy's approach was unfair. He said the Navy offered his client a plea deal, but she declined because "she did not believe she was derelict in her duties and she did not commit negligent homicide." Because she declined, he said, the Navy hit her with an Article 32 and a general court-martial, while more senior officers took a plea and received a special court-martial.

"It's a harrowing story and there are true heroes. And if you dig deep enough, there are true villains," he said.

"From my standpoint, obviously I am happy for my client if she doesn't have to go through court-martial," he added. "But from the standpoint of accountability, much would have been learned and gained by a full accounting of the facts in a fair-minded way."

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Mattis: Cease-fire with Taliban could help other efforts

BY JOHN VANDIVER
Stars and Stripes

A cease-fire in Afghanistan between government forces and the Taliban could free up U.S. military assets to intensify operations against other militant groups in the country, Defense Secretary Jim Mattis said Friday.

On Thursday, Afghan President Ashraf Ghani announced

a weeklong unconditional cease-fire with the Taliban that begins next week and lasts through the end of Ramadan. U.S. and Afghan security forces on Tuesday will unilaterally cease operations against the Taliban. Operations against Islamic State, al-Qaida and others will continue.

Mattis, speaking at the end of a NATO defense ministers' conference in Brussels, said

counterterrorism forces and assets such as surveillance aircraft could be shifted and be in a "stronger position" to target groups such as ISIS.

"We will have to see how this turns out," Mattis said.

NATO officials welcomed the cease-fire announcement.

"Our aim is to strengthen the Afghan security forces so they can create the conditions for a peaceful solution," NATO

Secretary-General Jens Stoltenberg said Friday.

"An Afghan-led and Afghan-owned peace process is essential to a long-term, inclusive political settlement," he said.

Next month, allies are expected to agree to continue funding Afghan security forces through 2024, Stoltenberg said.

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Afghan official: Bomb kills cleric, 3 others, 12 hurt

Associated Press

KABUL, Afghanistan — A remote control bomb attached to a motorcycle killed a cleric and three others in eastern Laghman province on Friday, an Afghan official said.

Sarhadi Zawak, spokesman for the provincial governor, said Mohammad Younose Shamakhil and three others were killed and 12 people were wounded.

The attack took place in the provincial capital, Mihtarlam, as the cleric was returning home from Friday prayers at a mosque. No one immediately claimed responsibility for the attack.

Also on Friday, an Afghan official said two suicide bombers targeted a lawmaker in eastern Nangarhar province, leaving three dead, but the lawmaker wasn't home at the time.

Ataullah Khogyani, spokesman for the provincial governor, said the attack targeted the home of Feridon Momand, a member of parliament, in the provincial capital of Jalalabad.

National Guard officer insists he was ordered to take vehicle

Associated Press

RICHMOND, Va. — An Army National Guard officer charged with driving an armored personnel carrier off base while under the influence of drugs insisted Thursday he was ordered to do so as part of a training exercise and called the charges against him “completely bogus.”

But a spokesman for the Virginia National Guard denied 1st Lt. Joshua Yabut's claim.

“Lt. Yabut was not authorized by the brigade commander or anyone else to drive the armored personnel carrier off Fort Pickett to any location for any reason,” spokesman A.A. “Cotton” Puryear wrote in an email.

Yabut told The Associated Press he first was notified of the training exercise by his commander a week before he drove the vehicle away Tuesday evening from Fort Pickett. Yabut said he later was given the command in coded military language to conduct the exercise, which he said was aimed at gauging police response.

“I didn't want to do it, but I believed it was a lawful order, and as a commissioned officer, I was required to do so,” Yabut said.

Yabut, 29, of Richmond, Va., was arrested in downtown Richmond following a two-hour police chase. He spoke to the AP by phone from a psychiatric hospital. He was taken there Wednesday after he was arraigned on charges of driving under the influence of drugs, unauthorized use of a National Guard vehicle and evading police.

Yabut said he was not under the influence of

illegal drugs. He said the only drug he has taken recently is a low dose of Lexapro, which he said he was prescribed for anxiety after he returned in 2009 from a deployment in Afghanistan. He said the drug has never altered his behavior.

“I think the toxicology report will show that those charges are completely false, and I don't even know why I would be charged with that to begin with,” he said.

A state trooper who is listed as the arresting officer wrote in court documents that Yabut had “glassy eyes” with dilated pupils, slurred speech and was “unsteady on his feet.”

“Mr. Yabut had no idea where he was at that time,” the trooper wrote. He also wrote that Yabut's dilated pupils “are indicative of opioid use.”

Sgt. Keeli Hill, a Virginia State Police spokeswoman, said Thursday that she couldn't give specifics about what drugs Yabut might have used, saying an investigation was ongoing.

Yabut's lawyer did not respond to several phone messages and emails seeking comment.

The Guard said Yabut is assigned as the commander of the Petersburg-based Headquarters Company, 276th Engineer Battalion. He has more than 11 years of service, and was deployed to Afghanistan from 2008 to 2009 with the Illinois National Guard.

The armored personnel carrier, which drives on tracks like a tank, topped out at speeds of about 45 mph on its journey to the state capital.

Judge: Fort Polk can keep getting rid of feral horses

Associated Press

NEW ORLEANS — Fort Polk can keep rounding up and getting rid of feral horses while waiting for trial of a lawsuit attempting to stop the roundups, a federal judge has ruled.

However, U.S. District Judge Elizabeth Foote also said a group formed to protect the horses may argue that some of the Fort Polk horses could be descendants of those brought to the New World by Spanish colonists and then bred by Choctaw Indians.

The Army contends that “trespass horses” are a safety risk in training areas.

Foote, in Shreveport, accepted a magistrate judge's findings that Pegasus Equine Guardian Association has not proved that people whose families lost land when the Army base was created in 1941 would suffer irreparable harm if more horses are sent away.

Most of the horses are on about 48,000 acres in the Kisatchie National Forest — part of 90,000 acres of forest land that the base uses for training, U.S. Forest Service spokesman Jim Caldwell has said.

Pegasus concedes that horses would remain in the Forest even after all of the horses are removed from Fort Polk, and has not proved that the Army will eliminate every horse on its land before the case is decided, Magistrate Judge Kathleen Kay wrote.

She wrote that the Army removed more than 100 horses from October 2016 through January 2018, placing them with nonprofit groups, and estimated that 500 to 700 remained in January. “The Army expects to be able to capture only between ninety and one hundred twenty horses in the next six to nine months and that it will take approximately three years to remove all the horses,” she wrote in March.

Foote's order was signed Wednesday and put online Thursday.

Pegasus Equine Guardian Association sued the Army in 2016.

In April, the group filed papers saying Dr. Philip Sponenberg, an expert in Choctaw horses, could provide “an entirely new facet” of the case: arguments that the Army failed to consider that its roundups could destroy a rare group of horses.

Photographs of some Fort Polk horses “show physical traits typical of the old Colonial Spanish type, which is rare among other horses in the United States,” Sponenberg wrote, noting that horses with those traits generally turn out to have DNA that proves their heritage.

If these are colonial Spanish horses, he wrote, “this population would be a high priority for conservation as a genetic resource that is otherwise rare in North America.”

Romney predicts Trump's re-election

Associated Press

PARK CITY, Utah — He once called Donald Trump “a con man,” but Mitt Romney now predicts that Trump would “easily” win his party’s presidential nomination in 2020 and “solidly” win a second term.

Romney, the GOP’s failed 2012 presidential nominee from Massachusetts, now a Republican Senate candidate in Utah, made the prediction Thursday as he welcomed dozens of high-profile business and political leaders to a mountain-side retreat in Utah. As he has every year since 2012, Romney played host to an invitation-only summit focused on the future of American leadership at home and abroad.

The future, he predicted, would feature Trump as America’s leader at least for another six years.

“I think that not just because of the strong economy and the fact that people are going to see increasingly rising wages,” Romney said, “but I think it’s also true because I think our Democrat friends are likely to nominate someone who is really out of the mainstream of American thought and will make it easier for a president who’s presiding over a growing economy.”

The remarks from Romney marked a sharp reversal from his original impression of Trump. Romney briefly served as the face of the so-called “Never Trump” movement before the 2016 election. He delivered a scathing speech in Utah before the 2016 election, calling Trump “a con man” and “a fake.”

Yet Romney’s criticism has softened since then. And now, in the midst of a Republican Senate primary campaign, the former Massachusetts governor appears to be embracing Trump and his leadership role in the modern-day Republican Party.

Justice Department takes aim at heart of Obama health care law

Associated Press

WASHINGTON — The Trump administration said in a court filing late Thursday that it no longer will defend key parts of the Affordable Care Act, including the requirement that people have health insurance and provisions that guarantee access to health insurance regardless of any medical conditions.

The decision, announced in a filing in a federal court in Texas, is a rare departure from the Justice Department’s practice of defending federal laws in court. Texas and other Republican-led states are suing to strike down the entire law because Congress recently repealed a provision that people without health insurance must pay a fine. The repeal takes effect next year.

Texas says that without the fine in place, the requirement to have health insurance is unconstitutional and that the entire law should be struck down as a result.

The administration said it agrees with Texas that the so-called individual mandate will be unconstitutional without the fine. It also said that provisions shielding people with medical conditions from being denied coverage or charged higher premiums and limiting how much insurers can charge older Americans should fall as well.

But it said the rest of the law, including Medic-

aid expansion, can remain in place.

In many ways, the lawsuit, filed in February, is a replay of the politically divided litigation that ended with the Supreme Court upholding the health care overhaul in 2012. In the new suit, California is leading a group of Democrat-led states in defending the law.

The major difference is that the Justice Department under President Donald Trump has largely switched sides.

Attorney General Jeff Sessions said in a letter to Congress on Thursday that Trump, who campaigned on repealing the law and nearly did so his first year in office, approved the legal strategy.

Donald Verrilli Jr., President Barack Obama’s top Supreme Court lawyer who defended the law, called the decision “a sad moment.”

Shortly before the government’s court filing, three career lawyers at the Justice Department withdrew from the case and were replaced by two political appointees, according to court filings.

Timothy Jost, law professor emeritus at Washington and Lee University in Virginia, said the Trump administration is trying to persuade the court to do what it was unable to achieve in Congress last year — essentially, repeal key parts of the Obama health care law.

Trump considering pardon for boxer Ali

Associated Press

WASHINGTON — President Donald Trump said he is thinking “very seriously” about pardoning Muhammad Ali, even though the Supreme Court vacated the boxing champion’s conviction in 1971.

And for futures acts of clemency, Trump said he could seek the recommendations of pro football players and other athletes who have protested racial injustice by kneeling during the national anthem.

“What I’m going to do is I’m going to say to them, instead of talk — it’s all talk, talk, talk ... I am going to ask all of those people to recommend to me — because that’s what they’re protesting — people that they think were unfairly treated by the justice system,” he said. “I’m going to ask them to recommend to me people that were

unfairly treated, friends of theirs or people that they know about, and I’m going to take a look at those applications.”

The president said the athletes have “seen a lot of abuse” and “a lot of unfairness” and that he wants their input on his use of this executive power.

Speaking as he left the White House for a world leaders’ summit in Canada, Trump also said he’s considering thousands of additional pardons, including one for the boxing great.

“I’m thinking about somebody that you all know very well. And he went through a lot. And he wasn’t very popular then,” Trump said. “He certainly, his memory is very popular now.”

It was not immediately clear why Ali would need a pardon because he has no criminal record. The Supreme Court overturned his conviction for

resisting the draft in 1971. The White House did not immediately respond to questions about why the president feels one is warranted.

Ali was born Cassius Clay and changed his name after converting to Islam in the 1960s. He refused to serve in the Vietnam War because of his religious beliefs, declaring himself a conscientious objector, and saying, “I ain’t got no quarrel with the Viet Cong.”

Ali was stripped of his heavyweight crown in 1967. Ali’s legal fight ended in 1971, when the Supreme Court ruled in his favor. He regained the boxing title in 1974. Ali died in 2016.

Trump has been on a clemency kick and earlier this week commuted the life sentence of a woman whose cause was championed by reality television star Kim Kardashian West.

Border detainees sent to federal prisons

Associated Press

SEATTLE—More than 1,600 people arrested at the U.S.-Mexico border, including parents who have been separated from their children, are being transferred to federal prisons, U.S. immigration authorities confirmed Thursday. They said they're running out of room at their own facilities amid President Donald Trump's crack-down on illegal immigration.

The move drew condemnation from activists who said the detainees may have legitimate claims to asylum and don't deserve to be held in federal prisons.

Washington Gov. Jay Inslee and Attorney General Bob Ferguson issued a letter Thursday night seeking more information from the Justice Department

and U.S. Immigration and Customs Enforcement after learning that ICE had transferred dozens of mothers who had been separated from their children to the Federal Detention Center, SeaTac, Wash.

"The Trump Administration's new family separation policy is inflicting intentional, gratuitous, and permanent trauma on young children who have done nothing wrong and on parents who often have valid claims for refugee or asylum status," they wrote.

Historically, immigrants without serious criminal records were released from custody while they pursued asylum or refugee status. The Trump administration has ended that policy.

In an emailed statement, ICE

spokeswoman Carissa Cutrell said that due to a surge in illegal border crossings and the Justice Department's "zero-tolerance" policy — designed to discourage illegal border crossings — the agency needed to acquire access to more than 1,600 beds in Federal Bureau of Prisons facilities. The agency said those include 1,000 beds in Victorville, Calif.; 209 beds in SeaTac; 230 beds in La Tuna, Texas; 230 beds in Sheridan, Oregon; and 102 beds in Phoenix.

The letter from Inslee and Ferguson followed a report from the Northwest Immigrant Rights Project earlier Thursday that as many as 120 asylum-seekers had been transferred to the Federal Detention Center, SeaTac.

The organization said that on

Wednesday, it spoke with two of the women, who arrived at the southern border with their young daughters in mid-May seeking asylum. Both were separated from their children shortly after they were apprehended by Border Patrol. Instead of being returned to their children after being sentenced to time served for the misdemeanor of unlawful entry, they were transferred to Washington state while they seek asylum, the organization said.

"There is simply no moral or legal justification for separating children from their parents in this draconian effort seeking to deter other immigrants," Matt Adams, legal director of the Northwest Immigrant Rights Project, said in a written statement.

Israeli troops tear gas Gaza protesters on 'Jerusalem Day'

Associated Press

GAZA CITY, Gaza Strip — Israeli troops fired live rounds and tear gas as thousands of Palestinians protested near the Gaza border fence on Friday, with some demonstrators burning tires, throwing stones and flying blazing kites.

Gaza's Health Ministry said two Palestinian men succumbed to wounds sustained earlier Friday. The agency said 525 people had been wounded at the latest in a series of mass protests to call attention to a decade-old blockade of Gaza by Israel and Egypt.

The march also marked the annual "Jerusalem Day," instituted by Iran to protest Israeli rule of the holy city. Israel and Iran have been archenemies since Tehran's 1979 Islamic Revolution.

In the capitals of Iran and Iraq, thousands of Shiite Muslims marked Jerusalem Day with protests, with some chanting "Death to Israel" or burning Israeli flags and effigies of President Donald Trump.

In Gaza, at least 115 Palestinians had been killed and nearly 3,800 wounded by Israeli army fire in previous protests near the border fence. The overwhelming majority of the dead and wounded had been unarmed, according to Gaza health officials.

After Muslim prayers at noon Friday, thousands of Gaza residents streamed toward five protest tent camps that had been

erected more than two months ago, each several hundred yards from the fence. From there, smaller groups walked closer to it.

In a camp east of Gaza City, activists burned tires, releasing black smoke. Others threw stones or flew kites with burning rags attached, aiming to send them over the border and set Israeli fields on fire.

Israeli troops fired volleys of tear gas, including from drones, that sent protesters running for cover.

One man with a bullhorn shouted, "America is the biggest evil."

At one point, seven activists in black-and-white striped shirts meant to resemble concentration camp uniforms from World War II approached the fence.

"We want to remind the world that the Israeli occupation is committing the same massacres that the Nazis committed," said activist Ahmed Abu Artima.

The attempt to draw a parallel between Gaza's suffering and the Holocaust was bound to draw angry reactions.

The mass protests have been aimed at a border blockade imposed by Israel and Egypt in 2007, after the Islamic militant group Hamas overran the territory. The marchers have also pressed demands for a "right of return" for descendants of Palestinian refugees to ancestral homes in what is now Israel.

USGS: No way to know when eruption in Hawaii will end

Associated Press

HONOLULU — Lava from the Kilauea volcano that flowed into Kapoho Bay has created nearly a mile of new land and officials with the U.S. Geological Survey said Thursday the flow is still very active and there's no way to know when the eruption will end or if more lava-spewing vents will open.

The fast-moving lava poured into the low-lying coastal Hawaii neighborhoods in just two days this week, destroying hundreds of homes.

"Lava continues to enter the ocean along a broad front in Kapoho Bay and the Vacationland area and it continues to creep north of what remains of Kapoho Beach Lots," said USGS geologist Janet Babb.

As the lava marched toward the bay, it vaporized Hawaii's largest freshwater lake, which was hundreds of feet deep in some places. The new land in Kapoho Bay is now owned by the state, but the peninsula won't look like the farmland that dominates that region of the Big Island anytime soon.

AMERICAN ROUNDUP

Deputies: 2 men used bombs to evict guests

FL ORLANDO — Two Florida men had an unusual plan for getting some unwelcome house guests to leave — they allegedly exploded bombs to scare them.

Orlando prosecutors charged Bruce Steffenhagen, 56, and Nathan Martin, 37, with felony explosives charges after the two were arrested during a Tuesday standoff with sheriff's deputies.

According to court documents, Martin told Orange County sheriff's investigators that Steffenhagen wanted to kick two people out an apartment attached to his home. He told investigators he and Steffenhagen decided to explode two acid bombs in the yard to scare them enough to make them leave.

Detectives said Steffenhagen told them he knew the bombs would explode but did not think it would be a big deal.

Dog finds adult human skull in wooded area

OH COLUMBUS — Police said a family dog in Ohio brought a human skull home.

Madison Township police Chief Matthew Byers said the dog found the skull at about 2 p.m. Monday in a wooded area in Madison Township.

Police responded to the area with cadaver dogs and found the rest of the body Tuesday.

Byers said the remains appear to belong to an adult, but he could not say whether they were male or female. He said there were no obvious signs of foul play.

Madison Township police said they have not received reports of a missing person, but they are reaching out to other departments.

Wildlife officials able to capture, relocate grizzly

MT CONRAD — Montana wildlife officials have captured and relocated a 3-year-old grizzly bear that prompted a call for a refund at a small-town golf course.

Golf course manager Mikel Martin told the Great Falls Tribune a woman ran in from the first hole, said there was a bear on the course and asked if she could have her money back.

State bear management specialist Wesley Sarmiento took care of the hazard on the nine-hole Pondera Golf Course in the town of Conrad.

He tracked the bear to a residential yard and shot it with a tranquilizer dart Monday.

Officials said the bear weighed about 375 pounds, was afraid of people and did not eat human food. It was released Tuesday on the west side of the Continental Divide.

Police: Man assaults another man over chips

MA FRAMINGHAM — Police in Massachusetts said an argument over potato chips led to an assault at a shelter last weekend.

The MetroWest Daily News reported that Harold Dewar, 64, of Framingham, was arrested Saturday morning and was charged with assault and battery with a dangerous weapon. Dewar had a warrant for a previous assault when he was arrested.

Police said the assault happened June 1 at the South Middlesex Opportunity Council-owned shelter in Framingham. Investigators said Dewar screamed at a man who asked if he had opened his potato chips. Police said Dewar then threw a ceramic bowl that shattered against a wall and cut the victim's face.

Dewar left the shelter but was arrested when he returned. Dewar's attorney said the incident was a "mutual fight."

Woman: Cat head on sidewalk like a 'trophy'

LA NEW ORLEANS — The Humane Society of Louisiana said a New Orleans woman found a cat's severed head upright on the sidewalk in her Uptown neighborhood.

President Jeff Dorson said Victoria Marchante told him she found the black-and-white head during a walk Friday morning and went home briefly. She said it was gone when she returned. He quoted her in a news release Tuesday as saying it appeared placed deliberately, "like a sick trophy."

Officer Gary Scheets said in an email that New Orleans police will work with other agencies investigating it.

Dorson said Marchante didn't get photos, but told him a neighbor did.

Man dies climbing from nursing home window

NY BUFFALO — A nursing home resident has died after trying to climb down a makeshift rope from a third-floor window.

Police said William Strasner, 87, apparently fell to his death Monday at the Emerald South Nursing and Rehabilitation Center in Buffalo. Police believe Strasner was trying to leave the facility down a rope made from bedding and clothing he'd tied together when he fell more than 30 feet.

An employee arriving for work found him. He died on the way to the hospital.

Capt. Jeff Rinaldo said patient windows normally don't open more than 7 inches, but a device used to secure Strasner's window was missing.

Man in rowboat rescued during trans-Atlantic try

PA PHILADELPHIA — The Coast Guard rescued a man who was caught in a storm trying to cross the Atlantic Ocean in a rowboat.

Duncan Hutchinson, 52, was attempting last Sunday night to row from New York to Scotland when he faced 21 mph winds and 8½-foot seas about 20 miles east of Barnegat Light, N.J. The man called the Coast Guard.

A Coast Guard rescue boat navigated the high seas and reached the man Monday. Officials said that, thankfully, the man was well prepared and radioed for help.

Rodent infestation cited in Burger King closure

DE WILMINGTON — A Delaware Burger King where video apparently shows rodents scurrying among hamburger buns has been closed because of rodent infestation and gross, unsanitary conditions.

The News Journal, of Wilmington, reported that the Division of Public Health's Dr. Karyl Rattay cited in a June 1 letter to the Burger King's owner, Rackson Restaurants LLC, an "imminent health hazard" as a cause for closing the eatery.

The inspection report said, among other things, that rodent droppings were found inside the hamburger and chicken sandwich rolls. Droppings also were found behind fryers.

Inspectors were back at the Burger King for a requested reinspection on Monday, but Division of Public Health spokeswoman Andrea Wojcik said Monday afternoon that she didn't know if the restaurant was serving customers.

From wire reports

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STARS AND STRIPES®

Caps win franchise's first Stanley Cup

Associated Press

LAS VEGAS — Alex Ovechkin put both hands to his head and screamed while he left the bench and skated into the thick of the Washington Capitals' joyous celebration.

And right before Ovechkin hoisted the Stanley Cup, the Washington captain put both hands on his head again in a gesture of disbelief ecstasy.

You can believe it, Ovi. So can the Washington fans whose championship drought is finally over.

After striving through 13 of his franchise's 43 seasons, the Russian superstar and the long-suffering Capitals are sitting on top of hockey for the very first time.

"It doesn't matter what happened before," Ovechkin said through his gap-toothed grin. "We just won it."

Lars Eller scored the tie-breaking goal with 7:37 to play, and the Capitals claimed their first NHL title with a 4-3 victory over the Vegas Golden Knights on Thursday night in Game 5 of

the Stanley Cup Final.

Ovechkin capped his playoff MVP campaign with an early power-play goal, and Devante Smith-Pelly tied it with a full-stretch goal midway through the final period of the Capitals' fourth consecutive victory over the Golden Knights.

"We did it," said Ovechkin, whose 15 playoff goals set a franchise record. "That's all that matters. Look at the smiles on my teammates. This is something you'll never forget. This moment, I'll remember for the rest of my life. I'm so happy. It's unbelievable."

Vegas' incredible expansion season finally ended, and so did the Capitals' wait for a title since their debut in 1974. But after so many years of crushing disappointment for a team with a lengthy history of postseason failure, these Caps confidently won their fourth consecutive closeout game with a tenacious third-period comeback in Vegas.

"It doesn't come easy," said goalie Braden Holtby, who made 28 saves while outplay-

ing three-time Stanley Cup champion Marc-Andre Fleury in the opposite net one final time. "It took years. Years of heartbreak. Years of breaking things down and trying again, breaking things down and trying again, and this group never gave up. And we finally did it."

After Ovechkin accepted the Conn Smythe Trophy, he received the Cup from NHL Commissioner Gary Bettman. Ovechkin shouted "Yeah! Yeah! Yeah!" before skating away and hoisting the prize over his head for a victory lap in front of thousands of red-clad fans.

When a succession of teammates finally got the Cup back to Ovi, he handed it to Ted Leonsis, the Caps' owner since 1999.

"I'm so happy for the group that has gone through the misery," said Washington coach Barry Trotz, a first-time champ in his 19th season behind an NHL bench and a potential free agent without a contract for next season.

Ovechkin, who turns 33 later this year, has been among the

most exciting and productive players in his sport since joining the Caps in 2005. Yet for all of his goal-scoring prowess and athletic swagger, the Great Eight had never won an Olympic gold medal or a Stanley Cup title.

But after becoming the fifth player in the last quarter-century to score at least 15 goals in a postseason, Ovechkin is a champion at last. He also became the first Russian captain to raise the Cup in NHL history.

The Caps couldn't win a Cup without a little late weirdness, however: The game clock stopped working on the T-Mobile Arena scoreboards during the final minutes, and the Capitals angrily protested while they played on. Vegas never got close to a tying goal despite both teams getting an extra chance to rest while the officials checked on the timing. The clock finally hit zeros, allowing the Caps to storm the ice behind their net for a frenzied celebration.

Curry doesn't need Finals MVP — another title will do

Associated Press

OAKLAND, Calif. — Before the NBA Finals began, Stephen Curry could only chuckle at how long it took for someone to inquire about how badly he wants to add a finals MVP to his decorated résumé.

Maybe a minute passed.

Curry has earned two NBA MVPs, set the single-season three-point record, captured a pair of championships and is on the cusp of a third. He doesn't need the finals MVP, another title will do just fine.

It might come down to Curry and teammate Kevin Durant for series MVP with the Warriors up 3-0 on LeBron James and the Cavaliers going into Game 4 on Friday night with a chance to clinch at Cleveland.

"It took to the second question of my first media avail-

ability, so I'm pretty sure that narrative's going to take life, as it has since 2015," Curry said. "But it doesn't make or break my career or whatever you want to say looking back. If we win this championship and I don't win finals MVP, I'm going to be smiling just as wide and just as big."

Sure, if he could edge out KD, then Curry would join the big names of James, Michael Jordan, Magic Johnson, Larry Bird, Kareem Abdul-Jabbar, Wilt Chamberlain, Moses Malone and Tim Duncan as players with a pair of NBA MVPs and a finals MVP.

Not that Curry is thinking about any of that: He would gladly settle for a second straight victory parade.

"It's part of my motivation to try to get back to this stage because I want more champion-

ships," he said. "But I've never really highlighted the individual type (honors) — even before my regular-season MVPs, I've never even really attacked it as if that was the goal, per se."

Still, the undersized point guard out of Davidson has defied the critics. Curry knows how much he has meant for the franchise during this special four-year stretch.

And this might have been the toughest one yet for Curry, even counting all those losing seasons early in his career, plagued by multiple injuries and so much missed time.

Curry's typically steady shot has been inconsistent, too.

As he always does regardless of if they're going in, Curry has kept firing three-pointers.

He reached a mind-boggling 0-for-9 Wednesday before finally making one from deep

against the Cavs — just three days after knocking down a finals-record nine from beyond the arc.

"I'm going to play aggressively, confidently, with that right energy and motivation to help my team win," Curry said. "And usually when I'm in that mindset, good things happen, whether that means it's a finals MVP or not, who cares, but I'm going to be playing like it, for sure."

As Curry walked off the court with only 11 points on 3-for-16 shooting in the 110-102 win that put Golden State one victory from a repeat title, Andre Iguodala draped his right arm around No. 30's neck and whispered something in his left ear.

"He was telling me what he's going to order at our team dinner tonight, and I agree with his choices," Curry cracked.

Jockey Smith returns to familiar turf

Associated Press

NEW YORK — Walking into Belmont Park is like old home week for Mike Smith.

The jockey knows the vast track with its sweeping turns like the back of his hand. Fans who remember him from his successful years riding the New York circuit will hoot and holler.

Smith feels a comfort level at the track that has spelled heart-break for so many other Triple Crown attempts over the years.

Now he and Justify will take their turn, with a win in the Belmont Stakes on Saturday making the colt racing's 13th Triple Crown winner and second since 2015.

"I pray that we just get our chance and all those years of experience over it come into play because if that's the case, we'll be tough," Smith said recently. "It's actually one of my favorite racetracks. You can do so many different things that can win you a race when you might not

be on the best horse."

As the Kentucky Derby and Preakness winner, Justify is the best horse in the field. Whether the chestnut colt is the best on Saturday remains to be seen.

"I think he'll run big," Smith said.

Belmont Park is the site of one of the jockey's saddest days in racing.

In the 1993 Belmont, Smith was aboard Preakness winner Prairie Bayou. The gelding was running 10th of 13 horses on the backstretch when his left front leg snapped, tossing Smith onto the wet dirt. Smith wasn't hurt, but his horse ran on and sustained a compound fracture. Prairie Bayou was euthanized.

"I often think of him," Smith said. "I miss him a lot."

Smith began riding in New York in 1989. He left for California in 2001 before briefly returning to New York and then settling permanently in California in 2007. He returned

to win the Belmont in 2010 with Drosselmeyer and again in 2013 with 13-1 shot Palace Malice.

Now 52, Smith is enjoying a career revival at an age when many riders have hung it up or no longer get called to ride the top horses.

He's the all-time leader in Breeders' Cup wins among jockeys with 26. That success in lucrative stakes races helped garner him the nickname "Big Money Mike." His mounts have earned more than \$300 million in his career.

In recent years, he was the regular rider for superstar mare Zenyatta, Royal Delta, Songbird, Shared Belief and Game On Dude, among others. In the 1990s, he made a name riding Lure and Holy Bull.

Last year, Smith won 15 Grade 1 races, the most since he won 20 in 1994. Of those, nine were with horses trained by Bob Baffert in a partnership that really took hold two years

ago when Smith rode Arrogate to victories in the Travers Stake and Breeders' Cup Classic.

This year's Kentucky Derby and Preakness were Smith and Baffert's first two wins together in Triple Crown races.

"A lot of these riders, they get nervous. There's a lot of pressure on them, but Mike's been there so many times," Baffert said. "The thing about Mike, he knows that I'm not worried about him so there's not that extra pressure. He knows he's not going to get fired."

Smith has curtailed his work schedule to focus on riding the best horses in the biggest races. Gone are the days when he would hit the backstretch at the crack of dawn to hustle business in the afternoons by exercising horses in the mornings.

"If I can make just as much money with riding a whole lot less horses, why not?" he said, smiling. "I've been blessed to have done really well. Now I'm just enjoying it."

Top seed Nadal overwhelms del Potro in French semis

Associated Press

PARIS — Rafael Nadal improved to 11-0 in French Open semifinals. To get to 11-0 in French Open finals, he'll need to get past the only man who has beaten him on red clay over the last two seasons.

After dealing with some tight moments early, Nadal overwhelmed 2009 U.S. Open champion Juan Martin del Potro 6-4, 6-1, 6-2 the rest of the way Friday.

The No. 1-ranked Nadal compiled a 35-20 edge in winners while making only 19 unforced errors Friday.

Nadal saved three break points at 1-all in the opening set and another three at 4-all. After he held there, that was pretty much that for del Potro.

Nadal broke to take that set and was on his way, taking 14 of the last 17 games.

"The first set was very difficult, with too many chances for Juan Martin," Nadal said. "I

am a little bit fortunate to win the first set."

On Sunday, Nadal will face No. 7 seed Dominic Thiem, a 24-year-old Austrian who reached his first Grand Slam final by ending the surprising run of 72nd-ranked Marco Cecchinato of Italy 7-5, 7-6 (10), 6-1.

Over the past two seasons, Nadal is 49-2 on red clay, with both losses coming against Thiem: in the quarterfinals at Rome in May 2017, and the quarterfinals at Madrid in May 2018.

"He's an amazing player," Nadal said. "I know I have to play at my best."

Nadal is now 85-2 for his career at Roland Garros, with a record 10 championships. He is 110-2 in all best-of-five matches on red clay.

"He's a big favorite against everybody," Thiem said. "Still, I know how to play against him."

Thiem has been to the semifinals in Paris three years in a

row. He lost to eventual champions Novak Djokovic in 2016 and Nadal in 2017.

This time, Thiem instead faced Cecchinato, a 25-year-old from Sicily who never had won a Grand Slam match until this tournament and was the lowest-ranked men's semifinalist at the clay-court major in 19 years.

After dropping the first two sets he played in the opening round, Cecchinato came back to win that match in five sets, then proceeded to string together upsets. He beat No. 10 seed Pablo Carreno Busta in the third round and No. 8 David Goffin in the fourth before stunning 12-time major champion Djokovic in the quarterfinals.

But Cecchinato could not quite keep up with Thiem and his big baseline game. Cecchinato made some headway by repeatedly using drop shots, but Thiem eventually started

tracking them down well.

The pivotal part of the match was the second-set tiebreaker. Both played superbly — and both had chances to end it. Thiem went ahead 6-3, but wasted three set points there, including a bad volley into the net at 6-4 that left him chewing ruefully on his left index finger.

"It was not a very nice feeling," Thiem said.

A fourth set point for Thiem was erased with — what else? — a drop shot by Cecchinato.

Thiem had to weather three set points for Cecchinato, at 7-6, 9-8 and 10-9. Thiem got to 10-all with a drop shot of his own.

At long last, Thiem converted his fifth set point when Cecchinato sent a forehand long. The third set was dominated by Thiem, who raced to a 4-0, two-break lead in 12 minutes.

"That was definitely the key to the match," Cecchinato said. "To get to a set apiece would have changed the match."

Winker's HR helps Reds avoid sweep

Associated Press

CINCINNATI — One out away from their second sweep at Great American Ball Park, the Rockies let another one slip away. The late-inning losses are piling up and wearing them down.

Jesse Winker hit a two-run homer in the 13th inning, completing the Cincinnati Reds' late rally to a 7-5 victory on Thursday that averted a sweep by Colorado.

The Rockies blew a lead with two outs in the ninth and lost for the fifth time in seven games. They've relinquished leads in all of the five losses, with the bullpen melting down

repeatedly.

"We're going through a very difficult time right now with a few guys, for sure," manager Bud Black said. "We're addressing this on a daily basis. We've just got to get to the point where guys are returning to a track-record performance, and right now it's not happening."

Left-hander Chris Rusin (0-2) hit Joey Votto with a pitch to open the 13th. Winker connected on his first game-ending homer, finishing the longest game for both teams this season. His teammates were waiting at home to celebrate his second homer of the season.

"That's the best scene, com-

ing around third and seeing that," Winker said. "It felt great."

Dylan Floro (2-1) allowed a pair of singles over three innings. He batted in the 12th and grounded out.

Left-hander Tyler Anderson gave up a pair of runs while going seven innings for only the second time this season, leaving with a 5-2 advantage before Colorado's bullpen helped Cincinnati rally.

The Reds loaded the bases off Mike Dunn with no outs in the eighth, helped by two walks.

"I blew it for the guys today," said Dunn, whose ERA rose to 9.00. "I couldn't even get a guy

out, so I'd better figure it out quickly."

Scott Oberg replaced Dunn and limited Cincinnati to a pair of runs with the help of Carlos Gonzalez. The right fielder's throw to the plate nailed Eugenio Suarez, who tried to score the tying run from second on Winker's single.

Wade Davis then blew a save in the ninth for only the third time this season. Pitching on the third straight day, Davis hit a batter, gave up Jose Peraza's single and threw a wild pitch. With two outs, Davis threw another wild pitch to Scott Schebler that tied it 5-5. He then fanned Schebler.

MLB roundup

With Pederson's 2 homers, Dodgers hold off Pirates

Associated Press

PITTSBURGH — Joc Pederson went deep twice, Cody Bellinger hit his third home run in as many games and the Los Angeles Dodgers used nine pitchers to hold off the Pittsburgh Pirates 8-7 on Thursday.

Pederson led off the game with a solo blast off Jameson Taillon (3-5) and added a two-run shot in the eighth off Michael Feliz for his second multi-home run game in a week. Bellinger finished 3-for-4, including a shot just over the wall in left field in the sixth to give the Dodgers a three-run advantage, and a stream of relievers made it stand as Los Angeles won for the 15th time in its last 20 games to move back to .500 (31-31).

Daniel Hudson made his first start since 2015, working only the first inning, after the Dodgers scratched rookie Dennis Santana from what would have been his first major league start. Santana experienced tightness in his right side during his pregame routine. Pedro Baez (3-3) picked up the win by getting six outs. Kenley Jan-

sen worked around a pinch-hit homer by Francisco Cervelli in the ninth for his 15th save.

Cubs 4, Phillies 3: Anthony Rizzo hit a solo homer and added a second RBI with a sacrifice fly to lead host Chicago past Philadelphia.

The Cubs won for the fifth time in six games to close to a half-game behind idle first-place Milwaukee in the NL Central.

Twins 7, White Sox 2: Jose Berrios (7-5) pitched a six-hitter for his second complete game this season, and host Minnesota hit three home runs against James Shields in a victory over Chicago.

Berrios retired his first 14 batters before Omar Narvarez's double. By that time, the 23-year-old right-hander already had a 7-0 lead. He struck out 10 and walked none to win for the fourth time in five starts.

Cardinals 4, Marlins 1: Miles Mikolas (7-1) rebounded from his first loss of the season to pitch three-hit ball over seven innings and lead host St. Louis over Miami.

Mikolas allowed an unearned run, struck out five and walked

one, lowering his ERA to 2.27 as the Cardinals salvaged the series finale after a pair of losses. Mikolas, coming off a 4-0 loss to Pittsburgh, has pitched at least six innings in 10 of 12 starts this season.

Blue Jays 5, Orioles 4 (10): Aledmys Diaz hit a game-winning single in the 10th and host Toronto rallied from a three-run deficit in the ninth to beat Baltimore.

Teoscar Hernandez doubled off Miguel Castro (1-2) to begin the 10th and Justin Smoak was intentionally walked before Kendrys Morales and Luke Maile struck out. Diaz won it with a single to the wall in left, giving Toronto just its second win in its past 12 home games.

Tigers 7, Red Sox 2: Leonys Martin had a two-run homer to cap a five-run first inning and visiting Detroit beat Boston.

Detroit's victory ended a four-game winning streak for Boston, which had outscored Detroit 13-1 in the first two games of the series.

Mariners 5, Rays 4: Mike Leake (6-3) pitched into the ninth inning, Mitch Haniger homered and drove in three,

and AL West-leading Seattle beat host Tampa Bay.

Leake was lifted with a 5-1 lead after allowing his eighth hit, a leadoff double in the ninth to Wilson Ramos. Johnny Field hit a three-run double off Alex Colome before the former Rays closer got a game-ending grounder from Daniel Robertson. The Mariners won for the 10th time in 13 games.

Astros 5, Rangers 2: Evan Gattis hit a two-run homer and an RBI single, and Gerrit Cole (7-1) allowed one run over six solid innings as visiting Houston topped Texas.

Alex Bregman also homered for the Astros, and Jose Altuve had three singles after coming in with a big league-leading 85.

Athletics 4, Royals 1: Matt Chapman doubled in the go-ahead run in the sixth inning to make a winner of Paul Blackburn (1-0) in his first start of the season for host Oakland.

Matt Olson hit his 13th homer, Stephen Piscotty singled three times and Marcus Semien added two hits and an RBI to help the A's to their third win in four games against the Royals over the past seven days.