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EVE SAMPLES

COLUMNIST

Military rhetoric can backfire in campaigns

In 2004, when John Kerry was running for president, a leader in his own party crossed an invisible line.

The chairman of the Democratic National Committee, Terry McAuliffe, went on national TV and attacked President George W. Bush for not being a war hero.

"He didn't show up when he should have showed up," said McAuliffe of Bush's service in the Air National Guard. "And there's John Kerry on the stage with a chest full of medals that he earned by saving the lives of American soldiers."

We know how that race turned out.

Kerry's own military service was used against him in the now-infamous Swift Boat ads. He lost the presidency.

There's a reason candidates tend to steer clear of more-patriotic-than-thou military rhetoric.

It can backfire.

That didn't stop former state Rep. Carl Domino from going there.

Domino, one of six Republicans on the Aug. 26 primary ballot in the District 18 congressional race, recently called out rival Calvin Turnquest on his Facebook page:

"Calvin will use the military for photo opportunities, but when it came his turn to serve his adopted country, he turned his back on it and refused."

The post was a response to Turnquest's comments at two recent candidate forums, when the Bahamas native explained why he

See SAMPLES, 10A

WHERE'S ANTHONY?

Anthony Westbury is off today. For more on St. Lucie County topics, follow his columns at TCPalm.com/anthony-westbury.

Ruling in Faiella case appealed

Assistant State Attorney Ryan Butler files 'because court made an error'

By Melissa E. Holsman
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The State Attorney's Office is appealing a Martin County judge's May 9 ruling that dismissed civil infractions against Port St. Lucie Mayor JoAnn Faiella for allegedly violating public records laws, court records show.

A notice of intent to appeal Martin County Judge Kathleen

Roberts' ruling was filed Tuesday. The appeal will seek to overturn Roberts' order that threw out the noncriminal infractions filed against Faiella last year on grounds that her right to a speedy trial had expired.

Since December, Faiella had faced a pair of civil infractions for allegedly deleting text messages — considered public records — from her city-issued cellphone and speaking with another council

member about city business outside of a public meeting in violation of Florida's Government-in-the-Sunshine Law.

Roberts ruled both cases expired under the rules of speedy trial and recapture periods, under criminal proceeding laws.

Assistant State Attorney Ryan Butler said the state is appealing "because the court made an error."

"A person shouldn't escape justice," he said, "just because the

court makes a mistake."

He said the state's appeal will argue Roberts committed an error by dismissing the citations Faiella faced, because there is no right to a speedy trial for noncriminal infractions.

"The court erred as a matter of law in holding that there was," he said Tuesday.

Roberts further erred, Butler

See FAIELLA, 10A

Restoring history Gator assists PSL police



CONTRIBUTED RENDERING

The proposed renovated Lincoln Theatre in Fort Pierce.

\$200K from state could kick-start Lincoln Theatre renovations

By Janet Begley

Special to Treasure Coast Newspapers

FORT PIERCE — With \$200,000 included in the new state budget for the historic Lincoln Theatre on Avenue D in northwest Fort Pierce, Margaret Benton is hopeful renovations to the exterior of the old building can begin quickly.

Benton — whose father, Dr. Clem Benton, was one of the original developers of the theater along with Dr. Harry Center — chairs the Lincoln Theatre Restoration Committee, a group that is part of the Martin Luther King Jr. Commemorative Committee. The committee purchased the building in 2001 to save it from the wrecking ball.

If the money comes through from Tallahassee, it will be used to complete the exterior restoration



ALEX SLITZ/TREASURE COAST NEWSPAPERS

The Florida Legislature allocated \$200,000 in the state budget for the renovation of the Lincoln Theatre.

phase of the historic building, which was built in the 1940s. It is one of the few remaining African-American theaters in Florida.

"The money is designated for the façade on

the southern side of the building," Benton said. "It also will allow us to restore the Lincoln Theatre's marquee."

The Lincoln Theatre played an important role

in the history of Fort Pierce, serving as the centerpiece for entertainment, shopping and socializing along the bustling thoroughfare. In addition to films, the 500-seat theater hosted concerts and other live stage shows, and briefly served as a church after it closed in the late 1960s.

The building sat vacant for years and fell into disrepair. In 2008, the Fort Pierce Community Redevelopment Agency provided about \$300,000 to clean up the theater and replace the roof on the aging building.

Benton estimates it may take at least \$1.2 million to restore the interior of the building after the façade and marquee are repaired. The Lincoln Theatre Restoration Committee is

See HISTORY, 10A

By Will Greenlee
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PORT ST. LUCIE — A 7- to 10-foot alligator may have helped police take a bite out of crime.

The toothy green critter got in the way of Calvin Rodriguez, 22, on Westmoreland Boulevard earlier this week soon after Rodriguez was accused of stealing a car and fleeing in it.

He crashed into the gator, then into the median. The gator may have died in the line of duty.

"That was definitely a first for me," Detective Timothy Bordt said Wednesday of coming upon a dead alligator on Westmoreland and then seeing a little farther down the road the black Honda Civic that Rodriguez is accused of stealing.

It's unclear whether the alligator died after being hit, or if it was dead beforehand and stretched in the road.

But this much is certain: the creature helped in the final stages of a police investigation linking Rodriguez to five stolen 1990s model Acuras and Hondas. He's accused of using "shaved," or modified, keys to access the vehicles quickly.

According to Bordt and police arrest affidavits, here's what happened:

Police got on Rodriguez's trail Monday while investigating the theft of a 1999 Honda Civic from the Walmart Supercenter on South U.S. 1.

Using video surveillance, police learned a

See GATOR, 10A

Judge dismisses wrongful termination case

By Brittany C. Valdes
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PORT ST. LUCIE — A federal judge on Wednesday dismissed a lawsuit against the city by former Assistant City Attorney Gabrielle Taylor, who claimed she was wrongfully terminated in 2012.

Judge Jose Martinez ruled in favor of the city, stating there were no material facts to support Taylor's allegations.

Taylor's lawsuit claimed the city violated the Americans with Disabilities Act



when former City Attorney Roger Orr fired her in March 2012. She claims council members wrongfully perceived her to be an alcoholic and discriminated against her. That is a violation of the act, which considers alcoholism a disability, making her termination illegal, according to the lawsuit.

The lawsuit included a five-count complaint against the city, Orr and

each council member at the time. A jury trial date was set for May 19.

Taylor, who was hired in 2006, found herself at the center of controversy when she was pulled over by a city police officer on suspicions of drunken driving at 2 a.m. Feb. 18, 2012.

Instead of giving her a field sobriety test, police drove her home. The event resulted in public outcry when residents learned Taylor was not arrested or charged with driving under the influence. The city was scrutinized for unlawful favoritism.

Orr ultimately fired Taylor on the basis that staff and City Council had lost confidence in her ability to represent the city.

Taylor's attorney, Guy Rubin, said they will consider an appeal.

"We're disappointed that we didn't get to state our case to a jury," Rubin said. "We believe we have proven by convincing evidence that Sunshine Laws violations took place by City Council. We are confident that justice will prevail."

Taylor could not be reached Wednesday for comment.



Jayne Glierymski

Angel Rodriguez

Calvin Rodriguez

Anna Tropepe

86°/70°
Rain: 65%
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FROM 1A

SAMPLES
from 1A

didn't follow in his father's footsteps by entering the military.

"Why would I not serve this country in the military?" said Turnquest in Juno Beach. "That's simple. I ask too many questions."

The former Tequesta councilman went on to explain that he could be more effective serving the country "in a position where I know I can impact people in a more tangible, positive way."

That didn't sit well with Domino, a Vietnam veteran who served 20 years in the Navy and retired as a commander in 1989.

"To Calvin Turnquest I say there is no higher calling than fighting to protect the freedoms that Americans have because so many, unlike you, were willing to go in harm's way," Domino wrote on his page.

But the tussle turned on Domino when the parents of a Navy SEAL who was killed in Afghanistan came to the defense of Turnquest.

In a letter posted on Turnquest's website, Billy and Karen Vaughn wrote that they never heard their late son, Aaron Vaughn, boast of his military service.

"And we certainly never heard him speak with disdain toward those who lived out the freedoms he fought and ultimately died for," the Vaughns wrote.

“To Calvin Turnquest I say there is no higher calling than fighting to protect the freedoms that Americans have because so many, unlike you, were willing to go in harm's way.”

Former Rep. Carl Domino, District 18 congressional candidate

The four other Republicans in the primary race have avoided the fray. They are Beverly Hires, Brian Lara, Alan Schlesinger and Nick Wukoson.

The primary winner will face Rep. Patrick Murphy, a Democrat from Jupiter, in the November election.

Voters in District 18 should be accustomed to posturing about military service.

Murphy faced similar attacks when he narrowly beat former U.S. Rep. Allen West in 2012.

Those didn't work either. I asked Turnquest if he thought Domino's offensive was fair.

"No, I don't think it was fair for him to attack me on that point," he said. "We all are called to serve in different areas, and military service is not mine."

Domino said he doesn't plan to make his military service a central part of his campaign, as West did two years ago.

"Allen West's whole thing is his military service, but I went as high in the military as he did," Domino said.

He won't be referring to

himself as "Commander Domino" the way West called himself "Colonel West."

"It's something I did — just like being a business executive, just like growing up in Florida," Domino continued.

What's likely to matter more for the six Republicans in the District 18 race is their message about the economy, health care and pollution in the Indian River Lagoon.

And, of course, money. Murphy's campaign had raised about \$2.8 million as of March 31.

Domino was a distant second at \$578,000, most of which has come from his personal coffers.

Money doesn't guarantee victory, as Murphy's win over West showed.

But in a tight battleground like District 18, it will be necessary to stay competitive.

Eve Samples is a columnist for Scripps Treasure Coast Newspapers. This column reflects her opinion. Contact her at 772-221-4217 or eve.samples@scripps.com.

FAIELLA
from 1A

said, "in changing a prior judge's order that the speedy trial rule did not apply."

That's a ruling Butler said St. Lucie County Judge Phillip J. Yacucci Jr. made in March before he stepped off the case and it was reassigned to Roberts. Yacucci ruled that speedy trial periods would not hold up because there is no mention of them in regard to noncriminal infractions under criminal proceeding laws.

"(Roberts) didn't have any authority to change the prior judge's ruling," insisted Butler, "because that was already the law of the case."

GATOR
from 1A

Ford Focus drove through the parking lot before a man got out.

The man, later identified as Rodriguez, worked with the Honda Civic's lock for less than 30 seconds and got in the car. He started the car and drove off.

Meanwhile, two women, identified as Anna Tropepe, 24, and Jayne Gierymski, 55, got out of the Ford and went inside Walmart.

A fourth person, 28-year-old Angel Rodriguez — the brother of Calvin — drove with Tropepe and Gierymski.

The investigation led

Faiella's lawyer, John Anastasio, on Tuesday disagreed with Butler, and said they will fight the appeal.

"I am shocked that they would waste more taxpayer money," Anastasio said.

A key issue now, he insisted, is that the state convinced the first judge on the case, St. Lucie County Judge Kathryn Nelson, to rule that applying the rules of criminal procedure was proper for resolving the civil infractions she faced, rather than rules of civil procedure, which opened the door to Faiella's right to a speedy trial.

"Judge Roberts correctly asked the question to the state, do you agree that the rules of criminal procedure apply? The state said yes," Anastasio recalled. "And then she

asked 'if the rules of criminal procedure apply, why wouldn't the speedy trial in the rules of criminal procedure apply?'"

"The state essentially said it applies, but not this rule," he noted. "Judge Roberts looked at (prosecutors) and said 'you're either all in or all out, and you said the rules applied but now you're picking what rules apply?'" She wouldn't buy that argument and I don't think the appellate panel will buy that argument."

The appeal eventually will be heard by a panel of three circuit judges. It could be late summer before the state files its brief and Anastasio is expected to file a written response.

It could take from six months to a year for the appeal to be ruled upon.

police to Calvin Rodriguez's home in the 2000 block of Southeast Hideaway Circle where Gierymski, also of the 2000 block of Southeast Highway Circle, answered the door.

"As I'm talking to Jayne, I look over and I see the Ford Focus and a Honda Civic traveling south on Veterans (Memorial Parkway)," Bordt said.

In the Ford Focus were Angel Rodriguez, of the 400 block of Southwest Souris Avenue, and Tropepe, of the 300 block of Southwest Jeanne Avenue, while police say Calvin Rodriguez was in the Honda.

"I was driving to where the Ford Focus was pulled over. ... There was an

alligator in the roadway," Bordt said. "A little bit farther down the road was a black Honda."

Bordt said Calvin Rodriguez gathered keys somehow and shaved them or cut them in ways that he could access an array of cars.

Rodriguez on Tuesday said he took five vehicles in Port St. Lucie. He told police he learned how to steal cars "by growing up in a tough town in Connecticut."

He was arrested on charges including five felony counts of grand theft auto and single counts each of larceny and dealing in stolen property.

Police arrested the other three, each on at least a single grand theft auto charge.

HISTORY
from 1A

looking at a variety of ways to raise the money, Benton said.

"We will be continuing to apply for grants for the project and ask for consideration from government for funding," Benton said. "We will also be doing a number of fundraisers and events to raise additional revenue."

One of those fundraisers included a recent concert at the McAlpin Fine Arts Center at Indian River State College, featuring jazz composer and pianist Nat Adderley Jr., a songwriter and music arranger for the late Luther Vandross. Other concerts are planned in the future, with all proceeds benefiting restoration efforts.

Benton said the local community will benefit

from the project in several ways, including job growth through construction and, ultimately, in theater production and management. The theater will be used for cultural events, film festivals, field trips and

lectures for students.

"The Lincoln Theatre is historically significant and when restored, it can again provide an economic anchor for the community as it did in the mid-20th century," Benton said.

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