

## News Roundup

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Durham native Loretta Lynch was confirmed yesterday as the nation's first female African-American Attorney General. I believe that she is only the second female Attorney General, after Janet Reno. WRAL has the basics [here](#).

In other news:

**North Carolina escapee back in custody after more than 40 years.** Clarence Moore escaped from prison in Henderson County in 1972, the year I was born. He was serving an 11-year sentence for larceny. This week, he surrendered himself to a Kentucky sheriff's office, apparently because he had health problems and could not obtain medical care without legal identification. WRAL has the story [here](#).

**Marathon Bomber penalty phase begins.** As a runner, I was interested in this week's Boston Marathon, in which UNC graduate Shalane Flanagan finished ninth. As a lawyer, I am interested in the penalty phase of the capital case against convicted Boston Marathon bomber Dzhokhar Tsarnaev. According to [this Boston Globe story](#), the prosecution has just rested its case. The defense case is expected to take several weeks.

**Conviction of Barry Bonds overturned.** The Ninth Circuit has reversed former baseball player Barry Bonds' conviction for obstruction of justice. The conviction was based on the italicized portion of a statement (by Bonds) made in response to a question (by a federal prosecutor) during an investigative grand jury proceeding regarding a steroid ring with which Bonds was allegedly involved:

Q. Did [your trainer] ever give you anything that required a syringe to inject yourself with?

A. I've only had one doctor touch me. And that's my only personal doctor. Greg, like I said, we don't get into each others' personal lives. We're friends, but I don't — we don't sit around and talk baseball, because he knows I don't want — don't come to my house talking baseball. If you want to come to my house and talk about fishing, some other stuff, we'll be good friends. You come around talking about baseball, you go on. I don't talk about his business. You know what I mean? . . . *That's what keeps our friendship. You know, I am sorry, but that — you know, that — I was a celebrity child, not just in baseball by my own instincts. I became a celebrity child with a famous father. I just don't get into other people's business because of my father's situation, you see.*

The court characterized this as a "rambling, non-responsive answer to a simple question," and ruled that it was insufficiently material to the investigation to support a conviction of obstruction of justice. Seems right to me. The *New York Times* has the story [here](#). A lengthy excerpt from the court's opinion is [here](#).

**Apple vs. Android provokes bloody fight.** I have an iPhone. I think it's pretty great. My limited experience with Android phones is that the experience is similar but not quite as polished. I'm willing to debate the point for a few minutes, but I don't feel strongly enough about the matter to settle the issue with violence. Yet that's exactly what happened in Tulsa, Oklahoma, according to [this report](#): two roommates got into a dispute about smartphone operating systems, and one smashed the other over the head with a beer bottle. He's been charged with assault and apparently is also facing an ICE hold.