Judge denies Abernethy motions, clears the way for trial

By Chris Mortensen
Staff Writer

OPELIKA, Ala. — An Alabama judge Monday denied motions by attorneys for former sports agent Jim Abernethy to dismiss charges against him, setting the stage for Abernethy next week to become the first sports agent tried on criminal charges for his dealings with an athlete.

Abernethy, 30, is charged with violating three Alabama laws in signing former Auburn University defensive back Kevin Porter prior to his senior season in 1987: tampering with a sports event, unlawful trade practices and commercial bribery.

Abernethy was ordered by Lee County District Judge Robert M. Harper to appear for the trial at the Lee County courthouse, beginning Monday. The court calendar and jury selection process could push the trial to later in the week.

The indictments against Abernethy were returned Jan. 13 by a state grand jury in Lee County. Each of the counts is a misdemeanor that carries a maximum penalty of one year in jail and a $2,000 fine.

Abernethy's Alabama attorney, Bill Baxley, asked for dismissal of the charges on several grounds, including the vagueness of the wording in the indictment. Baxley argued that the indictments lack specific information about Abernethy's alleged dealings with Porter, therefore leaving Abernethy unable to prepare properly for the case.

In denying the motions, Harper instructed Alabama Assistant Attorney Generals Don Valeska and Bill Wasden to provide Abernethy's attorneys with more specific information.

Baxley then asked for a continuance. Harper denied the request, saying, "This case has been pending for a while."

Abernethy was accompanied to the 40-minute pretrial hearing by Baxley and Stephen C. Steele, his attorney based in Marietta. They declined to comment.

In the trial, Abernethy's attorneys are expected to focus on the state's contention in the indictment that Porter was an "employee" of Auburn University. The employee-employer reference was made in the commercial bribery indictment.

NCAA president Wilford Bailey, also an Auburn professor, said in reaction to the indictment that he does not consider Porter an employee of the university.

Abernethy was the first agent ever indicted on criminal charges for dealing with an athlete. Alabama followed with a similar indictment in Tuscaloosa County of New York-based agents Norby Walters and Lloyd Bloom for their dealings with University of Alabama basketball player Derrick McKey.

Walters and Bloom have agreed to surrender to state authorities for arraignment March 16.

Walters, Bloom and approximately 60 current and former college athletes are the focus of a 10-month-old federal investigation in Chicago, sources said. A federal grand jury there is investigating the dealings among Walters, Bloom and the athletes.

Walters and Bloom face possible charges of fraud, mail fraud, wire fraud, racketeering, extortion and tax fraud, sources said. Athletes face possible charges of fraud and income tax evasion, the sources said.

Porter was not charged in Alabama for dealing with Abernethy because he is a "victim," according to Valeska, who heads Alabama Attorney General Don Siegelman's criminal division.

Porter was ruled ineligible for Auburn's Sugar Bowl game after Abernethy provided copies of contracts signed by Porter and other athletes.

Playing for keeps this time

Rockdale County hopes movie has happy ending

This is the second in a four-part series previewing the high school state basketball tournaments, which begin this week and continue through March 5, when state champions will be crowned. Today: A preview of the Class AAA girls and boys tournaments.

By Darryl Maxie
Staff Writer

A made-for-TV movie is in the works about Rockdale County's 1986-87 boys basketball season. Coach Cleveland Stroud hopes to supply it with a made-for-Rockdale happy ending from this season.

Stroud's Bulldogs beat Marist to win the Class AAA state championship last year, then forfeited the title after Stroud discovered he used an ineligible sophomore for a total of two minutes and 15 seconds in two games.

The title went vacant, but not Stroud's mailbox, which filled with letters lauding his honesty.

Friday at the Macon Coliseum, the Bulldogs (19-6) will begin their quest for the title that got away. They open in the South bracket of the state tournament against Thomson (11-13).

Last month, the Bulldogs appeared to be the favorite to win the state tournament. On Jan. 14, they were ranked No. 1 in the Journal-Constitution poll. Then in one week, they lost to Lithonia, Woodward Academy and Henry County and dropped out of the rankings.

"We tumbled like a hot potato because we weren't at full strength," Stroud said. "Eric Smith hadn't become eligible and Tony Giles had just fallen on some ice and almost broke his wrist. He was at half-speed."

Now, with the 6-foot-2 forward Smith (averaging 16 points a game) and the 6-1 point guard Giles (averaging 15) leading five starters in double figures, the Bulldogs are at full speed.

Last week, the Bulldogs got revenge on Lithonia 83-80 on Giles' three-pointer at the buzzer. "I guess the Good Lord had a Bulldog uniform on in that game," Stroud said.

More certain, however, is that no ineligible player wears a Rockdale jersey this season, not even Smith, who overcame academic problems. Stroud triple-checked to be certain before the season.

"A mistake one time might make you famous," Stroud said, "but two times makes you a fool."

Like Rockdale, Marist (21-3) has returned to the tournament after winning its fourth consecutive region 5-AAA championship. The War Eagles play Villa Rica (13-13) in the tournament's North bracket at 4 p.m. Friday at Georgia Tech. No. 1-ranked Hart County (22-4), which lost the region 8-AAA championship Saturday to Madison County, will play Brown (22-3).

On the girls side, Dodge County is back to defend its state title. But coach Dick Kelly isn't sure how far his Lady Indians can go. He has two good reasons.

One, unranked Dodge (19-7) opens Thursday in Dublin against Central of Thomasville (19-2), which was ranked No. 1 during the season and is No. 3 now. Two, the team has lost four players to knee injuries in the past two weeks.

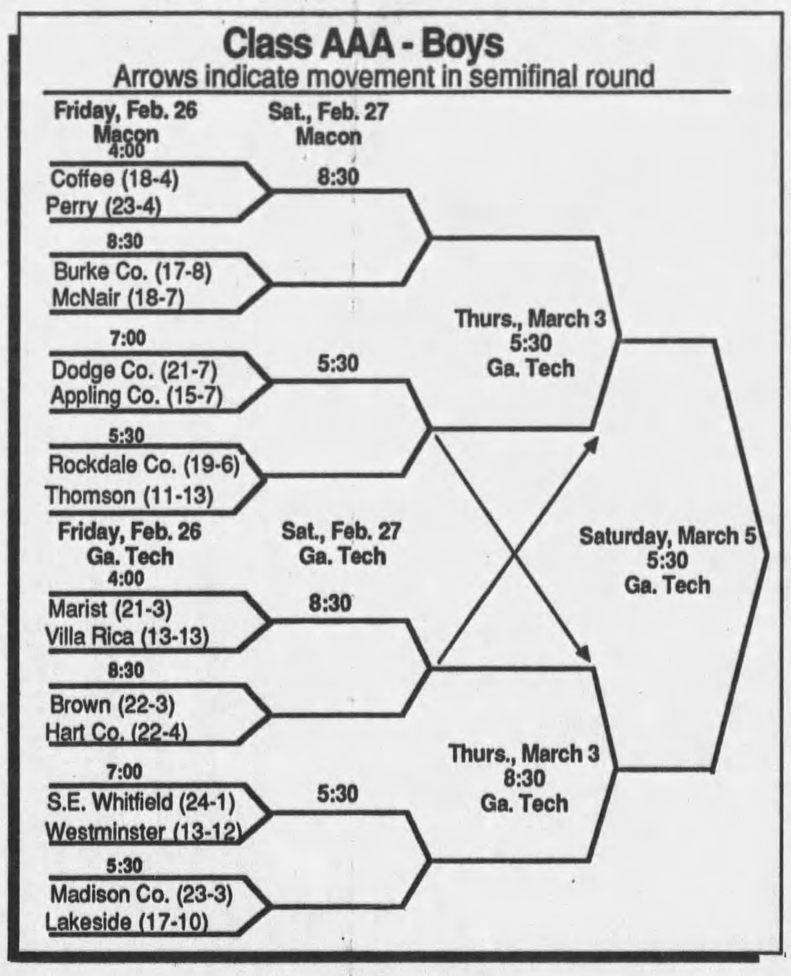
"It's been catastrophic," Kelly said. "We've had some crippling injuries and I graduated six starters last season."

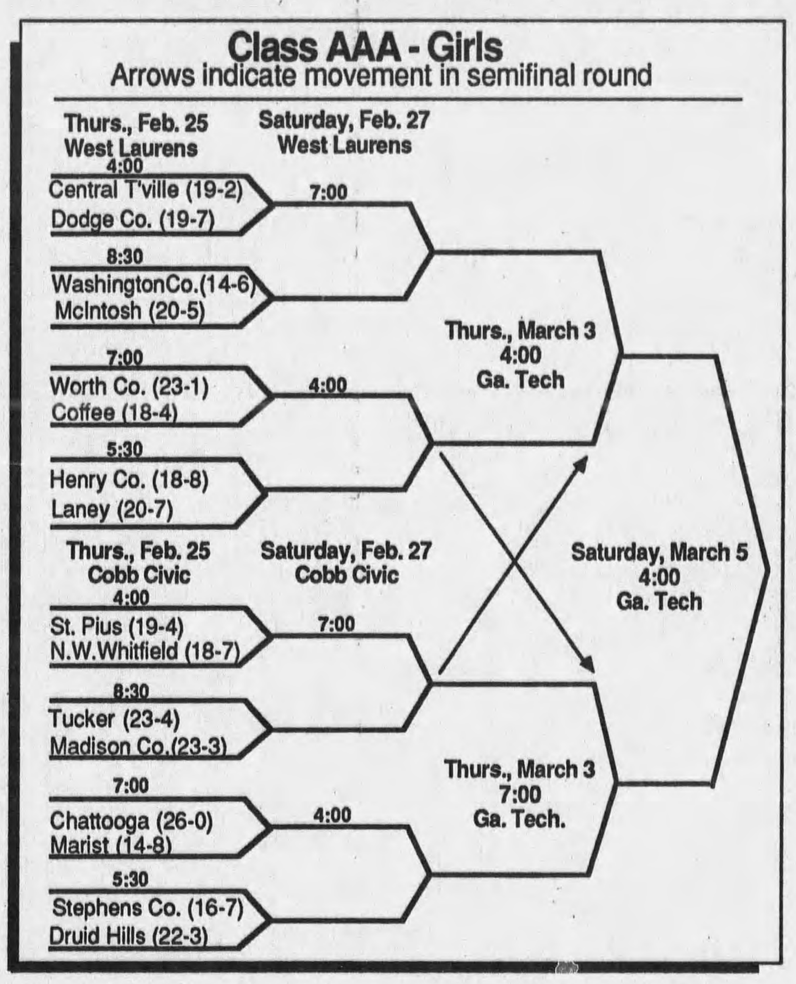
The Lady Indians are led by their only returning starter, 6-3 center Pam Harvey, but lack experience with six freshmen, five juniors and one sophomore on the roster.

"What can I say? I'm tickled we've had the ability to make it back because that's an accomplishment for us," Kelly said. "We've played some very tough teams — Coffee County, Northeast Macon and Central Macon — probably the toughest schedule we've ever played, and the worst we've been beaten is 10 points."

The best game in the North bracket may be Madison County against Tucker, which beat Druid Hills to win the 6-AAA title. Against Madison, the Lady Tigers will count on a stingy defense that has allowed its opponents just over 30 points a game.

WEDNESDAY: Class AA





Salary cap keeps NBA from playing 'Let's Make a Deal'

Hawks are among those frustrated

By Jeff Denberg
Staff Writer

Atlanta Hawks general manager Stan Kasten conceded Monday that it is highly unlikely he will be able to make a deal before Thursday's 9 p.m. trading deadline.

"It won't be for lack of trying," Kasten said. "But the salary cap has gotten all of us."

Although he refused to name them, Kasten said he has interest in specific players who are available. What's more, there apparently is basic agreement on compensation in these proposed trades.

"The trouble is the teams we can do business with half-full rosters and can't take any of our guys. We would have to do three-ways, and the teams that like the guys we'd move can't unload their own guys. They're all at 12. Salaries at this stage of the season are guaranteed so they count against you even if you (release) a player."

The Hawks are believed principally interested in scoring guards Mike Woodson of the LA Clippers and Craig Hodges of Milwaukee. The asking price for each is a first-round draft pick.

Kasten said it is not inconceivable that the deadline will pass without a trade league-wide, although there was talk Monday of Houston and New Jersey hooking up in a Joe Barry Carroll-for-Buck Williams trade with Robert Reid as a possible throw-in. Detroit also was pushing hard for a Vinnie Johnson trade.

If Kasten is unable to deal, the Hawks will be forced essentially to stay with a three-guard rotation, augmented by Dominique Wilkins and visits from CBA guards until John Battle is cleared of hepatitis.

"I don't want to do that," Kasten said. "I don't want to go with just four guards after John comes back, but we may not have a choice."

He said the worst-case scenario for Battle is substantially improved. "At first we worried that he might be out the rest of the year. Now, it looks like the end of March would be the worst case."

Coach Mike Fratello isn't happy with the effect this is having on Wilkins. "It's got to be confusing for the kid, going back and forth, from guard to small forward. But you see how he reacts. That's why he's a great player."

Lead guard Doc Rivers wondered Monday about the toll such a work load would exact from Rivers, Randy Wittman and Spud Webb.

"It's got to wear us down. The worst thing about it for us is that John can't work out at all," Rivers said. "When I broke my wrist I could run, and still I wasn't in real good shape. John's a great athlete so maybe he can come back faster than I could. But the big thing in our favor right now is the schedule. We have tough games, but they're spaced out."

The Hawks play back-to-back only once until March 18-19, and that one set comes this weekend with a game at Indiana Friday and here Saturday against Portland. But starting with back-to-back games against New Jersey and New York (March 18-19) there will be six sets the final five weeks of the season.

Of the remaining 30 games, the Hawks have four games with Indiana starting tonight at The Omni. They also play four with Milwaukee, three with Detroit and two with Cleveland, a total of 13 within the Central Division. The Hawks are plus-23 against their remaining opponents.

"But a lot of these teams play us tough," Rivers said. "Like Indiana. They know they can play well in our building, so they come in here with a lot of confidence."

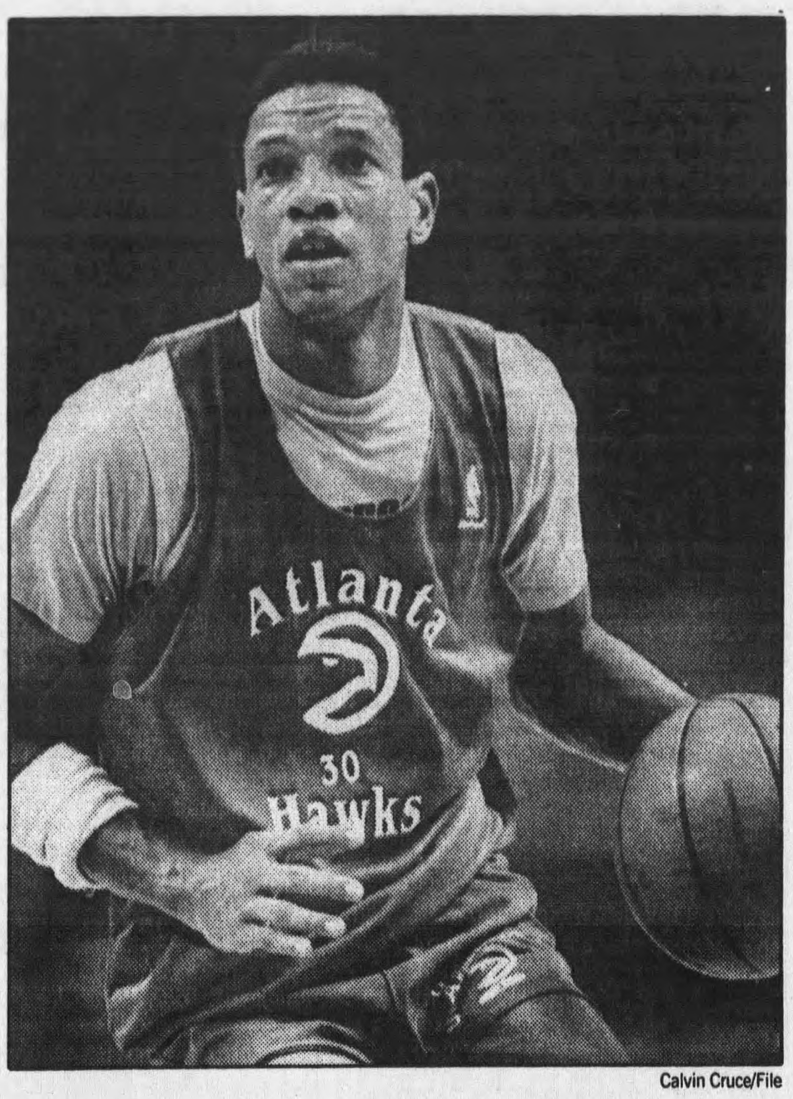
Unbeaten since the All-Star break, the Pacers have equalled their longest winning streak — seven — as members of the NBA. At 28-22, they have not played so well since 1980-81 when they were 10 games over .500 before finishing 44-38.

"You can see them get better just by the fact that Chuck Person plays off the bench," Rivers said. "The mere fact that he would accept that shows the kind of competitor he is."

Person, the NBA rookie-of-the-year after a superb career at Auburn, has not started since returning from an ankle injury five games ago, but remains the team's leading scorer and No. 2 rebounder playing behind Wayman Tisdale.

"With my mentality I want to start," Person says. "As long as the team plays like it has been, I'll come off the bench for the rest of my career if we keep winning."

Hawks notebook, Page 2C



Calvin Cruce/File

Doc Rivers, above, is concerned about the extra work the Hawks' guards are getting while John Battle is out with hepatitis.

SCOUTING REPORT
Hawks vs. Indiana Pacers

■ **Tipoff:** 7:40 tonight, The Omni.
■ **Radio:** WGST-AM 920.
■ **This season:** They've met just twice, the Pacers winning 88-86 with Dominique Wilkins sidelined and the Hawks escaping 93-91 in the other game.
■ **Records: Atlanta** — Overall 33-19; home 20-4, away 13-15; vs. Central 9-7; vs. Atlantic 11-4; vs. Midwest 7-4; vs. Pacific 6-4. **Indiana** — Overall 28-22; home 19-6; away 9-16; vs. Atlantic 6-6; vs. Central 9-7; vs. Midwest 6-4; vs. Pacific 7-5.
■ **Pacers update:** Wayman Tisdale has taken Chuck Person's spot in the starting lineup and the Pacers have ripped off seven straight victories, including three straight on the road.
■ **Th keys:** The Hawks must be active defensively against Jack Ramsay's to-the-basket offensive scheme.
■ **Starters: Indiana** — Wayman Tisdale, 6-7, and Herb Williams, 7-0; center, Steve Stipanovich, 7-0; guards, Vern Fleming, 6-5, and John Long, 6-5. **Atlanta** — forwards, Cliff Levingston, 6-8, and Dominique Wilkins, 6-8; center, Tree Rollins, 7-1; guards, Doc Rivers, 6-4, and Randy Wittman, 6-6.
■ **Injuries: Atlanta** — John Battle (hepatitis) is on the injured list. Jon Koncak (bruised knee) is probable.

—Jeff Denberg

HAWKS STATS

Player	pos	fg	ft	rb	ast	pts
Wilkins	F	.473	.823	6.3	3.0	30.3
Rivers	G	.443	.790	4.4	9.3	14.4
Battle	G	.459	.754	1.8	2.5	12.2
Willis	F	.507	.573	7.1	0.3	10.7
Levingston	F	.566	.789	6.5	1.0	10.1
Wittman	G	.468	.778	1.9	3.5	9.8
Carr	F	.515	.761	3.5	1.1	7.8
Koncak	C	.479	.617	7.0	0.4	5.8
Webb	G	.471	.800	1.8	4.1	5.7
Rollins	C	.508	.880	6.3	0.2	4.8
Washburn	CF	.429	.696	2.8	0.2	3.2
Whatley	G	.286	.750	1.0	0.3	2.3
Hastings	F	.459	.920	2.0	0.3	2.1
Team		**.481**	**.763**	**45.4**	**24.9**	**107.1**

PACERS STATS

Player	pos	fg	ft	rb	ast	pts
Person	F	.468	.661	7.0	4.3	18.1
Fleming	G	.534	.821	4.5	8.0	14.7
Tisdale	F	.477	.803	6.1	1.1	14.4
Long	G	.495	.880	2.7	2.2	13.4
Stipanovich	C	.503	.828	8.5	2.4	13.1
Williams	F	.432	.719	6.9	1.3	10.5
Miller	F	.499	.772	1.8	1.6	10.4
Anderson	G	.481	.739	3.0	1.1	7.2
Skiles	G	.390	.960	1.3	3.5	4.1
Gray	C	.488	.638	3.8	0.7	3.5
Wheeler	G	.494	.739	0.7	1.7	2.6
Dreiling	C	.250	.625	0.9	0.1	1.2
Team		**.483**	**.780**	**43.5**	**25.0**	**105.5**

Falcons sign 22 'replacement' players

By Earnest Reese
Staff Writer

The Atlanta Falcons who went on strike for three games last year seem far less concerned now about "replacement" players competing for their jobs than they did 4½ months ago.

Monday, the Falcons announced the signing of 26 free agents, 22 of whom played on NFL teams during the strike. Of those 22, 10 were with the Falcons.

"It's just going to be more people competing for jobs," said offensive guard John Scully. "We were 3-12 last year. If it wasn't these guys, it would be somebody else."

Said nose tackle Tony Casillas, "I'm not too worried, and I'm sure that most of the guys on the team feel the same way. If after going 3-12 you can improve yourself with replacement players, somebody knows something I don't.

"I can't see any of these guys being impact players, the kind that's going to help the Falcons go from 3-12 to 12-3."

Among the free agents the Falcons signed were five players who played collegiately in Georgia: defensive back Gary Moss and fullback David McCluskey of Georgia, tight end Gary Wilkins of Georgia Tech, running back Dan Land of Albany State and guard James Carter of Georgia Southern.

Moss was the only one of the five on the Falcons' roster during the strike.

Falcons player representative Mike Kenn and fellow offensive lineman Bill Fralic were among the most outspoken against "replacement" players during the strike. Monday, the posture of both veterans had mellowed.

"The only thing I worry about is when the No. 1 pick plays my position, and that hasn't happened yet," Kenn said.

Said Fralic, "Hopefully some of the guys can give us some help. I won't forget about what happened during the strike, but I don't have any animosity toward anybody."

Complete free agent signings list, Page 8C

SPORTING TIMES AT 11:00 PM ON TV 69
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