

# Houseguest allegedly stabbed host in unprovoked attack

## \$2 million bail in attempted murder case

By NATALIE ST. JOHN  
EO Media Group

OCEAN PARK, Wash. — A Vancouver, Washington, man was arrested on suspicion of second degree attempted murder last week after he allegedly stabbed another man multiple times in an unprovoked attack.

Responders from Pacific County Fire District No. 1, Pacific County Sheriff's Office, Long Beach Police and other local agencies were called to a residence on 224th Street around 9:47

p.m. on Oct. 27. The victim, a 49-year-old man from Auburn, had sustained multiple severe stab wounds, mostly on his neck, Chief Criminal Deputy Pat Matlock said.

He was transported by ambulance to Ocean Beach Hospital.

Jonathan Daniel Smith, 32, of Vancouver, was later arrested while riding bikes with his girlfriend.

According to Matlock, the victim told responders that he met Smith, and Smith's girlfriend while drinking in a tavern in Long Beach.

The couple told the victim that they were homeless, and did not have a place to stay. The victim told police he felt sorry for them, and invited

them to stay the night in his beach cabin.

"They said they were homeless, so he offered them a room to stay for the night, the next he knows, he's being attacked," Matlock said.

By the time responders arrived, Smith and his girlfriend had fled. Officers from Long Beach searched the area, and found the couple riding bikes near the beach approach on 225th Street a short time later.

Smith was booked into Pacific County Jail. As of Tuesday, he remained in jail in lieu of \$2 million bail.

His girlfriend was not arrested. Matlock said she may have witnessed the alleged assault, but she is not suspected of any crimes.

# Hearing set for judge accused of discrimination, misconduct

By PARIS ACHEN  
Capital Bureau

SALEM — A Marion County Circuit Court judge accused of discriminating against same-sex couples will have a misconduct hearing next week.

Judge Vance Day's legal team has argued his actions are protected under the state and federal constitutions.

The Oregon Commission on Judicial Fitness and Disability is scheduled to hear the case starting Monday in Salem.

The outcome could give clarification on whether judges relinquish their First Amendment rights when they take the bench.

The discrimination allegation is among a total of 13 complaints lodged against Day.

After taking testimony in the case, the commission will decide whether to recommend to the Oregon Supreme Court dismissal of the complaints or disciplinary action against the judge.

wedding applicants. Judicial conduct rules prohibit judges "by words or conduct" to "manifest bias or prejudice" based on sexual orientation, race, religion, political affiliation and other attributes.

Day instructed his assistant to find another Circuit Court judge who was willing to perform same-sex weddings, according to Day's formal response to the complaint.

The couples "are not prohibited from finding someone else to marry them, and in fact, his office was giving them help to find someone who would," said Patrick Korten, Day's Virginia-based spokesman. "It's pretty clear to me, at least, this is not a valid cause for a complaint to the commission."

### Lying to an investigator

Day also is accused of allowing a felon to handle a firearm and then lying to a commission investigator about knowing the person was a felon.

Other complaints claim the judge called defendants names and required veterans to review materials that exacerbated their post-traumatic stress disorder.

He is accused of collecting money from attorneys to pay for veteran-related wall hangings in the courthouse, including an image of Adolph Hitler, and falsely claiming to have permission

to display the items. Another complaint alleges he gave his judicial business card to a soccer official at his son's game.

Day has denied the accusations.

Korten said the allegations related to the soccer officials had already been dismissed by the commission, but commission staff chose to present the complaints again.

Commission Executive Director Susan Isaacs did not respond to multiple requests for comment on the case.

"Oregon's Code of Judicial Conduct requires judges, among other things, to observe high standards of conduct in order to preserve the integrity, impartiality and public confidence in the judiciary," she wrote in a statement. "It prohibits judges from engaging in conduct that reflects adversely on the judge's competence and temperament, from using their judicial position for personal advantage, and from manifesting bias or prejudice against parties or other persons."

Day's legal team consists of Spooner & Much Attorneys at Law in Salem, Portland attorney Mike Day, who is not related, and James Bopp of the nonprofit James Madison Center for Free Speech in Indiana.

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.

## Store holds weekend fundraiser for food bank

The Daily Astorian

WARRENTON — The T.J. Maxx store is holding a three day in-store fundraising campaign from Friday

through Sunday to support the Oregon Food Bank's efforts to help stop hunger in and around the local community.

The Oregon Food Bank

will receive 100 percent of the funds raised during this initiative.

For hours and information, go to [www.tjmaxx.com](http://www.tjmaxx.com)

## ACCUWEATHER® FORECAST FOR ASTORIA

### Astoria 5-Day Forecast

**Tonight**  
Mostly cloudy  
48°

Shown is tomorrow's weather. Temperatures are tonight's lows and tomorrow's highs

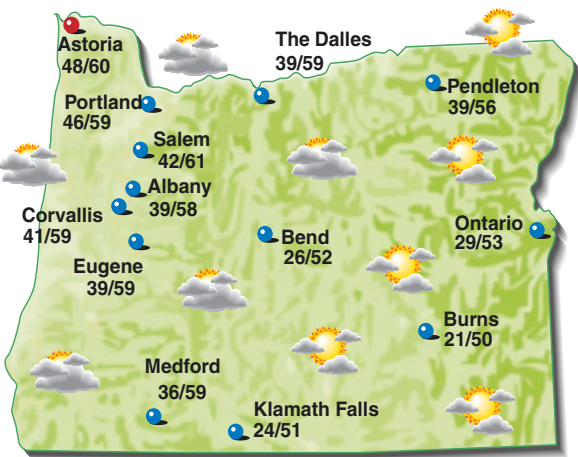
**Friday**  
Mostly cloudy  
60° 50°

**Saturday**  
Rain, heavy at times  
57° 46°

**Sunday**  
Periods of rain  
55° 42°

**Monday**  
Clouds and sun with a shower in the area  
54° 41°

### Oregon Weather



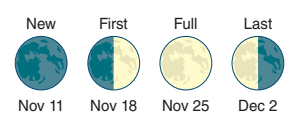
### Almanac

Astoria through Wednesday.

Temperatures	
High	54°
Low	38°
Normal high	56°
Normal low	42°
Precipitation	
Yesterday	Trace
Month to date	0.96"
Normal month to date	1.22"
Year to date	39.40"
Normal year to date	47.44"

### Sun and Moon

Sunset tonight	4:56 p.m.
Sunrise Friday	7:03 a.m.
Moonrise today	1:02 a.m.
Moonset today	2:24 p.m.



### Regional Cities

City	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Baker City	45	23	c	49	24	pc
Bend	49	26	c	52	30	c
Brookings	57	45	c	59	46	c
Eugene	55	39	sh	59	39	c
Ilwaco	57	51	c	58	53	c
Klamath Falls	47	24	c	51	22	pc
Medford	55	36	c	59	34	c
Newport	53	44	sh	57	48	c
North Bend	58	45	sh	62	47	c

City	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Olympia	53	43	sh	54	46	c
Pendleton	52	39	c	56	38	pc
Portland	53	46	sh	59	44	c
Roseburg	56	41	c	60	41	c
Salem	55	42	c	61	42	c
Seaside	57	51	c	60	52	c
Spokane	41	27	c	44	35	pc
Vancouver	53	45	sh	56	43	c
Yakima	57	31	c	57	34	c

### Under the Sky

Tonight's Sky: Deneb of Cygnus is about 15 times as massive as the sun and 50,000 times its brightness.

Source: Jim Todd, OMSI

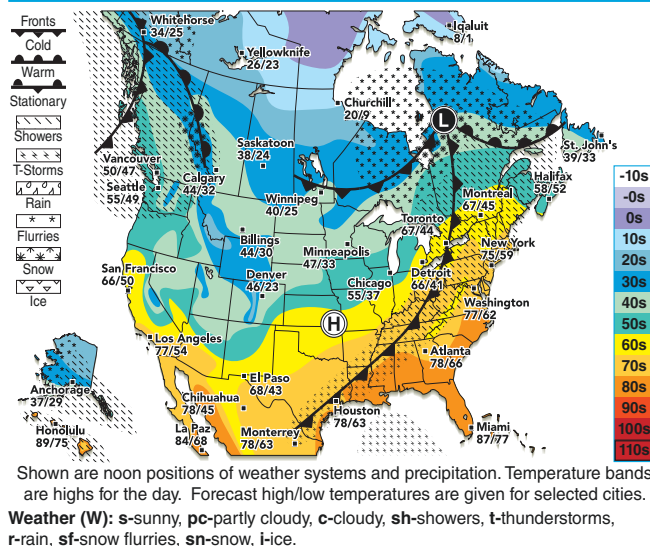
### Tomorrow's Tides

Astoria / Port Docks	Time	High	Time	Low
	9:42 a.m.	8.0 ft.	3:17 a.m.	1.5 ft.
	9:58 p.m.	6.8 ft.	4:00 p.m.	1.7 ft.

### National Cities

City	Today			Fri.		
	Hi	Lo	W	Hi	Lo	W
Atlanta	72	66	sh	78	66	c
Boston	70	59	c	71	55	pc
Chicago	71	50	c	55	37	pc
Denver	43	28	sn	46	23	pc
Des Moines	70	42	t	56	38	pc
Detroit	74	63	c	66	41	r
El Paso	63	40	pc	68	43	s
Fairbanks	32	24	pc	29	22	c
Honolulu	87	75	pc	89	75	pc
Indianapolis	73	61	c	64	38	pc
Kansas City	72	40	c	59	37	pc
Las Vegas	60	43	s	66	45	s
Los Angeles	74	50	s	77	54	s
Memphis	80	68	c	75	54	c
Miami	87	77	pc	87	77	pc
Nashville	78	68	c	76	52	c
New Orleans	83	72	c	82	70	t
New York	70	63	c	75	59	pc
Oklahoma City	75	45	r	65	41	s
Philadelphia	74	64	c	79	60	pc
St. Louis	72	51	t	60	40	s
Salt Lake City	46	33	c	46	29	pc
San Francisco	64	49	pc	66	50	s
Seattle	52	44	sh	55	49	c
Washington, DC	75	61	c	77	62	pc

### Tomorrow's National Weather



## Astoria man found dead, trapped under vehicle

By KYLE SPURR  
The Daily Astorian

A 57-year-old man died Wednesday after he was found trapped under his vehicle outside his home in the Jeffers Garden neighborhood of Astoria.

The Clatsop County Sheriff's Office responded at about 11 a.m. to a single-vehicle crash on the 92000 block of E Road. A woman at the residence reported finding the

car, a 1968 Mercury Cougar, off the road and she could not find her husband.

The sheriff's office and Medix Ambulance found Terry Waring dead at the scene, trapped under the car.

Waring was apparently working on the vehicle, according to the sheriff's office.

Sgt. Matt Phillips said the case is still being investigated to determine what happened. "It's a complicated scene," Phillips said.

Oregon State Police is assisting in the investigation. The state agency brought in a crash technician to diagram the scene.

Lewis and Clark Fire Department and Olney Walluski Fire & Rescue also responded to the scene.

As the investigation continues, those who may have seen the accident or have any information are asked to contact Sgt. Phillips at 503-325-8635.

## Deaths

### Nov. 1, 2015

KALANDER, Robert Andrew, 54, of Palmer, Alaska, died in Palmer. Caldwell's Luce-Layton Mortuary in Astoria is in charge of the arrangements.

### Nov. 4, 2015

WARING, Terry Lee, 57, of Astoria, died in Astoria. Ocean View Funeral & Cremation Service in Astoria is in charge of the arrangements.

## Public meetings

**THURSDAY**  
Northwest Oregon Housing Authority Board, 10 a.m., Champion Park Apartments, 4317 Brookfield Ave., Tillamook.  
Heritage Square Project

**Advisory Committee**, 6:30 p.m., Astoria Public Library Flag Room, 450 10th St.  
**Seaside Parks Advisory Committee**, 7 p.m., Seaside City Hall, 989 Broadway.

**FRIDAY**  
Clatsop Diking Improvement Company No. 9 Board, 4 p.m., Youngs River Lewis & Clark Water District, 34583 U.S. Highway 101 Business.

## Lotteries

### OREGON

Estimated jackpot: \$40 million.  
**Wednesday's Pick 4:**  
1 p.m.: 7-9-0-8  
4 p.m.: 9-1-6-4  
7 p.m.: 1-7-5-7  
10 p.m.: 3-8-9-3  
**Wednesday's Megabucks:** 4-9-21-26-42-45  
Estimated jackpot: \$6.3 million.  
**Wednesday's Powerball:** 2-12-17-20-65, Powerball: 17

**WASHINGTON**  
**Wednesday's Daily Game:** 8-1-5  
**Wednesday's Hit 5:** 13-14-33-35-38  
Estimated jackpot: \$100,000.  
**Wednesday's Keno:** 02-04-09-10-11-18-21-24-28-38-40-46-47-49-55-61-62-66-67-70  
**Wednesday's Lotto:** 02-14-20-31-32-47  
Estimated jackpot: \$1.2 million.  
**Wednesday's Match 4:** 07-13-15-22

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Obituaries may be edited for spelling, proper punctuation and style. Death notices and upcoming services will be published at no charge. Notices must be submitted by 9 a.m. the day of publication.

Obituaries and notices may be submitted online at [www.dailyastorian.com/forms/obits](http://www.dailyastorian.com/forms/obits), by email at [ewilson@dailyastorian.com](mailto:ewilson@dailyastorian.com), placed via the funeral home or in person at The Daily Astorian office, 949 Exchange St. in Astoria. For more information, call 503-325-3211, ext. 257.

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### The Daily Astorian

Established July 1, 1873  
(USPS 035-000)

Published daily, except Saturday and Sunday, by EO Media Group, 949 Exchange St., PO Box 210, Astoria, OR 97103 Telephone 503-325-3211, 800-781-3211 or Fax 503-325-6573. POSTMASTER: Send address changes to The Daily Astorian, PO Box 210, Astoria, OR 97103-0210

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13 weeks in advance	\$36.79	13 weeks in advance	\$51.98
26 weeks in advance	\$70.82	26 weeks in advance	\$102.63
52 weeks in advance	\$135.05	52 weeks in advance	\$199.90

Circulation phone number: 503-325-3211  
Periodicals postage paid at Astoria, OR

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