

Our lady



Noel Thomas

Astoria artist Noel Thomas sketched the Lady Washington, the famous tall ship that visited Astoria last weekend.

Man sentenced in armed robbery at Astoria home

Warner gets nearly six years

By JACK HEFFERNAN
The Daily Astorian

A man was sentenced Wednesday to nearly six years in prison after an Astoria man was robbed at gunpoint in his home.

Michael Todd Warner, 41, originally was indicted in June on charges of first-degree robbery, first-degree burglary, unlawful use of a weapon, felon in possession of a firearm, first-degree aggravated theft, second-degree criminal mischief, pointing a firearm at another and menacing.

He pleaded no contest Wednesday to attempt to commit a class A felony and the other charges were dropped as part of a deal with the Clatsop County District Attorney's Office.



Michael Todd Warner

Sergio Cervantes Arreguin had returned to his home on Alameda Avenue in June and found a strange

man inside. Warner pointed a semi-automatic handgun directly at Arreguin before he ran to a nearby restaurant and called police.

After searching the house and setting up a perimeter, police were unable to find Warner. About four hours later, a Clatsop County Sheriff's Office deputy located Warner, who fit the description of the suspect, near the New Youngs Bay Bridge. He was found in possession of the stolen handgun.

Warner also agreed to pay \$1,000 in restitution as part of the plea deal.

Gearhart pot taxes too high, dispensary owner says

By R.J. MARX
The Daily Astorian

GEARHART — Sweet Relief co-owner Oscar Nelson went before the City Council on Wednesday to seek some relief for a city sales tax that is more than three times higher than other cities in Oregon.

"I implore you as a city, as a council, to put the tax in line in what was stated in the statute and what the rest of the state is working towards," he said.

In October 2014, shortly before voters approved Measure 91 — the legalization of recreational marijuana — Gearhart passed an ordinance requiring a 10 percent city tax on the sale of recreational marijuana and 5 percent for a medical marijuana cardholder.

After legalization, the state offered a mechanism for cities to charge a local tax of up to 3 percent. Municipalities may not impose a tax or fee on a medical marijuana cardholder or primary caregiver.

Appeals court strikes down Trump push to cut sanctuary city funds

Ruling applies to California

By SUDHIN THANAWALA
Associated Press

SAN FRANCISCO — A divided U.S. appeals court on Wednesday struck down a key part of President Donald Trump's contentious effort to crack down on cities and states that limit cooperation with immigration officials, saying an executive order threatening to cut funding for "sanctuary cities" was unconstitutional.

In a 2-1 decision, the 9th U.S. Circuit Court of Appeals agreed with a lower court that the order exceeded the president's authority. Congress alone controls spending under the U.S. Constitution, and presidents do not have the power to withhold funding it approves to pursue their policy goals, the court majority said.

"By its plain terms, the executive order directs the agencies of the executive branch to withhold funds appropriated by Congress in

order to further the administration's policy objective of punishing cities and counties that adopt so-called 'sanctuary' policies," wrote Chief Judge Sidney Thomas, joined by Judge Ronald Gould.

The court, however, also said the lower-court judge went too far when he blocked enforcement of Trump's order nationwide after a lawsuit from two California counties — San Francisco and Santa Clara.

Thomas said there wasn't enough evidence to support it, limited the injunction to California and sent the case back to the lower court for more arguments on whether a wider ban was warranted.

Devin O'Malley, a spokesman for the U.S. Justice Department, called the ruling a victory for "criminal aliens in California, who can continue to commit crimes know-

ing that the state's leadership will protect them from federal immigration officers whose job it is to hold them accountable and remove them from the country."

"The Justice Department remains committed to the rule of law, to protecting public safety, and to keeping criminal aliens off the streets," he said.

The decision overall is a big win for opponents of the executive order, but Trump could try to enforce it against jurisdictions outside the nine Western states — including Oregon and Washington state — covered by the 9th Circuit, said David Levine, an expert on federal court procedure at the University of California, Hastings College of the Law.

"If they wanted to go after Chicago, if they wanted to go after Denver or Philadelphia, they would not be bound by an injunction," he said. "Those

places would have to bring their own lawsuits and whatever happens, happens in those cases."

Trump signed the executive order in January 2017 — part of a push by his administration to go after cities and states that don't work with U.S. immigration authorities.

The government also has moved to withhold a particular law enforcement grant from sanctuary jurisdictions

and sued California over three laws that extend protections to people in the country illegally.

The Trump administration says sanctuary cities and states allow dangerous criminals back on the street. San Francisco and other sanctuary cities say turning local police into immigration officers erodes the trust needed to get people to report crime.

The executive order directed the attorney general

and secretary of Homeland Security to ensure that jurisdictions refusing to comply with a particular immigration law generally are not eligible to receive U.S. grants.

U.S. District Judge William Orrick in San Francisco ruled in November that the order threatened all federal funding and that the president lacked the authority to attach new conditions to spending approved by Congress.

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