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# VISALIA TIMES-DELTA

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## 4 men injured in shooting

Less than a month ago, a man was shot near same north Visalia apartments

BY DAVID CASTELLON  
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Just last month, D.L. Thommen talked about how gang activity and crime seemed to have

declined in his N.E. Fourth Avenue neighborhood in Visalia.

But early Thursday morning, a shooting wounded four men at a neighboring apartment building. "I'm shocked," he said.

About 12:10 a.m., police say, four men reportedly were approached by another group and shot with several firearms. The shooting occurred outside an

apartment in the 300 block of N.E. Fourth, where some residents reported hearing six shots in rapid succession.

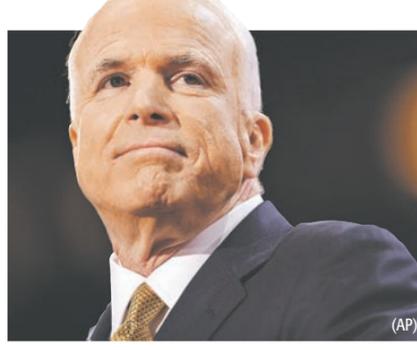
Bertha Iniguez, one of those residents, said she was awakened by what she thought were firecrackers. Then a Visalia police officer showed up seeking witnesses.

Three of the shooting victims,

Gregorio Zamora, 24, Desmond Nunez, 23, and Christopher Frausto, 27, suffered minor wounds and were treated at Kaweah Delta Medical Center and released, Visalia police reported. The fourth man, Michael Ruiz, 26, was transported to Community Regional Medical

See SHOOTING, 3A

## ELECTION 2008



## EPA to limit lawn equipment emissions

The Associated Press

WASHINGTON — Gasoline-powered lawnmowers that are a big cause of summertime air pollution will have to be dramatically cleaner under rules issued Thursday by the Environmental Protection Agency.

The long-awaited regulation requires a 35 percent reduction in emissions from new lawn and garden equipment beginning in 2011. Big emission reductions are also required for speedboats and other recreational watercraft, beginning in 2010.

The reductions will be the equivalent of removing one out of every five cars and trucks on the road, according to Bill Becker, executive director of the National Association of Clean Air Agencies. The EPA said approximately 190 million gallons of gasoline will be saved each year when the rules take effect, and more than 300 premature deaths will be prevented annually.

"These standards help fight smog in our neighborhoods and waterways as we continue to improve the environmental landscape," said EPA Administrator Stephen Johnson.

The regulation had been delayed for years by opposition from Sen. Kit Bond, R-Mo., who took up the cause of small-engine manufacturer Briggs & Stratton Corp. The EPA estimated the cost of implementing the reductions at \$236 million a year, which will likely make its way to consumers in the form of more expensive lawnmowers and other machines.

### INSIDE

Researchers warn that warming temperatures may harm giant sequoia trees, 1C.

## Neighbors mend fence



STEVE R. FUJIMOTO

Mahmoud Morsi stands next to the new fence dividing his backyard and his neighbor's yard on Thursday.

## Property dispute resolved between Visalia homeowners, developer

BY BRETT WILKISON  
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A five-month property battle involving two Visalia homeowners and their subdivision's developer has come to an end.

The dispute centered on the location of a fence dividing the backyards of two north Visalia homes, one owned by Mahmoud Morsi, a Visalia accountant, the other by Simon Temmerman, a local teacher.

Before Morsi bought his four-bedroom home in October 2007, McMillin Homes subcontractors put the fence in the wrong place, giving Morsi more property than he'd paid for and shorting his neighbor, Temmerman. The mistake came to light in March, when Temmerman measured his property.

"Something just didn't seem right about the lot," Temmerman said.

In fact, it was 1,000 square feet smaller than it should have been.

Temmerman notified McMillin of the mistake, and the builder proposed moving the fence to its proper location. That upset Morsi, who said he'd bought an "inventory



"I accepted because I don't want any more problems."

—Mahmoud Morsi, north Visalia homeowner

home" — meaning the property on display was the one he'd been told he was buying.

"Nobody goes to measure the square footage of your yard when you buy a home," he said three months ago.

### Agreement reached

Morsi opposed McMillin's plans and turned down at least one offer to compensate him with \$1,000 plus landscaping costs. At the end of July, however, a month after negotiations broke down and with both men considering arbitration, McMillin reached a deal with the owners. In exchange for moving the fence, Morsi accepted \$5,000 in compensation from McMillin, plus free repair of any landscap-

ing and irrigation affected by the new property line. Temmerman got 2,000 square feet of sod and irrigation, installed by McMillin.

The new fence went up last month, 17 feet east of where it once stood, giving Temmerman 1,150 square feet of property that had once been in Morsi's backyard. McMillin contractors finished putting in Morsi's replacement plants Thursday.

Although happy the dispute is over and satisfied with the work on his property, Morsi said he still feels slighted by McMillin. He should have been compensated more for the loss of nearly 15 percent of his lot, he said.

"I accepted because I don't want any more problems," he said.

A McMillin official said the company wasn't legally required to resolve the situation.

"But we felt we should do the right thing and move the fence back to its proper location," said Jamieson MacKenzie, vice president of project management for McMillin.

Temmerman, meanwhile, said he is happy to have his land back. There are no hard feelings between him and Morsi, he said.

## McCain: 'Change is coming'

The Associated Press

ST. PAUL, Minn. — John McCain, a POW turned political rebel, vowed Thursday night to vanquish the "constant partisan rancor" that grips Washington as he launched his fall campaign for the White House. "Change is coming," he promised the roaring Republican National Convention and a prime-time television audience.

"Fight with me. Fight with me. Fight with me. Fight for what's right for our country," he urged in a convention crescendo.

To repeated cheers from his delegates, McCain made only passing reference to an unpopular George W. Bush and criticized fellow Republicans as well as Democratic rival Barack Obama in reaching out to independents and swing voters who will pick the next president.

"We were elected to change Washington, and we let Washington change us," he said of the Republicans who controlled Congress for a dozen years before they were voted out of office in 2006.

As for Obama, he said, "I will keep taxes low and cut them where I can. My opponent will raise them. I will cut government spending. He will increase it."

McCain's wife, Cindy, and ticketmate Sarah Palin and her husband joined him on stage as tens of thousands of red, white and blue balloons cascaded from high above the convention floor.

Unlike Obama's speech a week ago,

See McCAIN, 3A

### MORE ONLINE

For special coverage of the Republican National Convention and videos, visit our Web site at [www.VisaliaTimesDelta.com/Election](http://www.VisaliaTimesDelta.com/Election).

### INSIDE

Read more about the presidential candidates on 7A.

### TULARE COUNTY DELEGATES



Tulare County delegates say California is winnable for the Republican Party in the presidential election, 3A



### QUICK NEWS

#### Visalia Unified API test scores still rising

Standardized test scores continue to improve throughout the Visalia Unified School District, according to data released Thursday by the California Department of Education.

See full story, 1C

#### Tulare teen reunited with stolen puppy

A Tulare teenager and his puppy have been reunited because of alert police work.

The boy provided a full description of the thief and the vehicle, which police used to find the suspect and recover the boy's puppy.

See full story, 1C

# 67 Days without a state budget

#### California trying to prepare for dry winter

California is taking initial steps to prepare for another dry winter by trying to ensure that farmers and cities will have adequate water supplies in 2009.

Most reservoirs in the state have less water than usual, and some are near record lows.

See full story, 1C

#### Pentagon urges delay in troop reductions

Pentagon leaders have recommended to President Bush that the United States make no further troop reductions in Iraq this year, administration officials said Thursday.

The plan, delivered this week, calls for delaying additional drawdowns until late January or early February — after the Bush administration has left office. The reduction would coincide with new deployments to Afghanistan, officials said.

Defense officials described the recommendation as a compromise between those who believed that security gains in Iraq remained too tenuous for withdrawals, and those who proposed continuing the reductions.

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Low Medium High

Saturday: 8.6  
Sunday: 8.0

Predominant pollen: Ragweed and elm.  
Source: Dr. A.M. Aminian

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