

# THE NEWS & OBSERVER

SUNDAY, FEBRUARY 12, 2012

UP TO **\$132** IN COUPONS

## LOSING A HUSBAND, GAINING A WIFE

ARTS & LIVING



## UNC PULLS AWAY FROM FEISTY VIRGINIA

SPORTS

## THE STIGMA OF LONG-TERM JOBLESSNESS

WORK & MONEY

# Cline inquiry hangs on 'elastic' law

Issue is fitness for office

By J. ANDREW CURLISS  
acurliss@newsobserver.com

Court proceedings are often about whether someone broke a law. But an inquiry scheduled for Monday into the conduct of suspended Durham District Attorney Tracey Cline will focus on whether she has violated a vague legal standard written to ensure that prosecutors are fit for duty.

Cline faces possible removal from office for lambasting Durham's chief judge in lengthy motions, and not following the law in how she did it.

Now, a judge is set to hear arguments about whether Cline's actions merit her removal under a state law that punishes "conduct prejudicial to the administration of justice which brings the office into disrepute."

No dictionary defines what conduct is covered by that rubbery phrase. Legal experts say the broad and indefinite language is deliberate.

"It has to be kind of elastic and vague," said James C. Drennan, a professor of public administration at UNC-Chapel Hill's School of Government and a former state court system director. "It's intended to cover the full range of conduct that court officials - in this case DAs, but in other cases, judges - engage in, which is in a wide range of activities."



District Attorney Tracey Cline during an August hearing in Durham.

SHAWN ROCCO - 2011 N&O FILE PHOTO

### INSIDE

**Causes:** Reasons a judge found for suspending, possibly removing Cline from office. ► 12A

### READ THE SERIES

**Twisted Truth:** Read our series and follow-up reports on the Durham district attorney. [newsobserver.com/twistedtruth](http://newsobserver.com/twistedtruth).

In a series of filings attacking Superior Court Judge Orlando Hudson, Cline used language described by opposing lawyers as "incoherent" and containing "venom." Cline also based her allegations on information that isn't factual or based in the law, according to previous rulings by judges who considered her complaints.

Cline claims Hudson is biased against her and deliberately sought to undermine her in retaliation for her re-

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# Whitney Houston, icon with peerless voice, dead at 48

By NEKESA MUMBI MOODY  
Associated Press

LOS ANGELES - Whitney Houston, who ruled as pop music's queen until her majestic voice and regal image were ravaged by drug use, erratic behavior and a tumultuous marriage to singer Bobby Brown, has died. She was 48.



Houston

Beverly Hills police Lt. Mark Rosen told reporters outside the Beverly Hilton that Houston was pronounced dead at 3:55 p.m. (6:55 p.m. EST) in her hotel room. Her body remained there, and Beverly Hills detectives were investigating.

"There were no obvious signs of any criminal intent at

### PHOTO GALLERY

**Whitney Houston:** See more photos of the pop queen online at [newsobserver.com](http://newsobserver.com).

this time," Rosen said. Paramedics tried unsuccessfully to resuscitate the singer, he said.

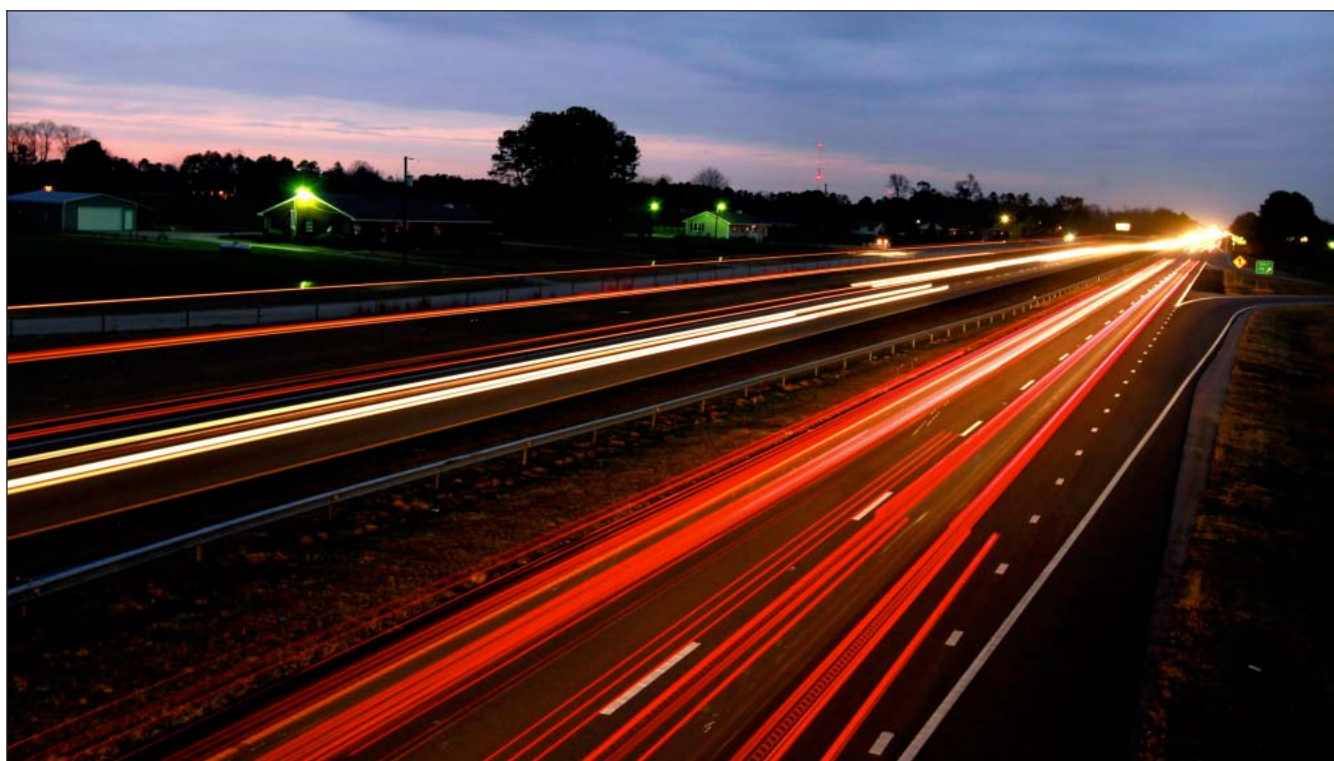
Houston's publicist, Kristen Foster, said Saturday that the cause of death was unknown.

News of Houston's death came on the eve of music's biggest night - the Grammy Awards. It's a showcase where she once reigned, and her death was sure to cast a heavy pall on tonight's ceremony.

Houston was supposed to appear at a gala Saturday hosted by her longtime mentor Clive Davis.

At her peak, Houston was

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Under the plan, drivers making short trips on this stretch of I-95 near Dunn and Benson would not pay toll.

ETHAN HYMAN - ehyma@newsobserver.com

# Plan fights toll evasion

## Electronic tolls on I-95 to fund a \$4.4 billion fix

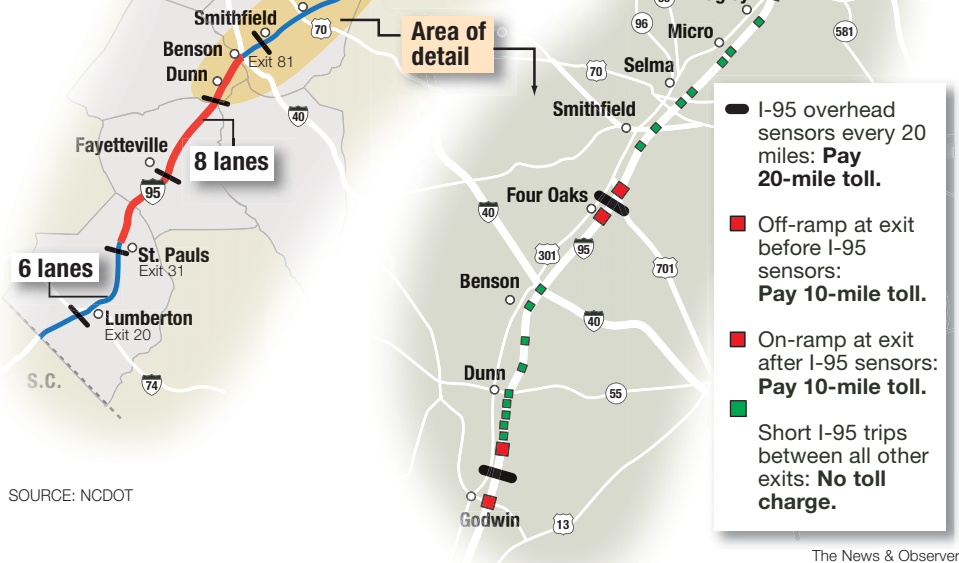
North Carolina hopes to win federal permission to collect tolls on all 182 miles of Interstate 95, to pay for widening and other improvements

### Phase 1 (by 2019)

- 50 miles widened to 8 lanes: Exit 31 (St. Pauls) to Exit 81 (I-40)
- 11 miles widened to 6 lanes: Exit 20 (Lumberton) to Exit 31

### Phase 2 (2019 to 2032)

- Make safety and bridge improvements
- 121 miles widened to 6 lanes: South Carolina line to Lumberton, Exit 20, and I-40 to Virginia line



SOURCE: NCDOT

Many local drivers will not pay tolls for short trips.

Electronic toll collection, starting in 2019, will let local drivers get on and off at many exits without paying.

## It banks on drivers who use I-95 but don't fuel up in N.C.

By BRUCE SICELOFF  
bsiceloff@newsobserver.com

SELMA - Florida trucker Ed Malone fills his diesel fuel tanks in South Carolina or Virginia on the drive up Interstate 95, to avoid paying North Carolina's higher fuel tax. He dodges high-dollar tolls in Maryland and New Jersey by taking the long way to New York - through Pennsylvania.

Malone likes a new \$4.4 billion proposal to overhaul I-95 and widen all 182 miles through Eastern North Carolina. But when he heard last week that the state Department of Transportation wants to pay for the work by collecting tolls from I-95 drivers, he shook his head.

"Oh boy," said Malone, 43. He parked a truckload of strawberries at a rest area in Johnston County and stepped down to stretch his legs.

"I avoid all the tolls going up the East Coast," Malone said. "I go 50 miles out of my way, and I spend about \$30 extra on fuel. But I save, like, 90-something dollars."

Out of 53,000 cars and

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# Even government safety net's critics increasingly depend on it

## Aid maintains middle class

By BINYAMIN APPELBAUM AND ROBERT GEBELOFF  
New York Times

LINDSTROM, Minn. - Ki Gulbranson owns a logo apparel shop, deals in jewelry on the side and referees youth soccer games. He makes about \$39,000 a year and wants you to know that he does not need any help from the federal government.

He says that too many

Americans lean on taxpayers rather than living within their means. He supports politicians who promise to cut government spending. In 2010, he printed T-shirts for the tea party campaign of a neighbor, Chip Cravaack, who ousted this region's long-serving Democratic congressman.

Yet this year, as in each of the past three years, Gulbranson, 57, is counting on a payment of several thousand dollars from the federal government, a subsidy for working families called the earned income tax credit. He has

signed up his three school-age children to eat free breakfast and lunch at federal expense. And Medicare paid for his mother, 88, to have hip surgery twice.

There is little poverty here in Chisago County, northeast of Minneapolis, where cheap housing for commuters is gradually replacing farmland. But Gulbranson and many other residents who describe themselves as self-sufficient members of the U.S. middle class and as opponents of gov-

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**home** (hōm), n., adj., adv., v., 1. a place where relationships form and memories are made.  
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