

# The Sentry

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South Pompano Civic Association Board

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**A Little Wisdom**

When the smog lifts in Los Angeles, U.C.L.A.

## Supreme Court scrutinizes state, local gun control

Gun control advocates think, if not pray, they can win by losing when the Supreme Court decides whether the constitutional right to possess guns serves as a check on state and local regulation of firearms.

The justices will be deciding whether the Second Amendment - like much of the rest of the Bill of Rights - applies to states as well as the federal government. It's widely believed they will say it does.

But even if the court strikes down handgun bans in Chicago and its suburb of Oak Park, Ill., that are at issue in the argument to be heard Tuesday, it could signal that less severe rules or limits on guns are permissible.

The Brady Center to Prevent Gun Violence is urging the court not to do anything that would prevent state and local governments "from enacting the reasonable laws they desire and need to protect their families and communities from gun violence."

By some estimates, about 90 million people in the U.S. own a total of some 200 million guns.

Roughly 30,000 people in the United States died each year from guns; more than half of them are suicides. An additional 70,000 are wounded.

The new lawsuits were begun almost immediately after the court's blockbuster ruling in 2008 that struck down the District of Columbia's handgun ban. In that case, the court ruled for the first time that individuals have a right keep guns for self-defense and other purposes. Because the nation's capital is a federal enclave, that ruling applied only to federal laws.

The challenges to the Chicago area laws, which are strikingly similar to the Washington law, are part of an aggressive push by gun rights proponents in the courts and state legislatures.

Courts are considering many gun laws following the justice's 2008 decision. Massachusetts' highest state court is examining the validity of a state law requiring gun owners to lock weapons in their homes.

Two federal appeals courts have raised questions about gun possession convictions of people who previously had been convicted of domestic violence misdemeanors. A suit in Washington challenges the capital's ban on carrying loaded guns on public streets.

Lawmakers in several states are pushing for proposals favored by the National Rifle Association and other gun rights groups. The Virginia Legislature is considering repealing a law that limits handgun purchases to one a month. That law was enacted in 1993 because Virginia was the No. 1 supplier of guns used in crimes in other states. A separate proposal in Virginia would allow people with a concealed-weapon permit to take hidden guns into restaurants that sell alcohol, as long as those patrons don't drink.

Chicago is defending its gun laws at the high court. Mayor Richard Daley said a ruling against his city would spawn even more suits nationwide and lead to more gun violence.

"How many more of our citizens must needlessly die because guns are too easily available in our society?" Daley said at a Washington news conference last week that also included the parents of a Chicago teenager who was shot on a bus as he headed home from school.

Annette Nance-Holt said her only child, 16-year-old Blair Holt, shielded his friend when a gang member boarded a bus and began shooting at rival gang members.

"You might ask, 'What good is Chicago's handgun law if so many of our young people are still being shot?'" Nance-Holt said. "All I can say is, imagine how many more would be if the law were not there."

Gun rights advocates say such killings should serve as reminders that handgun bans and other gun laws do nothing to protect people who obey the law.

Indeed, 76-year-old Otis McDonald said he joined the suit in Chicago because he wants a handgun at home to protect himself from gangs.

The thrust of the legal arguments in the case is over how the Supreme Court might apply the Second Amendment to states and cities.

In earlier cases applying parts of the Bill of Rights to the states, the court has done so by using the due process clause of the 14th Amendment, passed in the wake of the Civil War to ensure the rights of newly freed slaves.

The court also has relied on that same clause - "no state shall deprive any person of life, liberty or property without due process of law" - in cases that established a woman's right to an abortion and knocked down state laws against interracial marriage and gay sex.

This is the approach the NRA favors.

But many conservative and legal scholars - as well as the Chicago challengers - want the court to employ another part of the 14th amendment, forbidding a state to make or enforce any law "which shall abridge the privileges or immunities of citizens of the United States."

They argue this clause was intended as a broad guarantee of the civil rights of the former slaves, but that a Supreme Court decision in 1873 effectively blocked its use.

Breathing new life into the "privileges or immunities" clause might allow for new arguments to shore up other rights, including abortion and property rights, these scholars say.

This approach might enable challenges to arcane state laws that limit economic competition, said Clark M. Neily III of the public interest law firm Institute for Justice. He pointed to a Louisiana law that protects existing florists by requiring a license before someone can arrange or sell flowers. The licensing exam is graded by florists, he noted.

"No reasonable person thinks that law has a legitimate purpose," Neily said. But he said, "Right now, once you get a law like this on the books, it's almost impossible to get rid of."

The case is McDonald v. Chicago, 08-1521.

## Puerto Rico ... continued from page 1

The State and Homeland Security departments are deciding what to do for passport applicants with invalid birth certificates, State Department spokeswoman Adriana Gallegos said.

For now, Puerto Ricans are learning about the law from each other, news reports and community groups. The information isn't always correct.

Carlos Vargas-Ramos, a researcher at the Center for Puerto Rican Studies at Hunter College in New York, said he found out about the new law through an e-mail from a Latino public policy group.

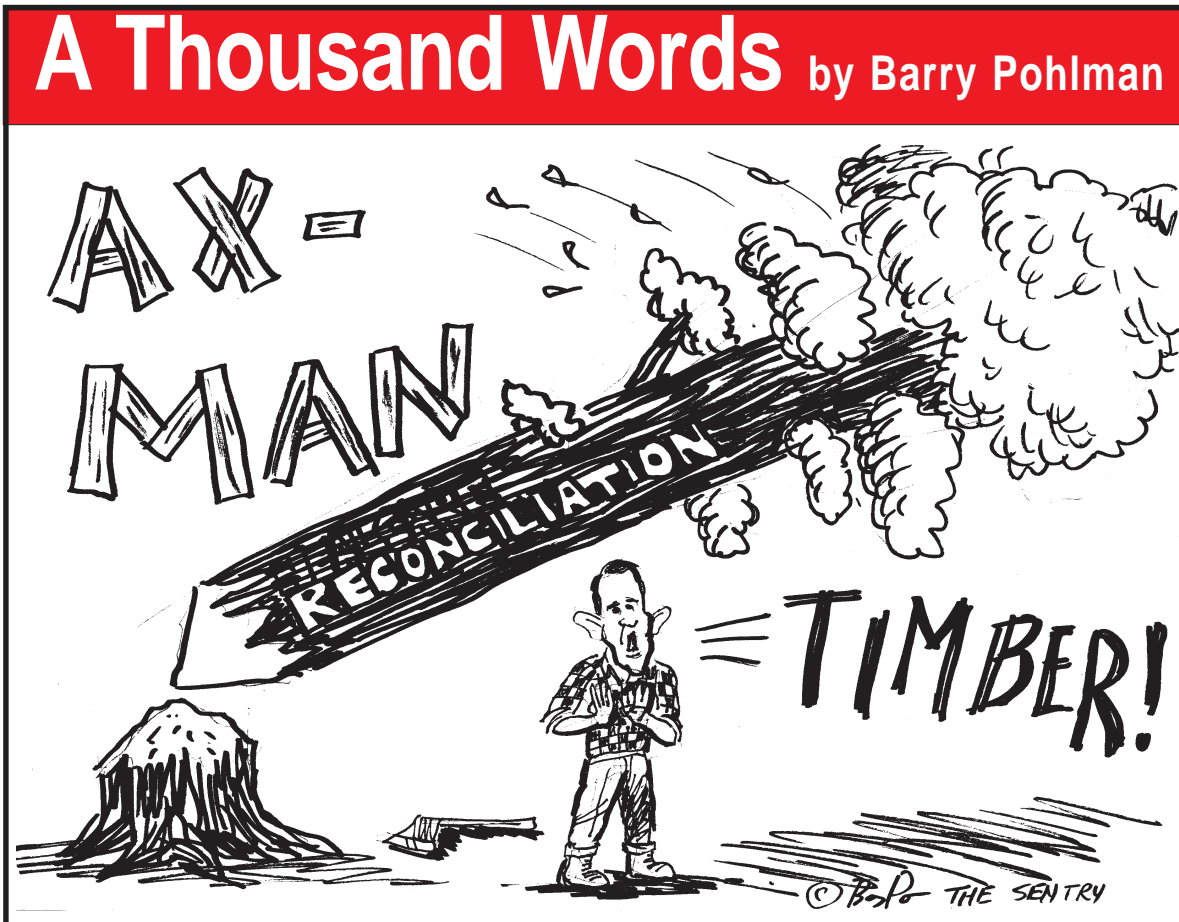
"You have to be plugged into networks to learn about it," said Vargas-Ramos, whose father and sisters were born on the island.

Conchita Vallecillo, 66, of Fairfax, Va., read about the new law in a Puerto Rico newspaper. She thought her age exempted her. "I didn't think we would be affected, so it's one of those things that you don't pay attention to," said Vallecillo, whose husband and four children also were born in Puerto Rico.

There is no exemption for age. The law only waives the \$5 fee for a new birth certificate for people over 60 and for veterans.

Emilio Perez, president of the Puerto Rican Chamber of Commerce of Central Florida, traveled to Puerto Rico to gather his own information on the new law. He planned to post the information on the chamber's Web site to help get information out.

About 47 percent of people of Puerto Rican descent in Florida, or 377,000 people, and 29 percent, or 318,000, in New York - states with the largest Puerto Rican populations - were born on the island.



## Water may not run uphill, but it practically flies off new surface

Engineering researchers have crafted a flat surface that refuses to get wet. Water droplets skitter across it like ball bearings tossed on ice.

The inspiration? Not wax. Not glass. Not even Teflon.

Instead, University of Florida engineers have achieved what they label in a new paper a "nearly perfect hydrophobic interface" by reproducing, on small bits of flat plastic, the shape and patterns of the minute hairs that grow on the bodies of spiders.

"They have short hairs and longer hairs, and they vary a lot. And that is what we mimic," said Wolfgang Sigmund, a professor of materials science and engineering.

A paper about the surface, which works equally well with hot or cold water, appears in this month's edition of the journal Langmuir.

Spiders use their water-repelling hairs to stay dry or avoid drowning, with water spiders capturing air bubbles and toting them underwater to breathe. Potential applications for UF's ultra-water-repellent surfaces are many, Sigmund said. When water scampers off the surface, it picks up and carries dirt with it, in effect making the surface self-cleaning. As such, it is ideal for some food packaging, or windows, or solar cells that must stay clean to gather sunlight, he said. Boat designers might coat hulls with it, making boats faster and more efficient.

Sigmund said he began working on the project about five years ago after picking up on the work of a colleague. Sigmund was experimenting with microscopic fibers when he turned to spiders, noted by biologists for at least a century for their water-repelling hairs.

As a scientist and engineer, he said, his natural tendency was to make all his fibers the same size and distance apart. But he learned that spider hairs are both long and short and variously curved and straight, forming a surface that is anything but uniform. He decided to try to mimic this random, chaotic surface using plastic hairs varying in size but averaging about 600 microns, or millionths of a meter. The results came as a great surprise.

"Most people that publish in this field always go for these perfect structures, and we are the first to show that the

bad ones are the better ones," Sigmund said. "Of course this is a finding in a lab. This is not something you expect from theory."

To be sure, water-repelling surfaces or treatments are already common, spanning shoe wax to caulk to car windshield treatments. Scientists have also reproduced other biologically inspired water repelling surfaces, including ones patterned after lotus leaves.

But Sigmund said the UF surface may be the most or among the most water phobic. Close-up photographs of water droplets on dime-sized plastic squares show that the droplets maintain their spherical shape, whether standing still or moving.

Droplets bulge down on most other surfaces, dragging a kind of tail as they move. Sigmund said his surface is the first to shuttle droplets with no tail.

Also, unlike many water-repelling surfaces, the UF one relies entirely on the microscopic shape and patterns of the material - rather than its composition.

In other words, physics, not chemistry, is what makes it water repellent. Theoretically, that means the technique could transform even the most water-sopping materials - say, sponges - into water-shedding ones. It also means that surfaces need never slough off dangerous chemicals. Provided the surface material itself is made safe, making it water repellent introduces no new risks.

Although he hasn't published the research yet, Sigmund said a variation of the surface also repels oil, a first for the industry.

Sigmund said making the water or oil-repelling surfaces involves applying a hole-filled membrane to a polymer, heating the two, and then peeling off the membrane. Made gooey by the heat, the polymer comes out of the holes in the desired thin, randomly sized fibers.

While inexpensive, it is hard to produce successful surfaces with great reliability, and different techniques need to be developed to make the surfaces in commercially available quantities and size, Sigmund said. Also, he said, more research is needed to make the surfaces hardy and resistant to damage.



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## Home sales up year-over-year in South

Home sales in the South posted an annual increase of 8 percent in January as buyers grabbed hold of federal tax credits and affordable prices.

However, sales plummeted 35 percent from December, a sign that the housing market's recovery may be on shaky ground.

The median sales price of previously owned homes was \$140,200, a decrease of 2 percent from January last year, the National Association of Realtors reported Friday.

Nationally, there were 275,000 homes sold, a 33 percent decrease from December, but up 7 percent from year-ago levels, without adjusting for seasonal factors. The national median sales price was \$164,700, unchanged from last January.

The year-over-year increase in the South was mainly driven by low prices, government incentives, and mortgage rates that have hovered near 5 percent. Homebuyers have until April 30 to take advantage of tax credits of up to \$8,000 for first-time homebuyers and \$6,500 for current homeowners.

Some analysts who expected rough winter weather to hurt sales were surprised at the annual increase.

"The bargains are so good that people were braving the rain, sleet, snow and frigid air to take advantage of them," said Jeff Humphreys, an economist with the University of Georgia.

Still, job losses, falling consumer confidence, high foreclosures and tight lending standards remain obstacles for a sustained recovery.

"There's a lot of underlying weakness in the world economy and national economy," said Bill Weaver, real estate professor at the University of Central Florida. "That's not the general economic environment in which people decide to go out and spend \$200,000 on a house."

In the South, nine of the 19 cities covered by the Associated Press/Re/Max Monthly Housing Report showed sales increases compared with last January. Median sales prices dropped in 10 Southern cities.

## Commercial real estate...

CONTINUED FROM PAGE 1

dustrial sublease space on the market than in the office sector, but obsolescence remains a factor. Industrial vacancy rates will probably rise from 13.9 percent in the fourth quarter of last year to 14.9 percent in the closing quarter of 2010; they could average 14.5 percent next year.

Annual industrial rent is likely to fall 9.6 percent this year, after declining 10.9 percent in 2009. Net absorption of industrial space in 58 markets tracked is seen at a negative 93.5 million square feet in 2010.

**Retail Market**

Retail vacancy rates are expected to edge up from 12.4 percent in the fourth quarter of 2009 to 12.7 percent in the same period of this year, and may hold at that level in 2011.

Average retail rent is forecast to decline 2.4 percent in 2010, following a drop of 4.0 percent in 2009. Net absorption of retail space in 53 tracked markets should be a negative 3.4 million square feet this year.

**Multifamily Market**

The apartment rental market - multifamily housing - is poised to gain from a rise in household formation. Multifamily vacancy rates are likely to decline from 7.4 percent in the fourth quarter of last year to 6.6 percent in the fourth quarter of 2010, and possibly edge down to 6.1 percent next year.

Average rent is projected to decline 3.4 percent this year, following a decline 3.6 percent in 2009. Multifamily net absorption is expected to be 115,000 units in 59 tracked metro areas this year.

**LEGAL NOTICE - PROBATE**

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA  
PROBATE DIVISION  
File Number: 10-0718  
Division 60

IN RE: ESTATE OF FRANK LOUIS ZICKAR  
Deceased

**NOTICE TO CREDITORS**  
The administration of the estate of FRANK LOUIS ZICKAR, deceased, whose date of death was November 20, 2008, and whose Social Security Number is xxx-xx-0128, is pending in the Circuit Court for Broward County, Florida, Probate Division, the address of which is 201 SE 6th Street, Ft. Lauderdale, FL 33301. The names and addresses of the personal representative and the personal representative's attorney are set forth below.

All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court WITHIN THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF A COPY OF THIS NOTICE ON THEM.  
All other creditors of the decedent and other persons having claims or demands against decedent's estate must file their claims with this court WITHIN 3 MONTHS AFTER THE DATE OF THE FIRST PUBLICATION OF THIS NOTICE.  
ALL CLAIMS NOT FILED WITHIN THE TIME PERIODS SET FORTH IN SECTION 733.702 OF THE FLORIDA PROBATE CODE WILL BE FOREVER BARRED.  
NOTWITHSTANDING THE TIME PERIODS SET FORTH ABOVE, ANY CLAIM FILED TWO (2) YEARS OR MORE AFTER THE DECEDENT'S DATE OF DEATH IS BARRED.  
The date of the first publication of this Notice to Creditors is March 4, 2010.  
Steven K. Schwartz  
Attorney for Pers. Representative  
Florida Bar No. 187976  
20801 Biscayne Blvd #506  
Aventura, FL 33180-1400  
Telephone: 305-936-8844 Ext 106  
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