

A murder charge against a 46-year-old retired airman who allegedly shot a man who was attempting to steal his car battery was dismissed Wednesday in Sacramento Municipal Court.

The district attorney said there was not enough evidence to prosecute Herbert William McDonald. The request to dismiss the case was granted by Judge Edward J. Garcia.

McDonald allegedly shot Robert Dohrmann, 23, in the head with a

shotgun March 13 near the corner of Oakhollow and Brett drives in North Highlands. Dohrmann, an airman stationed at McClellan AFB, later died at University Medical Center.

McDonald, a 23-year military veteran and now a civilian employee at McClellan AFB, and his son, a physical fitness instructor at Robertson Community Center, apparently discovered Dohrmann and an accomplice stealing the battery, investiga-

tops said. Charges were not filed against McDonald's 24-year-old son.

Eleven car batteries, two gasoline cans and siphon hoses found in the victim's car, investigators said.

McDonald also had been charged with the use of a firearm in the commission of a murder. He has been sentenced to life in prison if convicted.

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East area rapist's mimicker strikes

A rapist who sheriff's authorities believe is mimicking the east area rapist has struck in the Fair Oaks area.

"If you're a cat burglar, wear a ski mask and carry a knife, you're a copycat of the east area rapist," Inspector Robert Kamena of the Sheriff's Department sex and assaults detail said Wednesday.

Kamena said he does not believe the man who raped a 29-year-old woman last Saturday was the east area rapist, a man credited with 44 Northern California

attacks since 1975. He has not attacked since last June, in Contra Costa County.

However, another similarity between the latest attack and the east area rapist was that small children were sleeping in the house and their safety was threatened to the victim.

"I know you've got two girls. You don't want them to get hurt, do you?" the rapist was reported as saying.

The man entered the woman's house

by breaking a window in the living room, officers reported.

He forced the woman to perform oral sex, then unsuccessfully tried to rape her, authorities reported.

The attacker was described as 25 years of age, 5 feet 11 inches tall, 170 pounds with brown hair. He was wearing a blue jacket, faded denim pants and a white T-shirt, according to sheriff's reports.

No racial bias found in sentencing

United Press International

Attorney General George Deukmejian said Wednesday his investigation found no evidence that racial discrimination played a part in allowing two white men to avoid the death penalty for killing a deaf black man in Chico.

Members of the victim's family, black

lawyers and others had charged that racial considerations prompted Butte County District Attorney Will Mattly to allow the defendants to plead guilty to the murders, thus avoiding the death penalty.

James McCarter, 20, and Marvin Noor, 19, both of Oroville, were sentenced to 25 years to life in prison for shooting Jimmy Lee Campbell, a black man they did not know. Both acknowledged they shot Campbell because they became frustrated in their search for deer during a hunting trip.

Deukmejian said his investigation of the charge against Mattly found:

"There is no evidence that the district attorney exercised his discretion in an inappropriate manner. No evidence of improper racial considerations has been found."

Mattly had denied the racial discrimination accusation, saying he sought a lesser charge against Noor and McCarter to prevent them from getting a severe sentence "because of mitigating circumstances such as excessive drinking."

Deukmejian agreed with Mattly that the case would have involved a "diminished capacity defense" that could have allowed the men to be paroled in years.

"While the heinous facts of the case clearly supported first-degree murder convictions and appeared appropriate for the imposition of capital punishment, the district attorney was faced with a difficult problem: the obvious probability that a diminished capacity defense, if granted, would have allowed the men to be paroled in years," the attorney general said.

Kaminska

NEW YORK (AP) — Polish actress Ida Kaminska was nominated for an Academy Award for her role as an aged Jewish shopkeeper in the movie "The Shop on Main Street," died Wednesday of a heart attack at the age of 80.

A veteran of the Yiddish stage, Miss Kaminska was granted to the United States in 1968.

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