

# tx citizen

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BLASKAPELLE FEST  
KEEPS NB LOUD!  
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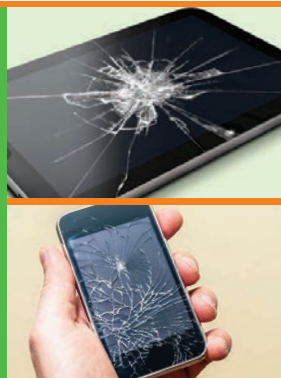
19

Parents Win Unicorn Shorts Battle | Justin Carter Files New Brief | Colby Explains Colby

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# 1<sup>ST</sup> WORD

## We'll Explain this One More Time...

The new, two-dollar fee to tube the local rivers has generated quite a bit of mail directed at our newsroom, some of it regarding the legality of the ordinance, and the rest prompted by the season pass policy in place for the benefit of some local residents.

**Backstory:** The two-dollar fee applies only on weekends and holidays through Labor Day. Anyone tubing on weekdays does so compliments of our fair city, but with the requisite and perpetual contempt of homeowners in the Guada-Coma subdivision, who consider the Comal river a moral extension of their private property.

Tubers who live within New Braunfels' corporate city limits are eligible for a season pass which exempts them from the fee. They just have to bring a utility bill or other proof of residency to the Parks Department office in Landa Park, talk to one of the nice ladies there, and get their pass. (For the record, we don't think locals should bother with the rivers on weekends, simply because of the crowds. But hey, do what you want. We'll just silently judge you as we drive over the San Antonio Street bridge.)

Be that as it may, this ordinance, like most other laws that City Hall passes regarding the rivers, is illegal. Don't let that shock you – governments of every size pass illegal laws all the time. The politician's game is to see what they can get away with. In this respect, New Braunfels has a poor track record, because, as you'll see in a moment, the City's attorneys don't think this stuff through. And why should they? Nobody ever smacks them for their sloppy work, and those six-figure salaries keep getting approved.

New Braunfels was uncharacteristically careful when crafting the ordinance itself. They aren't technically charging tubers to get IN the water – they're charging them to get OUT of



it. The signage, however, says it's "\$2 TO TUBE", which implies an admission charge, (and thus might render the City liable for injuries, like a waterpark), but whatever. It also says it's for river cleanup, when it's really for crowd control.

The way governments get away with passing illegal laws is by making sure nobody has standing to take them to court. In this case, by providing a way for locals to get out of the fee, they've removed the ability for locals to sue. The only people that can sue over the two-dollars are out-of-towners, and there's not a tourist alive that's going to go to court over two-dollars. Naturally, City Hall thought they were bullet-proof on this one, and, also naturally, they ##### themselves during the pat-on-the-back-for-being-clever phase of the process.

See, there are a lot of people that live in New Braunfels, but that don't pay ad valorem taxes to the City (the ad valorem tax is the actual property part of what appears on your property taxes). These people live here, have children in - and pay taxes to - the NBISD, rightly consider themselves New Braunfels locals, but aren't eligible for the season pass. They live in this community, and they have standing to sue. And boy, are they miffed. They're organizing on social media as we speak. The only question is how much money they're willing to spend litigating over a two-dollar fee. A lawyer willing to do it for free might surface. There's no telling how far anything goes when the principle of fairness is on the line.

The wise choice for City Council is to extend the pass invitation to anyone in the New Braunfels postal zone, or at least quietly stop denying them to people in the zone when they come to get passes. But that would be seen as backing down, and if there's one thing this particular City Hall is averse to, it's that, and it's precisely that civic mindset that makes this job worthwhile.

Continued on page 8.



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EVENTS**



## Due Process

WITH NICK ROGERS

### Update: Justin Carter Case

Justin Carter filed a new brief after a higher court ordered the Third Court of Appeals to reconsider his arguments that his case be dismissed on First Amendment grounds. Carter argued that not only was his First Amendment right violated when he was charged with making a terroristic threat, but that a trial would be a continuation of that violation.

Carter is charged with making a terroristic threat online against an unnamed kindergarten. His attorneys argue that his comments were obviously hyperbole and did not constitute a "true threat."

Carter appealed to the Court of Criminal Appeals after Comal district Judge Jack Robison and the Third Court dismissed pretrial claims that his arrest and the charges filed against him violated his right to free speech.

"By charging Mr. Carter for saying something that fits within First Amendment protection, the State has effectively shut him up," Carter attorney Chad Van Brunt argues. "This young man was placed in jail for over five months. There is little more than incarceration that can effectively gag an individual in the use of their inalienable right to speak freely."

Carter has argued that the law used to charge him is unconstitutional "as applied." An as-applied challenge contends that a law is being applied unconstitutionally as it pertains to the defendant (as opposed to a facial argument, which claims the law itself is unconstitutional). The Third Court dismissed his arguments, ruling that Carter could not bring as-applied challenges pretrial because only a full trial could properly show if his comments reflected an actual threat.

The Court of Criminal Appeals ruled, however, that the lower appeals court was incorrect when it said Carter could not bring an as-applied challenge prior to trial. Citing its recent ruling in former Gov. Rick Perry's case against the State of Texas, Criminal Appeals noted that there are situations in which pretrial as-applied arguments are valid, especially as they relate to constitutional rights.

Perry was accused of abuse of power when he threatened the elected district attorney

of Travis County to step down or he would veto funds to that branch of the DA's office that was investigating Perry on other matters.

While Texas courts have generally held that as-applied constitutional challenges cannot be made pretrial, Criminal Appeals ruled in Perry that some constitutional rights issues can be settled pretrial if those rights are in danger of being further violated by trial.

"Certain types of as-applied claims may be raised by pretrial habeas because the particular constitutional right at issue in the as-applied challenge is the type that would be effectively undermined if not vindicated prior to trial," Criminal Appeals ruled in the Perry case. "The cases that have stated that pretrial resolution is not available when factual development is necessary did not involve constitutional rights (like double jeopardy) that include a right to avoid trial."

In his brief to the Third Court, Carter insists that his case meets the standards set down by the Court of Criminal Appeals.

"Undoubtedly, Mr. Carter has a substantive right to free speech. This issue is not in dispute," Van Brunt argues. "What the Perry case requires is for this Court to review the nature of that right in light of the imposition of criminal charges. The question is whether the right will be effectively undermined if not vindicated prior to trial. Mr. Carter's right to First Amendment protections include the right to free speech but also his right to not have that freedom abridged by government."

The Facebook comments in question read: "I'm fucked in the head alright. I think I'ma SHOOT UP A KINDERGARTEN. AND WATCH THE BLOOD OF THE INNOCENT RAIN DOWN. . . . AND EAT THE BEATING HEART OF ONE OF THEM."

Carter said his comments, when viewed in context, were "sarcastic, hyperbolic[,] and conditional" and did not constitute a "true threat." While investigating him, authorities found no weapons or plans to carry out such an act. During interrogations by New Braunfels Police, Carter said his comments were the result of "trolling."

*Nick Rogers covers courts & crime for the TX Citizen.*





The latest Harry Potter book was released at midnight on July 30, and The Purple Chair in Gruene Lake Village transformed their street into Diagon Alley to celebrate! The Texas State quidditch team played an exhibition game, butterbeer was enjoyed, and real, live owls posed for photographs. If you haven't picked up your copy of "Harry Potter and the Cursed Child" yet, get yours at The Purple Chair today!

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## Shorts

Despite lamentations from NBISD middle-school principals that long pants are essential to good citizenship on the part of their charges, the Unicorn District has given in to parental demands that secondary students be permitted to wear short pants to school.

Parents showed up at a school board meeting armed with the rankings of the top-ten highest performing schools in Texas, all of which allow students to don heat-beating clothing. The district's middle-school principals countered that those schools may produce better academic results, but that New Braunfels ISD has better behavior. Of course, there's no real way to measure that, as it might be that those higher performing schools also have tighter controls on student behavior, and as such, record and report more misbehavior. Most importantly, the claim might not even be true, and was probably just a knee-jerk response, because the reasons given for insisting on long pants in one of the most brutal American weather environs included the ever-precious "conservative community" and "traditional values" arguments, which of course amount to no more than "Because we said so" and "We haven't really thought this through" and "Don't bring up our academic performance".

In any case, middle and high-schoolers can wear shorts to school now, with the following caveats:

- Must be hemmed.
- Material must be denim, khaki, or twill.
- No shorter than 3 (sic) inches above knee.
- No elastic or drawstring waistband.
- No oversized or cargo shorts.

We expect this abandonment of New Braunfels' traditional, conservative values to result in mass hysteria and a rash of teen pregnancies and back-talk. May the gods help us all.

## Paxton Accepts what Only Looks Like a \$100,000 Bribe

Texas' Attorney General, Ken Paxton, who's currently facing one federal and two state indictments on charges of securities fraud, believed it was completely appropriate to accept a \$100,000 donation to his defense fund totaling \$329,000 from James Webb of Frisco, whom Paxton described as a "family friend". It's important to note that by "family friend", Paxton actually meant CEO of Preferred Imaging, a company that Paxton was investigating for Medicaid fraud at the time of the donation, and which, just last

week, reached a settlement with the Feds and Paxton's Medicaid fraud unit.

Paxton won't face any consequences for this prima facie breach of ethics, because taking six-figure donations from people who are under criminal investigation by your office is completely legal in the Great State, and remember, if it weren't moral it wouldn't be legal (except for those laws Paxton disagrees with on a religious basis). Paxton is facing a sanction from the State Bar for his advice to County Clerks to deny marriage licenses to same-sex couples if they are so inclined, to go along with his securities fraud charges. In any other place a basic understanding of right and wrong would go a long way toward the moral authority of the state's top lawman – fortunately for Paxton, this is Texas.

## Castro Gets Away with It

In case you're wondering if former Alamo City Mayor and current Secretary of Housing and Urban Development Julian Castro will be facing consequences for his violation of the Hatch Act, well, of course, the answer is a resounding "no". As we learned from Ken Paxton, when it comes to government officials, Federal laws are intended to be followed "at will" – and Castro will therefore not be charged with violation of Federal Campaign Law for his illegal endorsement of Hillary Clinton for President during an April interview with Katie Couric, in which he was appearing in his official capacity as HUD Secretary – and at which time Castro was considered to be on the short list for Clinton's eventual choice for Vice-President.

Apparently, not intending to break a law, and then apologizing after the fact, is considered an affirmative defense, according to White House Press Secretary Josh Ernest, who credited Castro with acknowledging the mistake and taking, "The necessary steps to prevent it from happening again". Those steps were not detailed, but clearly don't include resignation or the mounting of a defense to Federal prosecution.

Should you ever find yourself breaking a law, be sure to not mean it, apologize after you're caught, and wait for the White House to get you off the hook. If that doesn't work, you can probably get Ken Paxton to advocate for you if you say you're a family friend, and that you're the victim of partisan persecution.

\m/

Mike Reynolds  
Publisher/Editor-in-Chief

# The Texas News Grinder with Mike Reynolds

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**ADOBE VERDE**  
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Travelling Trees  
6:30pm

**HAPPY COW**  
BAR & GRILL

TBA  
8pm

**LONGSHOT**  
WINE BAR & TASTING ROOM

Bob Schmueckle & Derek Krueger  
7pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN

Ruben V  
6pm

**THE PHOENIX**  
**SALOON**

Bandreu  
5pm  
The Canvas People  
9pm

**Riley's**  
TAVERN

Big John Mills  
9pm

**THE WATERING HOLE**  
Saloon

Monte Good & the Honky Tonk  
Heroes  
8pm

**WOLFANGS**  
WINE BAR & JAZZ CLUB

The Christin Foley Trio  
8:30pm

Billy's Ice House  
Texas Renegade  
8pm

Gruene Hall  
Zane Williams  
w/ Ray Johnston  
8pm

Moonshine & Ale  
Rock & Roll Piano Sing Along  
8pm

Vino en Verde  
Zack Walthers Band  
8:30pm

**Sat 8.6**

**ADOBE VERDE**  
*Historia Guana, Texas*

JAM  
6:30pm

**HAPPY COW**  
BAR & GRILL  
TBA  
8pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN  
The Erin Jaimes Band  
w/ Brad Stivers  
1pm

**THE PHOENIX**  
**SALOON**

Vallejo  
w/ The Watters  
9pm

**Riley's**  
TAVERN  
Billy Dee  
9pm

**THE WATERING HOLE**  
Saloon

John Christopher Way  
9pm

**WOLFANGS**  
WINE BAR & JAZZ CLUB

KD & the Jazz Heroes  
9pm

Billy's Ice House  
Saints Eleven  
8pm

Gruene Hall  
Mitch Webb & the Swindles  
1pm  
Curtis Grimes  
w/ Prophets & Outlaws  
8pm

Moonshine & Ale  
Rock & Roll Piano Sing Along  
8pm

Pour Haus  
Nate Rodriguez  
9:30pm

Vino en Verde  
The Vagabonds  
9pm

**Sun 8.7**

**ADOBE VERDE**  
*Historia Guana, Texas*

JJ Garrett Band  
6:30pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN  
Robert Johnson's Soul  
2pm

**THE PHOENIX**  
**SALOON**

Jade Marie Patek & Brian Catalani  
3pm  
Lucas Taylor  
7pm

**Riley's**  
TAVERN

TBA  
4pm

**WOLFANGS**  
WINE BAR & JAZZ CLUB

Jam Night  
7pm

Geronimo VFW #8456  
The Countrymen Band  
3pm

Pour Haus  
The Vagabonds  
8:30pm

**Mon 8.8**

Gruene Hall  
Bo Porter  
7pm

**Tues 8.9**

**Scores**  
Sports Bar & Grill  
NEW BRAUNFELS, TEXAS

The Reed Brothers  
8pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN  
Chris Vetter  
7pm

Billy's Ice House  
Austin Gilliam  
8pm

Gruene Hall  
Two Ton Tuesday  
8:30pm

**Wed 8.10**

**THE PHOENIX**  
**SALOON**

Eric Sommer  
8:30pm

**Riley's**  
TAVERN

Shad Blair  
9pm

**WOLFANGS**  
WINE BAR & JAZZ CLUB

Jazz Pianist  
8pm

Billy's Ice House  
Aaron Stephens  
8pm

Gruene Hall  
Hot Texas Swing Band  
7pm

**Thu 8.11**

**ADOBE VERDE**  
*Historia Guana, Texas*

Josh Holden  
6:30pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN  
Jam Night  
6pm

**THE PHOENIX**  
**SALOON**

Jay Russell Wimberley  
5pm



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Billy's Ice House  
Sarah Hobbs  
8pm

Moonshine & Ale  
Live Band Karaoke  
8pm

Pour Haus  
Dirtbox Wailers  
8:30pm

Vino en Verde  
Brett Cline Quartet  
8pm

**Fri 8.12**

**ADOBE VERDE**  
Historia Guana, Texas  
Jay Statham  
6:30pm

**HAPPY COW**  
BAR & GRILL  
TBA  
8pm

**LONGSHOT**  
WINE BAR & TASTING ROOM  
Bob Schmucke & Derek Krueger  
7pm

**OMA GRUENE'S  
OGSG**  
SECRET GARTEN

Jimmy T & the Teardrops  
6pm

**THE PHOENIX  
SALOON**  
Junior Nash  
5pm  
Mayeux & Broussard  
w/ Kathryn Legendre  
9pm

**Riley's  
TAVERN**

Jake Penrod  
9pm



Chris Saucedo  
8pm

WINE BAR  
**WOLFGANGS**  
JAZZ CLUB  
KD & the Jazz Heroes  
8pm

Billy's Ice House  
The Dirtbox Wailers  
8pm

Gruene Hall  
Kelly Willis & Bruce Robison  
w/ Kaitlin Butts  
8pm

Moonshine & Ale  
Rock & Roll Piano Sing Along  
8pm

Vino en Verde  
Two Rivers Trio  
8:30pm

**Sat 8.13**

**ADOBE VERDE**  
Historia Guana, Texas  
Travelling Trees  
6:30pm

**HAPPY COW**  
BAR & GRILL  
TBA  
8pm

**OMA GRUENE'S  
OGSG**  
SECRET GARTEN  
Melissa Ludwig Band  
1pm  
The Mighty Orq  
6pm

**THE PHOENIX  
SALOON**  
Marcus & the Boho Groove  
w/ DeVille San Ramos  
9pm

**Riley's  
TAVERN**  
Railhouse Band  
9pm



J Abram Band  
9pm

WINE BAR  
**WOLFGANGS**  
JAZZ CLUB  
Dirty River Band  
8:30pm

Billy's Ice House  
FILE 13  
9pm

Gruene Hall  
The Band of Babies  
1pm  
Dirty River Boys  
w/ Zach Nytomt  
9pm

Moonshine & Ale  
Rock & Roll Piano Sing Along  
8pm

Pour Haus  
Sean Castillo & the Hubcaps  
9:30pm

Vino en Verde  
Nick Swift  
9pm

**Sun 8.14**

**ADOBE VERDE**  
Historia Guana, Texas  
Fallon Franklin  
6:30pm

**OMA GRUENE'S  
OGSG**  
SECRET GARTEN  
The Barefax Band  
2pm

**THE PHOENIX  
SALOON**  
Adam Johnson  
3pm  
Lucas Taylor  
7pm

**Riley's  
TAVERN**  
TBA  
4pm



Jam Night  
7pm

Geronimo VFW #8456  
Charles & the Fabulous Four  
3pm  
Gruene Hall

Bret Graham  
12:30pm  
Kelley Mickwee Band  
5pm

Pour Haus  
Steven Adams  
8pm

**Mon 8.15**

Billy's Ice House  
Andy Bertelsen  
8pm

Gruene Hall  
Bottom Dollar String Band  
7pm

**Tue 8.16**



Grant Ewing  
8pm



The Vagabonds  
7pm

Billy's Ice House  
Big Red Drum Series  
8pm

Gruene Hall  
Two Ton Tuesday  
7:30pm

**Wed 8.17**

**THE PHOENIX  
SALOON**  
Code 2 Band  
8:30pm

**Riley's  
TAVERN**  
Mike Ethan Messick  
9pm



Jazz Pianist  
8pm

Billy's Ice House  
Aaron Stephens  
8pm

Gruene Hall  
The Georges  
7pm  
AD SALES 830.358.2493



**Thu 8.18**

**ADOBE VERDE**  
*Historic Gruene, Texas*

Jayne Wade  
6:30pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN

Jam Night  
6pm

**THE PHOENIX**  
**SALOON**

Greg Sell  
5pm

**WINE BAR**  
**WOLFGANGS**  
& JAZZ CLUB

Jazz/Latin Guitarist  
8pm

**Billy's Ice House**

Jarrod Sterrett & the Hired  
Guns  
8pm

**Gruene Hall**

Garrett LeBeau  
7pm

**Moonshine & Ale**

Live Band Karaoke  
8pm

**Pour Haus**

Jade Marie Patek  
8:30pm

**Vino en Verde**

Brett Cline Quartet  
8pm

**Fri 8.19**

**ADOBE VERDE**  
*Historic Gruene, Texas*

Choctaw Wildfire  
6:30pm

**HAPPY COW**  
BAR & GRILL

TBA  
8pm

**LONGSHOT**  
WINE BAR & TASTING ROOM

Bob Schmuecke & Derek Krueger  
7pm

**OMA GRUENE'S**

**OGSG**  
SECRET GARTEN

Aaron Stephens Band  
6:30pm

**THE PHOENIX**  
**SALOON**

Bandreu  
5pm  
Powell Brothers  
8:30pm

**Riley's**  
TAVERN

Roy Heinrich  
9pm

**THE WATERING HOLE**  
Saloon

Knotty Grove  
8pm

**WINE BAR**  
**WOLFGANGS**  
& JAZZ CLUB

KD & the Jazz Heroes  
8pm

**Billy's Ice House**

Dean Seltzer  
8pm

**Gruene Hall**

Hayes Carll  
8pm

**Moonshine & Ale**

Rock & Roll Piano Sing Along  
8pm

**Pour Haus**

JJ Garrett Band  
8:30pm

**Vino en Verde**

The Hendersons  
8:30pm

**Sat 8.20**

**ADOBE VERDE**  
*Historic Gruene, Texas*

Bru's Tunes  
6:30pm

**HAPPY COW**  
BAR & GRILL

TBA  
8pm

**OMA GRUENE'S**

**OGSG**  
SECRET GARTEN

Brad Stevers Band  
1pm  
3 Man Front  
6pm

**THE PHOENIX**  
**SALOON**

Texas T & the Shine Runners  
9pm

**Riley's**  
TAVERN

Texas KGB  
9pm

**THE WATERING HOLE**  
Saloon

Texas Tone Rangers  
9pm

**WINE BAR**  
**WOLFGANGS**  
& JAZZ CLUB

The Christin Foley Trio  
8:30pm

**Billy's Ice House**

Mark Monaco  
8pm

**Gruene Hall**

Hayes Carll  
9pm

**Moonshine & Ale**

Rock & Roll Piano Sing Along  
8pm

**Pour Haus**

Dirty White Horse  
9:30pm

**Vino en Verde**

Brett Cline  
9pm

**Sun 8.21**

**ADOBE VERDE**  
*Historic Gruene, Texas*

JJ Garrett Band  
6:30pm

**OMA GRUENE'S**  
**OGSG**  
SECRET GARTEN

Arms Length  
2pm

**THE PHOENIX**  
**SALOON**

Jade Marie Patak & Bryan  
Catalani  
3pm  
Lucas Taylor  
7pm

**Riley's**  
TAVERN

TBA  
4pm

**WINE BAR**  
**WOLFGANGS**  
& JAZZ CLUB

Jam Night  
7pm

**Geronimo VFW #8456**

Glen Collins & Alibi  
3pm

**Gruene Hall**

Tom Gillam  
12:30pm  
Harvest Thieves  
5pm

**Pour Haus**

The Vagabonds  
8:30pm

**Mon 8.22**

**Gruene Hall**

Sarah Pierce  
6pm

**Tue 8.23**

**Scores**  
Sports Bar  
& Grill  
NEW BRAUNFELS  
TEXAS

The Reed Brothers  
8pm

**THE WATERING HOLE**  
Saloon

Derek & Bob  
7pm

**Billy's Ice House**

Austin Gilliam  
8pm

**Wed 8.24**

**THE PHOENIX**  
**SALOON**

Michael Martin  
8:30pm

**Winner!**  
BEST OF THE  
WUST  
2016  
BEST BURGER  
& BEST  
MIXED DRINKS

**PHOENIX**  
**SALOON**  
**AUGUST**  
**EVENTS**

**AUGUST 5**

**THE CANVAS PEOPLE @ 9**

**AUGUST 6**

**VALLEJO + THE WATTERS @ 9**

**AUGUST 12**

**MAYEUX & BROUSSARD**

**+ KATHRYN LEGENDRE @ 9**

**AUGUST 13**

**MARCUS & THE BOHO GROOVE**

**+ DEVILLE SAN RAMOS @ 9**

**AUGUST 19**

**POWELL BROTHERS @ 9**

**AUGUST 20**

**TEXAS T & THE SHINE RUNNERS @ 9**

**AUGUST 26**

**FRIDAY NIGHT FEVER!**

**with THE NIGHTOWLS @ 9**

**AUGUST 27**

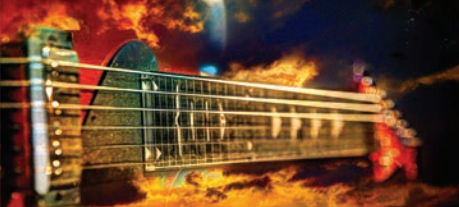
**STEVEN JAMES & THE JADED**

**+ BRIAN CHRISTOPHER**

**& THE WILD OATS @ 9**

**THE PHOENIX**  
**SALOON**





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## Upcoming Events:



AUG 5 @ 6 RUBEN V  
AUG 6 @ 1 THE ERIN JAIMES BAND  
(guest Brad Stivers)  
AUG 7 @ 2 ROBERT JOHNSON'S SOUL  
AUG 11 @ 6 JAM NIGHT  
AUG 12 @ 6 JIMMY T & THE TEAR DROPS  
AUG 13 @ 1 THE MELISSA LUDWIG BAND  
@ 6 THE MIGHTY ORQ  
AUG 14 @ 2 THE BAREFAX BAND  
AUG 18 @ 6 JAM NIGHT  
AUG 19 @ 6:30 THE AARON STEPHENS  
BAND  
AUG 20 @ 1 THE BRAD STIVERS BAND  
@ 6 3 MAN FRONT  
AUG 21 @ 2 ARMS LENGTH  
AUG 25 @ 6 JAM NIGHT  
AUG 26 @ 6:30 STRAY DAWG  
AND THE WOLVES  
AUG 27 @ 1 MOTHERSHIP CONNECTION  
@ 6 KIM AND HER BAD HABITS  
AUG 28 @ 2 ADAM JOHNSON

## Riley's TAVERN

TBA  
9pm



Jazz Pianist  
8pm

### Billy's Ice House

Aaron Stephens  
8pm

### Gruene Hall

The Railhouse Band  
8pm

## Thu 8.25



Josh Holden  
6:30pm



Jam Night  
6pm



Jay Russell Wimberley  
5pm



Jazz/Latin Guitarist  
8pm

### Gruene Hall

Chubby Knuckle Choir  
8pm

### Moonshine & Ale

Live Band Karaoke  
8pm

### Pour Haus

Breelan Angel  
8:30pm

### Vino en Verde

Brett Cline Quartet  
8pm

## Fri 8.26



Melissa Ratley  
6:30pm



TBA  
8pm



Bob Schmucke & Derek Krueger  
7pm



Stray Dawg & the Wolves  
6:30pm



Junior Nash  
5pm  
The Nightowls  
8:30pm



Dr G & the Mudcats  
9pm



Trace Owen Jr  
8pm



KD & the Jazz Heroes  
8pm

### Billy's Ice House

Bret Coats  
8pm

### Gruene Hall

Aaron Watson  
w/ Hunter Hutchinson  
8pm

### Moonshine & Ale

Rock & Roll Piano Sing Along  
8pm

### Pour Haus

Guadalupe Pirates  
8:30pm

Vino en Verde  
Beau Daniels Band  
8:30pm

## Sat 8.27



JAM  
6:30pm



TBA  
8pm



Mothership Trio  
1pm  
Kim & Her Bad Habits  
6pm



Steven James & the Jaded  
w/ Brian Christopher & the  
Wild Oats  
9pm



Tubie & the Touchtones  
9pm



Fools of the Trade  
9pm



The Christin Foley Trio  
8:30pm

### Billy's Ice House

3 Man Front  
8pm

### Gruene Hall

Flat Top Jones  
1pm  
Aaron Watson  
w/ Cameran Nelson  
9pm

### Moonshine & Ale

Rock & Roll Piano Sing Along  
8pm

Pour Haus  
Brent Michael Wood  
9:30pm

### Vino en Verde

Jackson Parten  
8pm

## Sun 8.28



JJ Garrett Band  
6:30pm



Adam Johnson  
2pm



All Mixed Up  
3pm  
Lucas Taylor  
7pm



TBA  
4pm



Jam Night  
7pm

### Geronimo VFW #8456

The Merles  
3pm

### Gruene Hall

Slim Bawb  
12:30pm  
Mike Zito  
5pm

### Vino en Verde

Soul Sessions Jazz  
5pm

## Mon 8.29

### Billy's Ice House

Doug Kent  
8pm



**Tue 8.30**



Aaron Stephens  
8pm



Slim Bawb & Li'l Howard  
7pm

**Wed 8.31**



Code 2 Band  
8:30pm



TBA  
9pm



Jazz Pianist  
8pm

Billy's Ice House

Aaron Stephens  
8pm

Gruene Hall

The Georges  
7pm

Pour Haus

Kerosene Drifters  
8:30pm



**Thu 9.1**



Josh Holden  
6:30pm



Jam Night  
6:30pm



TBA  
5pm



Jazz/Latin Guitarist  
8pm

Billy's Ice House

Clutch Kings  
8pm

Moonshine & Ale

Live Band Karaoke  
8pm



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Karaoke Thursday Nights



Karaoke Thursdays, Saturdays  
DJ Johnny V Fridays



Karaoke Mondays & Thursdays

# ASK A MEXICAN!

By Gustavo Arellano

**Dear Mexican: The word "cholo" means "mixed race" or "mestizo." So isn't using "cholo" to refer to gangbangers or other delinquents racist? I'm Cuban, but please don't group me with idiots like Ted Cruz or Marco Rubio.**

**Cubiche Chula**

Dear Pocha: There are multiple meanings of "cholo" we're dealing with here. The word derives from the Nahuatl xolo, and its first documented definition was in Alonso de Molina epic 1571 Nahuatl-English dictionary, Vocabulario en lengua castellana y mexicana y mexicana y castellana; there, he said the Aztecs took it as "paje, moço, criado, o efclavo" ("page, waiter, servant, or slave"). Spaniards being Spaniards, they applied the term to refer to the offspring of an Indian and a mestizo. Mexico being Mexico, it then became a palabra to apply to lower-class people, which spread across Latin America and into the United States. Gabachos being gabachos, they took cholo and made it into a derogatory slur applicable to all undesirable Mexicans. And pochos being pochos, they reappropriated cholo, then dumped it on gang members, not realizing that they were essentially calling the homies "dirty Mexicans." Don't you just love how we don't know our history?

**Dear Mexican: I read in one of my Mexican conspiracy theory magazines that Frank Zappa was not a founder of the Mothers of Invention. One of the two founders was actually a Mexican from SanTana. Is this a Mexican Jimi Hendrix type of mentira?**

**Confudido**

Dear Pocho: For once, the Mexican conspiracy magazines—those that insist that Thomas Edison's middle name was Alvaro, that Walt Disney was an orphaned Spaniard, and that Mexico will win the FIFA World Cup in this millennium—is right. Roy Estrada was the bassist for the Mothers of Invention, which got its start as an OC band

named the Soul Giants. And Estrada was born in SanTana, the most Mexican big city in America. But let's not go out and try to claim him like we do with Ted Williams and Joe Kapp: Estrada is serving a decades-long prison sentence in Texas for being a chester.

**Dear Mexican: I'm deeply saddened by this treatment of Mexican people and how it affects my family. It bums me out. My husband's family doesn't like me because of my race and I know they are embarrassed of me and our children. I don't feel welcomed in their homes and it puts a burden on my husband to be in the middle. Sometimes, I feel so undeserving of even being alive. I know I am a sensitive type but this is ridiculous...I try to stay away, but I am forced to participate in family functions even though I am uncomfortable. Any advise besides divorce?**

**Bummed**

Dear Pocha: Don't stand for your in-laws' racism. Tell your husband you and your children will not stand for such pendejadas anymore, and that if he can't do that, that he's a chavala and you will withhold sex from him until he changes. Ever see Lysistrata? Withholding your panocha from pendejo men, works, ladies. Now, if only there was a nationwide campaign to prevent Trump from getting into office...

**Dear Mexican: Over the years, I've had several different American doctors digitally violate me to examine my old prostate. Always, before they examine me, they play Cat Stevens' music. It explains why old American men uniformly hate Cat Stevens. I'm moving to Mexico soon, and assume that my next annual physical will be performed by a Mexican. Do Mexican doctors play Cat Stevens before they examine your prostrate? Do old Mexican men hate that guy as much as old men from America?**

**Culo Chris**

Continued on page 14.



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Watering Hole Saloon & Dancehall on FB**

**Continued from page 13.**

Dear Gabacho: Does anyone care about Cat Stevens anymore besides Muslims? Certainly not Mexicans. But I can say that old Mexican men hate prostate exams far more than gabachos, because they'd rather risk dying painfully from a preventable cancer than getting anything shoved into their nalgas. This ain't just stereotyping Mexican masculinity, but the unfortunate truth. The awesomely titled "I Will No Longer Be a Man! Manliness and Prostate Cancer Screenings Among Latino Men" by Zulry Rivera-Ramos and Lydia Buki that appeared in the December 201 issue of Psychology of Men & Masculinity found that "prostate cancer is the most commonly diagnosed type of cancer among Latino men. Due, in part, to lower rates of screening." And why the low rates of digital rectal exams? Same reasons found in "Expressions of Machismo in Colorectal Cancer Screening Among New Mexico Hispanic Subpopulations" in the April 2012 issue of Qualitative Health Research: It's the machismo, pendejo. Mexican men, like Kanye West, only want toilet paper to touch their anuses because anything else would make them gay. And now you know why Mexico is Mexico.

**Dear Mexican: My husband swears up and down that Mexican men do not grant drivers the courtesy of "cutting in" or merging into their lane. I tell him that he's crazy, but every time he runs into this situation, the driver just happens to be a male that looks to be Mexican. What's the deal with that? I'm out to prove him wrong, but so far everything is working out in his favor.**

**Let Me In, Damnit!**

Dear Gabacha: You really think a culture that celebrates coming into this country without papers is going to care about letting people get ahead of them during traffic? That's like expecting Donald Trump to suddenly offer aguachile at his restaurants—jño mames!

**Dear Mexican: Is it just my imagination, or do Mexican families tend to fiesta on Sunday evenings more than any other day of the week? If the driveway is packed full of cars, the oompah is blaring, and the kids are running wild, it tends to be a Sunday. Why?**

**Interested Neighbor**

Dear Gabacho: My saintly mami told me that when she and her siblings were picking garlic in California's Central Valley during the 1960s as preteens, they'd work Monday through Saturday, wash clothes and clean around the house Sunday morning, then spend the rest of their Domingo afternoon relaxing along with all the other Mexicans they knew. Same with Mexicans of this era, although I would add that Saturday evenings are also reserved for weddings and quinceañeras—but since that involves navigating family and rancho rivalries dating back to the Porfiriato, the Mexican considers more hard labor than puro pinche pari.

**Dear Mexican: The other weekend, I met a Mexican girl at bar. Hoping to score some points, I pretended that I, too, was Mexican. Between my non-descript ethnicity, (Eastern European and Vietnamese...chabacho, perhaps?), my command of Spanish, and some carefully timed quotes from Blood in, Blood Out, I managed to pull it off...con mucho éxito.**

**It got me thinking: do Mexicans ever pretend to be other ethnicities? Do light-skinned jaliscienses ever go under cover as gabachos? Do Mexicans sometimes set aside their orgullo to go the Lou Diamond Phillips route? I'm dying to know.**

**Carlos Chan**

Dear Chinito: All the time! When Mexicans hang out with Middle Eastern folks, we like to boast that we have an uncle that looks just like Saddam Hussein; when we're with Jews, we say that our grandmother observed weird rituals, like lighting candles on Friday and never preparing pork. The lighter-skinned among us continually claim that we had a Frenchman in our family tree that decided to stay in Mexico after the Hapsburg occupation; Xicanxs with full beards will attend Native American powwows and boast they're a direct descendant of the last honest tlatoani of Tenochtitlán. That's the thing about Mexicans: we're everything...except Salvadoran.



*Ask the Mexican at  
themexican@askamexican.net,  
be his fan on Facebook, follow him on  
Twitter @gustavoarellano or follow him  
on Instagram @gustavo\_arellano!*

**FRIDAY 8/5**  
**BIG JOHN MILLS 9PM**

**SATURDAY 8/6**  
**10TH ANNUAL**

**LUAU @ 4PM**

**WITH ISLAND TEXAS**

**BILLY DEE 9PM**

**FRIDAY 8/12**

**JAKE PENROD 9PM**

**SATURDAY 8/13**

**RAILHOUSE BAND 9PM**

**FRIDAY 8/19**

**ROY HEINRICH 9PM**

**SATURDAY 8/20**

**TEXAS KGB 9PM**

**FRIDAY 8/26**

**DR G & THE MUDCATS 9PM**

**SATURDAY 8/27**

**TUBIE & THE TOUCHTONES 9PM**

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## July, man. July.

The month in review is a breeze most months EXCEPT July. It's the most boring sports month out of the year as you're still two months away from meaningful football, the NBA offseason has just started (meaning there's nearly four months of waiting until the next season starts) and while July marks the halfway point of the MLB season, it almost certainly marks the end of YOUR team's season as you look at the standings and see that your beloved Twins are 37.5 games out of first place and there's three @#%ing more months to go in the season (disclaimer: I am not a Twins fan, but could you imagine?). OR BETTER YET, your team has underachieved this year but is on the brink of contention, yet in July, the front office decides to trade all of your favorite players, thus "guaranteeing" that the next 12 weeks of watching your team play will be like watching a snuff film. While yes, those trades could very well make your team better off for years to come, that doesn't do anything for you now, leaving you to watch HGTV or go outside. No thank you.

So yeah, July is typically a tough sports month to get through but not this past July. The Major League Baseball season is actually interesting for most people here. The Texas Rangers are in first place and just added Carlos Beltran and Jonathan Lucroy to their lineup, firmly planting themselves as the team to beat in the American League. The Houston Astros, well, they're hanging around and they're not the Twins, but they certainly aren't the Rangers either.

Then there's what happened in the NBA last month. Free agency opened on July 1 and the biggest move of course was Golden State's acquisition of Kevin Durant, putting them in prime position to beat the alien overlords when they arrive from the planet Xenorhygarm and challenge earth to a basketball game (good luck aliens). I mean, a team that won 73 freaking games this past season just added a Top Five player to its roster. For comparison's sake, this would have been like the '95-'96 Bulls signing Shaq. Sure, the move cost the Warriors some of their "Strength In Numbers" identity as they

had to shed role players Harrison Barnes, Andrew Bogut, Marreese Speights, Leandro Barbosa and Festus Ezeli (look at all of those fun names!), and they lack a quality starting center, but LOOK at this starting five:

PG – Stephen Curry

SG – Klay Thompson

SF – Kevin Durant

PF – Andre Iguodala

C – Draymond Green

Hot. Damn. It was adorable watching the league's other 29 teams make off-season moves by comparison. I just don't see how any team could seriously challenge the Warriors while that collection of players is together.

Let's forget about all of that for now though and focus on the bigger bit of news from the NBA in July that hit closer to home: the retirement of Tim Duncan. It's really hard to describe just how surreal it is for someone who's been a Spurs fan for 20+ years now that Duncan won't be playing anymore. This is such a different feeling than that of David Robinson when he retired 13 years ago. In the 2002-2003 season, The Admiral announced that season would be his last and Spurs fans were ok with that. Robinson was a shell of his former dominant self, his playing time had greatly diminished and most importantly, fans knew that they had years of Duncan to look forward to anyway. The fact that Robinson won a title in his last season was special but even if the Spurs didn't win it all that year, I don't think fans of the franchise would've felt about Robinson then the way that they feel about Duncan now.

Unlike Robinson, Duncan never made an announcement that this would be his last season. In fact, while Kobe Bryant announced early in the season that this was it for him and teams were hosting "Kobe Tribute Nights" (while he was going three-of-28 from the floor), Duncan said that he didn't want to go out like that. Team officials always joked that when Duncan retired, he'd simply walk out the door without saying a word and never come back again which is pretty much what happened.

Unlike Robinson, Duncan was a vital player in his final NBA season. Sure, he

wasn't his former MVP self, which at the age of 39 is to be expected. He wasn't someone you could depend upon to score 25 points per game or really any given game for that matter. But as a defender, he was incredible. The Spurs had a historically great defensive season and Duncan was nearly as important as the league's Defensive Player of the Year, his teammate Kawhi Leonard. When looking at advanced statistics (NERD ALERT!), Duncan had a defensive rating of 96 this past season, his second best such rating in the last nine years. On the cusp of his 40th birthday, Duncan led the freaking league with a defensive box plus/minus of 5.0 (I swear I didn't make that up, that's a real thing). Duncan's shot may have left him as his career wound down, but defensively, he was as smart and savvy as the NBA's best.

Unlike Robinson, there's not that guy on the roster who makes you say "It's okay that he's gone because we have *him* now. That's not a knock on Leonard or LaMarcus Aldridge or Tony Parker or anyone on the roster. There's just not a player on the team that gives you the warm and fuzzy feeling that Duncan did once Robinson hung them up. That's not to say the Spurs will suck either. Leonard is a Top Five NBA player, Aldridge is one of the league's best post scorers and the Spurs have gotten younger and more athletic in the off-season, two glaring issues the team had in its series against the Thunder. Pop is still there as is R.C. Buford. The franchise is in good hands but it will be so weird to watch the Spurs play and not see #21 on the floor or on the bench.

You know how when you have a dog and you love and adore him but you dread the day it has to go to doggie heaven? That's kind of how I felt about Duncan as a player. His retirement was a moment I knew would happen but would try my best to avoid thinking about.

\*Flips channel to House Hunters to ease the pain\*

*Brant Freeman is a seasoned local sportscaster, delivering the goods as a reporter for major pro and collegiate sporting events in the greater San Antonio area for over a decade.*



# CONGRATULATIONS

## to the New Braunfels Rapids Track Team!



Here are the State Qualified Athletes that competed in the  
T.A.A.F. Summer Games of Texas in McAllen on July 28-31:



### 8 & Under:

Paxtyn Cochran 4x100m relay  
Claire Conder 4x100m relay  
Cash Lancaster 50m, 100m, 4x100m relay  
Isaac Leach 200m, 4x100m relay  
Cooper Morley 4x100m relay  
Harper Morley 4x100m relay  
Emma Schorn 4x100m relay  
Gavin White 400m, 800m, 4x100m relay  
Cydney Williams 100m, 4x100m relay

### 10 & Under:

Shane Conder shot put  
Emily Easley 1600m, 800m  
Ethan Flores 1600m  
Brynnliegh Miller 4x100 relay  
Savanna Oberholtzer 4x100m  
Soli Ozuna long jump, 4x100m relay  
Fenix Williams 100m, 200m, 4x100m relay

### 12 & Under:

Becket Burger 100m, 4x100m relay  
Kaylin Cass 4x100m relay  
Falon Cochran 4x100m relay  
Paislee Conder 80m hurdles, 4x100m relay  
Francesca Coronado 4x100m relay  
Leila Coronado 4x100m relay  
Braden Easley 800m, 4x100m relay  
Garnett Gonzales 80m hurdles, long jump,  
4x100m relay  
Maddie Oberholtzer 100m, 200m,  
4x100m relay  
Wilson Smith 4x100m relay  
Noah Vargas 4x100m relay

### 14 & Under:

Tayley Horton 100m hurdles  
Sarah Johnson 100m, 100m hurdles



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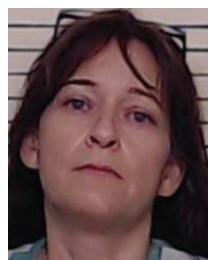
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DOB: 03/21/1972  
CHARGE: Failure to  
appear- possession of a  
controlled substance



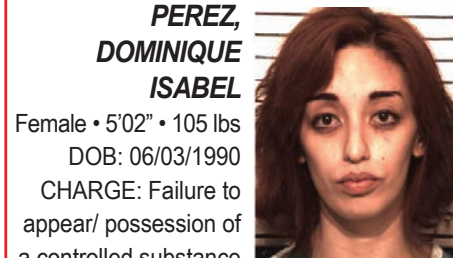
**CARLEY,  
CHASE ANDREW**

Male • 5'11" • 190 lbs  
DOB: 09/06/1982  
CHARGE: Failure to  
appear/ fraud use/  
possession of  
identifying info



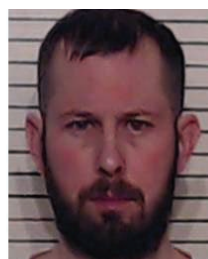
**CARRELL,  
JASON ANDREW**

Male • 6'00" • 175 lbs  
DOB: 06/25/1973  
CHARGE: Two  
charges of failure to  
appear- unauthorized  
use of vehicle and two  
charge of bail jumping/  
fail to appear felony



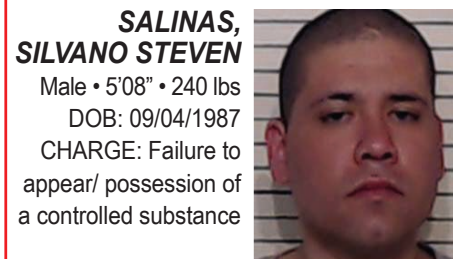
**PEREZ,  
DOMINIQUE  
ISABEL**

Female • 5'02" • 105 lbs  
DOB: 06/03/1990  
CHARGE: Failure to  
appear/ possession of  
a controlled substance



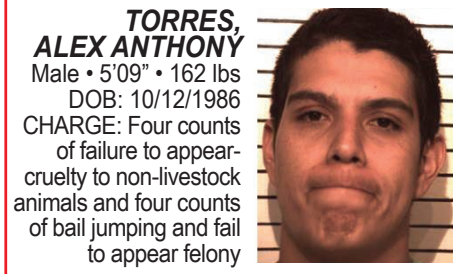
**COWART,  
CASEY SHAYNE**

Male • 5'11" • 175 lbs  
DOB: 03/21/1983  
CHARGE: Failure to  
appear/ theft property  
over \$20,000 under  
\$100,000



**SALINAS,  
SILVANO STEVEN**

Male • 5'08" • 240 lbs  
DOB: 09/04/1987  
CHARGE: Failure to  
appear/ possession of  
a controlled substance



**TORRES,  
ALEX ANTHONY**

Male • 5'09" • 162 lbs  
DOB: 10/12/1986  
CHARGE: Four counts  
of failure to appear-  
cruelty to non-livestock  
animals and four counts  
of bail jumping and fail  
to appear felony

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Oma Gruene's Secret Garten  
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## Colby, Explained

One of the questions I get most from people is how I square my libertarian (or anarchocapitalist) ideals with conservatism since I spend a good deal of time defending conservatives. The easy answer is that I am a conservative, but that never seems to make anyone happy. I think part of this comes from the clichéd response libertarians often give concerning their political positioning: I'm fiscally conservative but socially liberal. It's a good shorthand, but it isn't always perfectly accurate. The truth is that my conservatism is just as likely to come out in social issues as anywhere else, so at least in today's world, I guess I'm not really fiscally conservative and socially liberal.

My fiscal conservatism comes primarily from my belief that taxation is immoral, that it's theft. That's not to say it's illegal. Our society not only condones taxation; it even considers it positive socially. In reality, though, there's no getting around the fact that taxation is the forceful taking of property from someone. Note that very few of even those considered the most fiscally conservative member of our government would agree with my characterization. They might suggest that taxes are too high, or that they punish behavior we ought not, but almost never will you hear a politician say that taxes are morally wrong.

My conservative fiscal attitudes are different, and they do match up pretty nicely with traditional conservative thought (or at least what they say - what they do is often different.) Government shouldn't spend more than it takes in. I'm unimpressed by Obama's claim to have cut the deficit in half because he was instrumental in running that deficit up in the first place. Besides, he shouldn't be spending more than he's bringing in under any circumstances. Government also shouldn't be choosing winners and losers in the market. The best way to avoid this would be to end taxation altogether, but crony capitalism doesn't have to be a feature of a tax system, particularly if lawmakers take care to avoid interfering with the market. Government should be limited and defined, particularly at the federal level. One of the main reasons that we've gotten into the fiscal trouble we have

is because there is absolutely no attempt to restrain the size and scope of government. If the federal government were to limit themselves to their responsibilities under the Constitution, our deficit could easily be brought under control.

Socially, I really did think I was liberal for years, but it turns out I wasn't right. The positions that I took that I thought made me a liberal were really insufficiently radical to be accepted by most liberals.

For example, I believe in equal protection under the law. That doesn't translate to special laws concerning special people. In fact, that would be the opposite of equal protection. So, while I would support the idea that our government (the law) should not be allowed to decide not to hire someone for a position just because they are black, or gay, or Muslim, or put beans in their chili, I do not support laws requiring that the government (or anyone else) hire a certain number of any of these groups. Equal protection is not special protection.

You might notice that my above example excluded private businesses. That's because I believe in freedom of speech, expression and association. I believed that it was a liberal attitude to be against censorship and authoritarian control of people's private lives. Because of this, I have always held that people should have the right to say what they want, think what they want, and associate with whomever they want. I don't support making a Christian bakery make a cake for a gay wedding or making Kanye sing at a Klan rally. Likewise, even though Kanye has shown a propensity for saying stupid things, I don't believe in silencing him beforehand or punishing him (legally) after the fact. People should be allowed to say, think and do dumb things assuming those dumb things are not damaging to some other individual.

On other typically liberal issues, I had always thought I fell on the correct side. I was pro-choice, pro drug legalization, anti-war, and concerned about abuses of civil liberties by police and other levels of government. Unfortunately, these beliefs don't go far enough to be modern liberal. Instead, I apparently have

to be willing to consider any unborn child a thing to be destroyed at a whim. I have to be willing to subsidize drug abuse and create vast new programs to deal with addiction. I have to be willing to call our military villains and ignore the good they do, and I have to be willing to say that our system is fundamentally unfair because of racism, sexism, or homophobia. Once again, I found I was not as liberal as I thought.

In fairness, I do have quite a few connections to conservatives on social issues.

I believe that our country is made better, not worse, by religion and that religious people should be left alone to seek their own spirituality and that people have a right, for religious reasons or otherwise, to maintain traditions within their own lives and to fight to maintain societal norms. So, I support traditional definitions of things like marriage, gender roles (at this point gender itself), or uncoerced public prayer. And, while I will sometimes stand against the religious in areas where government discrimination is involved, I will never question the sincerity of their beliefs.

I also believe that patriotism is important and that it's not jingoistic to support our government in times of war, even if you question the prudence of that war, and I believe in a strong level of law and order in our country. Once laws have been established, they should be enforced, and criminals should be removed from society, up to and including execution, when the legal process has run its course. I believe we have a responsibility to cooperate with the police even when we think they are wrong, in order to allow them to maintain public safety.

There are specific instances where conservative thought will conflict with my more libertarian principles, but they aren't as common as one would think. I'm actually much more likely to object to liberal values in today's society, and most clashes have literally nothing to do with libertarianism. Society is not government, and this is a core principle of libertarian thought.

You can reach Kelly for fan mail by email at [kellycolby@txcitizen.com](mailto:kellycolby@txcitizen.com). Hate mail goes to [mike@txcitizen.com](mailto:mike@txcitizen.com).

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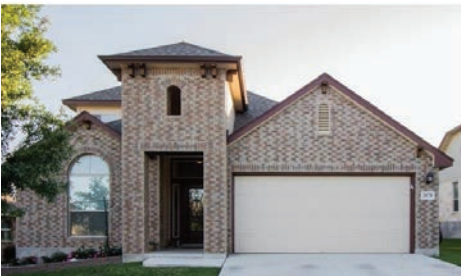


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