

Mario Chalmers v. “Rope” Engleman: No Contest

By Matthew Keenan, Shook, Hardy & Bacon, Kansas City, Mo.

“Mario’s Miracle” is now forever a part of KU basketball lore. But Mario Chalmer’s trey was hardly the first time KU needed divine intervention in the Final Four. In 1940, KU was in its first NCAA Final Four, and in the semifinal game, KU played Southern Cal, which came into the game as a prohibitive favorite. KU won on a buzzer beater; the person who took and made that shot was named to the NCAA All-Tournament Team. He was also a consensus All-American. His senior year, in addition to everything else he was doing, he was student body president. He is also a Kansas lawyer. You see, before Mario, there was Danny Manning, and before him there was Wilt, and then Clyde Lovellette. But before all of these giants, there was a player who poured the concrete foundation to KU’s basketball legacy. His name is Howard Engleman. And if his name is not familiar to you, all that is about to change.

If Howard Engleman ever wrote his memoirs, book publishers would declare it fiction. If Hollywood made it a movie, Blockbuster Video would have to sell it in four sections of their store: “Adventure/Sports/Drama/Military.” The story begins with Engleman playing point guard at Ark City, leading his team to the state finals. Phog Allen wanted him, and Engleman obliged. At KU — where his nickname was “Rope,” after his blond, curly locks — he drained the shot to beat USC 43-42. It was considered — at the time — one of the biggest upsets in college basketball history.

The Kansas City Star, on March 24, 1940, blared this headline: “Howard Engleman’s Shot from the Corner Decides Contest for the Jayhawks.” The news story described that Bobby Allen, son of Phog, “stole the ball and passed to Engleman alone in the corner. Unhurried and calm, the blond forward took his stance and flipped the ball through the hoop with ridiculous ease.”

Engleman was the bright star on a team with some true zeniths. One teammate, Ralph Miller, for instance, went on to coach at Wichita State, Iowa, and Oregon, winning 657 games. Another, Dick Harp, coached KU for seven years.

After graduation, Engleman enlisted in the Navy and during World War II a Japanese kamikaze plane hit his ship in the Pacific. He sustained severe burns and recovered in a hospital at Saipan. He then returned stateside to attend KU law school.

While in law school, he held a part-time job. *Coaching the KU freshman team!* When Phog sustained a concussion and missed several games, Engleman coached the varsity in 1947, adding “Head Coach, KU” to his lengthy CV. And on March

1, 2003, his jersey was officially retired and raised to the rafters in Allen Fieldhouse. His speech, delivered at center court, remains a classic: www.kusports.com/multimedia/video/basketball/02-03/highlights/osu.

And then, upon graduation, he settled in Salina, joined Hampton Royce & Engleman, and did something that neither Mario nor Wilt ever attempted, *trying cases*. His former law partner, Stan Sexton, offered this observation to his trial skills, “He’s the most intense, singularly resolute, and prepared trial lawyer I’ve ever known. His background enabled him to almost ‘will’ a result. But nothing he did was more amazing than the Chester case.” That would be *Mills vs. Smith*, 9 Kan. App. 2d 80 (1983).

Chester, you see, was a 100-pound male lion who roughed up a 2-year-old girl. Shockingly, litigation followed, and Engleman defended Chester’s owner.

Judge Parks of the Kansas Court of Appeals described the case this way:

“The male lion, named Chester, was approximately three-and-one-half feet long and weighed 90 to 100 pounds. Gary Clarke, the director of the Topeka zoo, testified at the trial that 9-month-old cubs are very strong and dangerous animals.”

The mother, Althea Mills, “stayed with her two daughters 30 to 50 feet from the lion while the grandparents took pictures.” When older sister Traci distracted the mom, Darci, the second child, “ran off toward her grandparents [the Buckbees], approaching from behind the lion, while Merle Buckbee was taking a photograph of his wife petting Chester.” And this is where it gets interesting. The court’s opinion noted, “Chester reared up on his hind legs, knocked Darci to the ground, grabbed her head in his mouth” and, as Judge Parks described, Chester “*began working his jaws*.” [Legal speak for a toddler getting up close and personal with Chester’s molars.] The toddler needed stitches but amazingly sustained no major physical injuries.

So add to Engleman’s CV, “defending a lion who tried to swallow a toddler.” O.J. Simpson’s case would be easier. At the end of trial, the jury basically canonized Chester — sticking the toddler’s parents with 50 percent fault and damages awarded of \$99. Moral of the story: both on the court, and in it, Howard Engleman, now retired at age 88, has no peer. ■

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Howard Engleman addressed the crowd at Allen Fieldhouse during ceremonies retiring his jersey on March 1, 2003.