

# URGENT ACTION

## US SUPREME COURT STAYS TEXAS EXECUTION

**On 23 September, the US Supreme Court stayed the execution of Kenneth Mosley, a 51-year-old African American man scheduled to be executed in Texas on 24 September. Mosley has spent 12 years on death row for the murder of David Moore, a white police officer.**

The US Supreme Court granted the stay pending its consideration of the case of an Alabama death row prisoner involving questions of whether the defence lawyer's performance had been constitutionally deficient in failing to raise certain objections during the punishment phase of the trial. The Alabama case will be heard in November.

Kenneth Mosley's appeal lawyers have argued that his trial attorneys were deficient for not objecting to victim impact testimony from David Moore's wife and for failing to present certain mitigating evidence on Mosley's behalf at the sentencing phase.

Texas continues to account for a large number of the USA's executions. Of the 1,175 people put to death nationwide since 1977 when executions resumed in the USA, 441 have been in Texas. There have been 39 executions in the USA so far this year, 18 of them in Texas (see USA: Too much cruelty, too little clemency: Texas nears 200th execution under current governor, 30 April 2009, <http://www.amnesty.org/en/library/info/AMR51/057/2009/en>).

**NO FURTHER ACTION IS REQUESTED AT PRESENT. MANY THANKS TO ALL WHO SENT APPEALS.**

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Further information on UA: 240/09 Index: AMR 51/106/2009 Issue date: 24 September 2009

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