

**PUBLIC**

**AI Index: AMR 51/048/2004**

**5 March 2004**

**Further information on UA 68/04 (AMR 51/036/2004, 19 February 2004) - Death penalty**

**USA (Texas)**

**Marcus Bridger Cotton (m), black, aged 29  
Yokamon Laneal Hearn (m), black, aged 25**

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Marcus Cotton was executed in Texas on 3 March 2004. He was sentenced to death in November 1997 for the murder of a 27-year-old Texas county prosecutor, Assistant District Attorney Gil Epstein, who was shot during a robbery in September 1996.

Yokamon Hearn received a stay of execution about an hour before he was scheduled to be executed on 4 March. His lawyers had raised a claim that he has mental retardation, and he received a stay from the US Court of Appeals for the Fifth Circuit in order that this issue can be determined. In 2002, the US Supreme Court prohibited the execution of people with mental retardation.

Yokamon Hearn was sentenced to death in December 1998 for the murder of Frank Meziere, a 23-year-old stockbroker, who was shot and robbed in March of that year.

Marcus Cotton becomes the 15<sup>th</sup> person to be executed in the USA this year, and the 900<sup>th</sup> since the USA resumed judicial killing in 1977. Texas accounts for 321 of these executions, eight of which have been carried out this year.

**No further action is requested. Many thanks to all who sent appeals.**