

PUBLIC

AI Index: AMR 51/062/2002

22 April 2002

Further information on EXTRA 22/02 (AMR 51/048/2002, 18 March 2002) - Death penalty / Legal concern

USA (Tennessee) Abu-Ali Abdur'Rahman (m), black, aged 51

On 22 April 2002, the US Supreme Court announced that it would hear the appeal of Abu-Ali Abdur'Rahman. Shortly before he had been due to be put to death on 10 April, the Court had issued a stay, in order to give it more time to decide whether to take his case. If the Court had decided not to do so, the state would have moved to execute him.

Abu-Ali Abdur'Rahman was convicted in 1987 of the murder of Patrick Daniels, who was stabbed to death in 1986.

Oral arguments in Abu-Ali Abdur'Rahman's case are likely to be heard in or around November 2002. His appeal before the Supreme Court involves the issue of whether the courts have properly followed procedural rules in relation to claims of prosecutorial misconduct, raised by Abu-Ali Abdur'Rahman's appeal lawyers over the years. The Supreme Court's stay of execution will now remain in force until it issues its decision, sometime next year.

The Governor of Tennessee had denied Abu-Ali Abdur'Rahman clemency before the stay of execution was announced by the Supreme Court. The Governor did so despite the strong evidence that Abu-Ali Abdur'Rahman's legal representation at his trial was inadequate and also despite affidavits from eight of the original trial jurors indicating that they were no longer confident in their sentencing decision (see *Letter to the Governor of Tennessee concerning the imminent execution of Abu-Ali Abdur'Rahman*, AMR 51/055/2002, 5 April 2002).

No further action by the UA Network is requested at present. Abu-Ali Abdur'Rahman's lawyers have expressed their thanks for Amnesty International's action on this case.