

**PUBLIC**

**AI Index: AMR 51/161/2004**

**19 November 2004**

**Further information on UA 299/04 (AMR 561/156/2004, 08 November 2004) - Death penalty / Legal concern**

**USA (Texas)      Troy Albert Kunkle (m), white, aged 38**

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Troy Kunkle received a stay of execution from the US Supreme Court on 18 November, less than an hour before he was due to be put to death.

His lawyers had appealed his sentence on the grounds that the jurors who sentenced him to death had been unable to properly consider mitigating evidence. His trial lawyers had failed to present substantial mitigating evidence about Troy Kunkle's background and mental condition, and the Texas law in force at the time restricted the jurors' ability to give mitigating effect to the minimal evidence that was presented in favour of a life sentence (*see original UA*).

**No further action is requested by the UA Network at present. Many thanks to all who sent appeals.**