

PUBLIC

AI Index: AMR 51/174/2002

21 November 2002

Further information on UA 55/01 (AMR 51/047/2001, 13 March 2001) and follow-up (AMR 51/061/2001, 18 April 2001) - Death penalty/Legal concern

USA (Nevada) Thomas Nevius (m), black, aged 46

On 20 November 2002, the Nevada Board of Pardons voted 9-0 to commute Thomas Nevius's death sentence due to his mental retardation. He had been on death row for nearly two decades, having been sentenced to death in 1982 for the murder of David Kinnamon. He will now serve a life sentence without the possibility of parole.

In June 2002, the US Supreme Court ruled that the execution of people with mental retardation violated the constitution. In light of this ruling, the District Attorney in Clark County, where Thomas Nevius was tried, withdrew his opposition to commutation, although he continued to believe that Nevius should be executed.

For more information on this case, see original UA and also *Nevada's planned killing of Thomas Nevius* (AMR 51/001/2001, March 2001, available on www.amnesty.org).

No further action by the UA Network is requested. Thomas Nevius's lawyers have asked again for their thanks to be passed on to all who sent appeals on this case.