

**PUBLIC**

**AI Index: AMR 51/082/2005**

**20 May 2005**

**Further information on UA 106/05 (AMR 51/065/2005, 03 May 2005) – Death penalty**

**USA (Oklahoma)**

**Garry Thomas Allen (m), black, aged 48**

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A county judge has stopped Garry Allen's execution in order that his mental competency for execution can be assessed. He was scheduled to be executed in Oklahoma on 19 May 2005. He was sentenced to death for the 1986 murder of Gail Titsworth, with whom he had had two children.

A recent evaluation has suggested that Garry Allen may be legally insane: that is, that he does not understand the reason for, or reality of, his impending execution. The execution of the insane is prohibited under US constitutional law.

The question of his competency will now be decided by a jury. It is likely that the proceedings will not occur for several months.

Governor Henry is withholding his clemency decision until after the competency issue is decided. The Oklahoma Pardon and Parole Board has recommended that he commute Garry Allen's death sentence (see original UA).

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