



Supreme Court of Georgia

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JOHNSON STAY OF EXECUTION REMAINS IN PLACE

Atlanta, October 5, 2011 – The Supreme Court of Georgia today refused to vacate the stay of execution granted yesterday to Marcus Ray Johnson by Chief Judge Willie Lockette of the Dougherty County Superior Court. In a unanimous vote, the high court dismissed the State’s appeal on procedural grounds.

District Attorney Gregory Edwards filed an emergency motion this morning, asking the state Supreme Court to vacate the judge’s order granting the stay. But the purpose of the stay was to allow for the continuance of a hearing that had already begun and was related to whether there should be additional DNA testing in Johnson’s case. Georgia statutes do not authorize an appeal of that matter, the high court has ruled.

As a result, the lower court’s stay of execution remains in place. Judge Lockette has ordered a hearing for Feb. 1, 2012 to further address Johnson’s motion for additional DNA testing.

Johnson, 46, was scheduled to die tonight by lethal injection at 7:00 p.m. at the Georgia Diagnostic and Classification Prison in Jackson, GA. He was convicted and sentenced to death for the March 24, 1994 murder of Angela Sizemore in Albany.