

# One execution in Texas, another stayed in Missouri

Kate Randall  
30 October 2014

Texas executed its tenth death row prisoner of the year on Tuesday evening, while the execution of a Missouri inmate scheduled for early Wednesday morning was stayed by the US Supreme Court.

Miguel Paredes, 32, was pronounced dead at 6:54 p.m., 22 minutes after a lethal cocktail of drugs was administered as he was strapped to a gurney at the Walls Unit in Huntsville, Texas. Prison officials reportedly carried out his lethal injection using compounded pentobarbital from a new, unknown source after their previous batch had expired at the end of September.

Paredes and two accomplices were convicted in 2001 for the murders of three members of a rival gang in San Antonio—Adrian Torres, Nelly Bravo and Shawn Cain. Miguel, 18 at the time, was sentenced to death while the two accomplices received life sentences.

Paredes' trial attorneys argued that he had various behavioral problems, including an inability to control aggression. He lived in a neighborhood plagued by gang violence, and smoked marijuana and drank alcohol at a young age. The condemned inmate's current attorney, David Dow, said his client had "a significant mental disease" that may have affected his judgment when he told his previous lawyer 10 years ago not to investigate his family background.

An appeal filed on Paredes' behalf to US Court of Appeals for the Fifth Circuit was rejected last week, as was a last-ditch motion to the US Supreme Court. Paredes was the 278th inmate executed in Texas during Rick Perry's tenure as governor, and the 518th put to death in the state since the Supreme Court reinstated the death penalty in 1976.

Paredes told the *San Antonio Express-News* before his death: "For me, what matters is that people really get to see the reality of the death penalty, that it's

affecting people that are invisible, like my son, my loved ones, my family. They're the ones really carrying the burden."

## High court stay in Missouri

Mark Christeson was set to die by lethal injection at 12:01 a.m. Wednesday in Missouri. The US Supreme Court granted him a stay of execution less than three hours before he was to be put to death at the state's execution chamber in Bonne Terre.

"We were told by the Missouri attorney general's office at about 9:40 tonight that this execution was not going to take place," Missouri Department of Corrections spokesman Mike O'Connell said.

A group of 15 former federal and state judges had called on the US Court of Appeals for the Eighth Circuit to issue a stay in Christeson's case, arguing that he had been abandoned by his own court-appointed attorneys.

A clemency request was also before Missouri Governor Jay Nixon, a Democrat, who took no action to stop Christeson's execution. Nixon, an avowed death penalty supporter, is the same politician who invoked a state of emergency in Ferguson, Missouri, in the aftermath of the police killing of unarmed teenager Michael Brown on August 9. Of the 30 executions carried out so far this year in the US, eight were in Missouri, second only to Texas, with 10.

Christeson was sentenced to death for the 1998 murders of Susan Brouk, 36, her daughter Adrian, 12, and her son Kyle, 9. Christenson, now 32, was 18 at the time of the killings. His cousin, 17 at the time, was

implicated in the murders but was spared the death penalty after he agreed to provide evidence against Christeson.

Christeson is the only inmate currently on death row in Missouri to have been denied a habeas review of his case, a stage in the legal process that allows a prisoner to challenge his death sentence in the federal courts. The attorneys representing Christeson at the federal review stage, Eric Butts and Philip Horwitz, filed his habeas petition 117 days late, and only met with their client for the first time more than a month after the April 2005 deadline had passed.

Despite this clear violation of Christeson's legal rights, district and federal courts refused to grant him a habeas review. The amicus brief filed by the 15 judges, who come from 10 different states, including Missouri, accused Butts and Horwitz of "apparent abandonment and misconduct," and argued that the two compounded their mistake by refusing to withdraw as Christeson's attorneys.

The judges added, "Cases, including this one, are falling through the cracks of the system. And when the stakes are this high, such failures unacceptably threaten the very legitimacy of the process."

At the invitation of Butts and Horwitz, two outside attorneys—Joseph Perkovich from New York and Jennifer Merrigan from Pennsylvania—became involved in Christeson's case earlier this year.

Perkovich, who leads a death penalty clinic at Saint Louis University law school, told the *Guardian*, "We saw from the record that Christeson's appointed lawyers didn't meet him until six weeks after the [habeas] deadline had passed. There was no sign of any legal activity indicating that anything was going on up to and beyond the deadline."

Perkovich and Merrigan have repeatedly asked Butts and Horwitz to turn over their files on Christeson's case, but to date have received nothing from them.

The attorneys argued in an appeal to the US Supreme Court on Monday that Christeson's court-appointed attorneys had abandoned him, and that his execution should be stayed pending a federal review of his case. The writ points to his mental impairment: "Mr. Christeson's severe impairments are unmistakable. He presents marked deficits in written and verbal communication and severe impairments in working memory and concentration."

It also notes that, failing meaningful counsel, Christeson's imprisonment on death row impeded his knowledge about his case: "Inmates in the Potosi Correctional Center lack direct access to information about pending cases. ... Even inmates able to understand dockets and legal filings must rely on their counsel to update their status."

Another case before the high court on Christeson's behalf challenged Missouri's planned use of a made-to-order execution drug produced by an unidentified compounding pharmacy.



To contact the WSWWS and the Socialist Equality Party visit:

**[wsws.org/contact](https://www.wsws.org/contact)**