

**JIM LEITNER
FIRST ASSISTANT**



**CRIMINAL JUSTICE CENTER
1201 FRANKLIN, SUITE 600
HOUSTON, TEXAS 77002-1901**

**PATRICIA R. LYKOS
DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS**

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Donna Hawkins
George Flynn
(713) 755-3320

District Attorney's Response to Ruling on Constitutionality of Texas Death Penalty Law

Houston Tx – Today, the judge of the 177th District Court, in the case of the State of Texas v. John Edward Green, Jr., declared Art. 37.01 of the Texas Code of Criminal Procedure, which authorizes the death penalty, to be unconstitutional.

District Attorney Patricia Lykos stated, "Words are inadequate to describe the Office's disappointment and dismay with this ruling; sadly it will delay justice for the victims and their families. The Texas Court of Criminal Appeals and other appellate courts have consistently rejected the same issues raised in the Green case.

The decision of whether to seek the death penalty is a solemn and profound responsibility. After a deliberative and thoughtful process this Office reached the conclusion to prosecute Mr. Green for the horrific capital murder he committed and to ask the jury to assess the death penalty. We respectfully, but vigorously disagree with the trial judge's ruling, as it has no basis in law or in fact. We will pursue all remedies."

Kari Allen, the lead prosecutor in the Green case, commented on the judge's ruling: "It subverts the State's effort to seek justice for the multiple victims in this case. An innocent woman was executed in front of her two children after she complied with the killer's demands. Her sister, who was visiting with her from California, was shot twice as she attempted to comply."

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