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## Alabama governor grants 45-day stay of execution

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By [Verna Gates](#)

BIRMINGHAM (Reuters) - Hours before an inmate's scheduled execution, Alabama's governor issued a temporary stay on Thursday so the state could review its method of lethal injection.

Gov. Bob Riley said Thomas Arthur, a convicted murderer, would be executed after the 45-day stay expires.

Arthur, 65, was scheduled to be executed at Alabama's Holman prison at 6 p.m..

"The decision to grant a brief stay is being made only because the state is changing its lethal injection protocol, and this will allow sufficient time for the Department of Corrections to make that change," Riley said in a statement.

Riley's decision is believed to be one of the first stays issued since the U.S. Supreme Court on Tuesday said it would decide whether the commonly used lethal injection method of execution violated the U.S. Constitution's ban on cruel and unusual punishment.

That case, which could limit or condone current forms of execution, will be one of the most closely watched of the high court's new term that begins on Monday.

"There are challenges nationwide about lethal injection," said Brian Corbett, public information manager for Alabama Department of Corrections.

Opponents claim the three-chemical cocktail used in lethal injections causes undue pain and suffering and argue that the anesthetic used does not provide sufficient pain relief.

Arthur was convicted three times for the 1982 murder of Troy Wicker, his girlfriend's husband. Two convictions were overturned. Arthur was on work release for the murder of his common law wife's sister at the time of Wicker's killing.

"The evidence is overwhelming that Thomas Arthur is guilty and he will be executed for his crime," Riley said.

Once the stay expires, state officials must request a new execution date from Alabama's Supreme Court, according to Riley's statement.

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