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Pinkerton gets second late stay

Inmate eludes execution

Associated Press

HUNTSVILLE — Jay Kelly Pinkerton, scheduled to die for the brutal slayings of two Amarillo women, escaped the death chamber for the second time in three months Monday when the Supreme Court issued an indefinite stay of execution.

Pinkerton, 23, early today would have been the youngest inmate to be executed since the Supreme Court resumed the death penalty in 1976.

judge to set another execution date, Pinkerton's third.

Pinkerton, awake before dawn, was taken by prison van before 9 a.m. Monday from his death row cell at the Ellis Unit to a small holding cell outside the death chamber at the Walls Unit in Huntsville, about 15 miles away.

Less than an hour later, at 9:54 a.m., Assistant Warden Robert Ott told him of the order from Justice Byron White.

"All right!" Pinkerton exclaimed.

"After that, he talked in philosophical and religious terms to Warden Ott," Department of Corrections spokesman Phil Guthrie said.

"In essence, he talked about how optimistic he was about the future of his case."

Pinkerton then was put back in a prison van for the return to death row.

Pinkerton's attorney, Dean B. of Amarillo, filed the appeal with high court Monday challenging jury selection process, saying it unconstitutional for jurors exposed to the death penalty to be excluded.

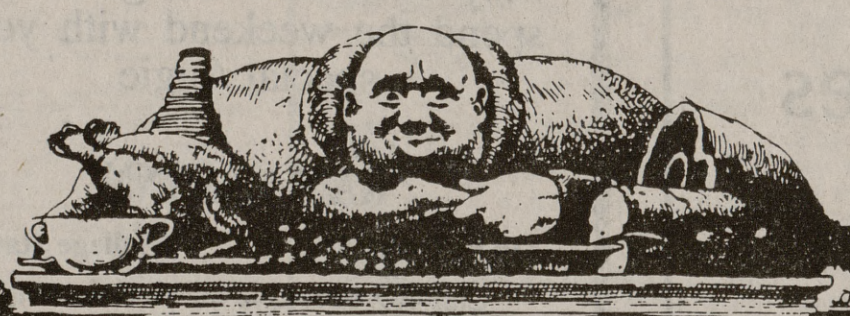
Within the past month, the preme Court has stayed two executions on those grounds which considers the matter in an Arkansas case.

"The systematic exclusion of jurors that have scruples against death penalty denies a defendant a right to a trial by a cross representation of the community in which resides, which is guaranteed by Sixth Amendment to the Constitution," Roper said.

A Feast At The Hilton

Lord and Lady Raleigh will throw open the castle gates Dec. 4-7 for a Yuletide feast in the splendor of renaissance England. MSC Madrigal Dinners presents jugglers, wenches, madrigal singers and a hearty meal to put you in the holiday spirit. And should a touch of the devil get into you-you may purchase wine from the lord's private stock. Tickets are available at the Ticketron outlets in Dillard's and Rudder Tower. Tickets are \$18 for the public and \$14 for senior citizens and A&M students. Call 845-1234 for more information.


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