

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

******* EXECUTION IMMINENT *******

MARCEL WILLIAMS,

Plaintiff

v. No. 5:17-cv-00103-KGB (MW)

ASA HUTCHINSON, Governor of the State of Arkansas, and

WENDY KELLEY, Director, Arkansas Department of Correction,

Defendants

OPPOSITION TO PLAINTIFF MARCEL WILLIAMS'S EMERGENCY MOTION TO STAY EXECUTION

1. Plaintiff offers no basis whatsoever for staying his imminent execution.
2. This Court already previously denied Plaintiff's motion for a stay on the same grounds expressed in his current motion. The Eighth Circuit and the United States Supreme Court likewise denied his claim.
3. Plaintiff's account of Jones' execution is inaccurate. Both Jones and his lawyer consented to a central line. ADC staff tried unsuccessfully to place a central line in Jones' neck, but the attempt was unsuccessful. Plaintiff's claim that ADC then placed the central line elsewhere is false. At Jones' request, ADC placed two IV lines and the execution proceeded with two IV lines, just as Plaintiff's execution will proceed.
4. The claim that Jones was moving his lips and gulping for air is unsupported by press accounts or the accounts of other witnesses. The drugs were administered to Jones at 7:06 p.m. and he was pronounced dead at 7:20 p.m. There was no constitutional violation in Jones' execution.
5. The claim that Jones' execution appeared to be tortuous and inhuman is utterly baseless.

6. Plaintiff's motion was clearly prepared in advance of Jones' execution and the allegations set forth in that filing in no way align with the facts of Jones' execution. This kind of last second filing represents the worst kind of meritless death penalty litigation.

For the foregoing reasons, Plaintiff's motion should be denied.

/s/Nicholas J. Bronni
Arkansas Deputy Solicitor General