**ATTORNEY STATEMENT:**

**DESPITE THE STATE’S CONCESSION THAT EVIDENCE WAS IMPROPERLY DESTROYED,**

**COURT DENIES PROSECUTOR’S MOTION TO VACATE MARCELLUS WILLIAMS’ CONVICTION
AND DEATH SENTENCE**

*(September 12, 2024) Today, the Circuit Court for St. Louis County, Missouri denied Prosecuting Attorney Wesley Bell’s motion to vacate Marcellus Williams’ conviction and death sentence. Prosecuting Attorney Bell filed the motion based on new DNA testing conducted on forensic evidence collected at the crime scene that conclusively excluded Mr. Williams as the person who killed Felicia Gayle in 1998. After considering the evidence of Mr. Williams’ innocence and other constitutional errors in his trial, the court nevertheless ruled that vacatur was not warranted under Missouri law.*

*The court’s ruling is available* [*here.*](https://drive.google.com/file/d/1H_8gEp_1LgUzEsUAEEXg1643UJw88rja/view?usp=sharing)

*Mr. Williams is scheduled to be executed on September 24.*

Below is a statement from Tricia Rojo Bushnell, an attorney for Marcellus Williams:

“The decision of a prosecutor to move to vacate a murder conviction and death sentence is not done lightly. Prosecuting Attorney Bell filed a motion because there is overwhelming evidence that Marcellus Williams’ trial was constitutionally unfair, including revelations that the State contaminated the most critical evidence in the case—the murder weapon.

We will continue pursuing every possible option to prevent Mr. Williams’ wrongful execution. There is still time for the courts or Governor Parson to ensure that Missouri does not commit the irreparable injustice of executing an innocent person.”

* *Tricia Rojo Bushnell, attorney for Marcellus Williams*
* *September 12, 2024*

A photograph of Marcellus Williams, courtesy of Marcellus Williams’ legal team, is available here:<https://tinyurl.com/4auxszme>

For more information or to speak to an attorney for Mr. Williams, please contact Julia Lucivero at jlucivero@innocenceproject.org.

# # #

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