



AG ANNOUNCES COURT OF CRIMINAL APPEALS UPHOLDS LEE COUNTY CAPITAL MURDER CONVICTION

(MONTGOMERY)-- Attorney General Luther Strange announced that the Alabama Court of Criminal Appeals on Friday upheld the capital murder conviction and attempted murder conviction of Thomas Franklin May III. May, 39, of Auburn, was convicted in Lee County Circuit Court in March of 2014 for the murder of his mother-in-law, Brenda Watson, and the attempted murder of his estranged wife, Bethany Lynn Mitchell.

The following evidence was presented at trial. In April of 2011, Bethany Lynn Mitchell was living apart from her husband, May. Mitchell was attending classes at Southern Union State Community College and did not have a vehicle. On April 6, 2011, Mitchell's mother, Brenda Watson, drove her van to Southern Union to pick up Mitchell. Also present in the van were Mitchell's grandmother, Maude Mitchell, and the four-year-old daughter of Bethany Mitchell and Thomas May.

After Bethany Mitchell's class, she was entering the van and before she could close her door, May pulled up beside them in a white sport utility vehicle and began shooting at them with a pistol. Bethany Mitchell testified that as May was shooting, he said that she "can't keep [his] daughter from him." After the shooting, May drove away from the scene.

Bystanders to the shooting immediately ran to the van and began administering first aid to the occupants while others telephoned 911 for assistance. Bethany Mitchell received several gunshot wounds to her left arm and was treated at East Alabama Medical Center. Her grandmother, Maude Mitchell, was airlifted to a nearby hospital and treated for shrapnel wounds. The child sustained minor cuts from the shooting, presumably from broken glass. Bethany Mitchell's mother, Brenda Watson, was shot several times and died as a result of multiple gunshot wounds.

May returned to the scene and was taken into police custody. May gave a detailed statement to police admitting to the shootings. In his confession, he stated he was upset that he was under a restraining order which denied him access to his daughter.

The case was prosecuted at trial by Lee County District Attorney Robbie Treese's office. May was sentenced to life imprisonment without the possibility of parole for the capital murder conviction and to an additional consecutive life imprisonment sentence for the attempted murder conviction. He subsequently sought to have his convictions reversed on appeal.

The Attorney General's Criminal Appeals Division handled the case during the appeals process, arguing for the Alabama Court of Criminal Appeals to affirm the conviction. The Court did so in a decision issued on Friday, April 10.

Attorney General Strange commended Assistant Attorney General John J. Davis of the Attorney General's Appeals Division for his successful work in this case.

