

May 30, 2017

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AG MARSHALL ANNOUNCES COURT OF CRIMINAL APPEALS UPHOLDS MACON COUNTY CAPITAL MURDER CONVICTION

(MONTGOMERY) – Attorney General Steve Marshall announced that the Alabama Court of Criminal Appeals on Friday upheld the capital murder conviction of Gary Lee Poisel. Poisel, 45, of Amarillo, Texas, was convicted in October of 2016 of the murder of Robert Nelson in 1999 in Macon County.

The evidence at trial showed that in June of 1999, Poisel and his girlfriend Johnna Gray were hitchhiking and obtained a ride with Nelson. The court record presents the following information: Nelson parked his semi-truck at a convenience store for the night and went to sleep. While Gray went into the store to purchase beer, Poisel stabbed Nelson in the neck, chest, and back, killing him. When Gray returned to the truck from the convenience store, she saw Nelson's bloody body. Poisel told Gray that "he had done it." Poisel drove the truck away and the two subsequently threw Nelson's body over a guardrail.

Eventually Poisel and Gray abandoned the semi-truck at another truck stop. After police officers discovered Nelson had been murdered, items of physical and biological evidence were collected from the semi-truck. Many DNA samples from those items were unidentified.

The investigation went cold until March 2010, when Alabama Bureau of Investigation agents were notified that the FBI's program of DNA databases identified Poisel as a match with previously unidentified DNA samples from the case. Gray's DNA was also identified. Gray was located and testified against Poisel.

The case was prosecuted at trial by the Macon County District Attorney's Office. Poisel was sentenced to life imprisonment without the possibility of parole for his capital murder conviction. He subsequently sought to have his conviction reversed on appeal.

Gray pleaded guilty to one count of manslaughter and was sentenced to a 15-year sentence, which was split to serve three years with the remainder on probation.

The Attorney General's Criminal Appeals Section handled Poisel's 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, May 26.

Attorney General Marshall commended Assistant Attorney General Kristi Wilkerson of the Attorney General's Criminal Appeals Section for her successful work in this case.

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