

NEWS RELEASE

# Luther Strange

Alabama Attorney General



FOR IMMEDIATE RELEASE

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Page 1 of 1

## AG STRANGE ANNOUNCES COURT OF CRIMINAL APPEALS UPHOLDS WHITTON MURDER CONVICTION IN JACKSON COUNTY

(MONTGOMERY) – Attorney General Luther Strange announced that the Alabama Court of Criminal Appeals on Friday upheld the murder conviction of Barry Whitton for the murder of his wife, Michelle Townson Whitton, in Jackson County. Whitton was convicted by a jury in Jackson County Circuit Court on September 24, 2015.

Evidence was presented at trial that Whitton murdered his wife in 1997 when she was 28 years old. He killed her by bludgeoning her in the head with a shotgun. He then placed her body in a shallow grave, and for 17 years went uncharged for the murder.

During the trial, forensic evidence was presented about blood that was found in the bedroom of the Whitton home. Two witnesses testified that Whitton confessed to them that he had killed his wife in the bedroom. Additional evidence was presented about his disposal of her body, the shotgun he used to kill her, carpeting from the bedroom and other related items. Further testimony was presented from family and members of the community about Whitton's actions and consciousness of guilt following the murder.

The case was prosecuted at trial by the Assistant Attorneys General Leigh Gwathney and John Hensley of the Attorney General's Criminal Trials Division. Whitton was sentenced to life imprisonment for his murder conviction. He subsequently sought to have his conviction reversed on appeal.

The Attorney General's Criminal Appeals Section 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, December 9.

Attorney General Strange commended Assistant Attorney General Marc Starrett of the Attorney General's Criminal Appeals Section for his successful work in this case.

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