

**Steve Marshall**  
Alabama Attorney General



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## **Attorney General Steve Marshall Statement on the Execution of Triple-Murderer Alan Miller by Nitrogen Hypoxia**

**(Montgomery, Ala.)**—Alabama Attorney General Steve Marshall issued the following statement tonight after the execution of Alan Eugene Miller at the William C. Holman Correctional Facility in Atmore, Alabama:

**Justice has been served. After two decades, Alan Miller was finally put to death for a depraved murder spree that cruelly took the lives of three innocent men: Lee Holdbrooks, Christopher Yancy, and Terry Jarvis.**

**I ask the people of Alabama to join me in praying for the families and friends of the victims, that they might now find peace and closure.**

Tonight was the second time Alabama used nitrogen hypoxia as the method of execution. Many death-row inmates have elected the method of execution since the State made that choice available in 2018. The Department of Corrections first used this humane and effective method to execute murderer Kenneth Smith in January. Backed by a major law firm, Smith had challenged the method in federal courts, ultimately appealing to the U.S. Supreme Court. But the courts found little evidence to support his claims.

Likewise, Alan Miller sued to stop his execution by nitrogen hypoxia — the method he chose under state law. But after conducting extensive discovery and receiving unprecedented access to prison personnel and documents, Miller agreed to drop his suit and settle with the State.

**Although the methods have changed over the years, it remains the judgment of the State of Alabama that some crimes are so horrific as to warrant the ultimate punishment. In Alabama, we will not deny justice to the victims of heinous murders. Tonight, despite misinformation campaigns by political activists, out-of-state lawyers, and biased media, the State proved once again that nitrogen hypoxia is both humane and effective. Miller’s execution went as expected and without incident.**



Attorney General Marshall cleared the execution to commence at 6:16 p.m. The execution progressed as planned. After Miller appeared to lose consciousness, his body took some agonal breaths and made slight movements associated with the dying process. Alan Miller's time of death was 6:38 p.m.

### **Summary of Miller's Crimes**

On the morning of August 5, 1999, Alan Miller – enraged by a petty grievance – went on a murder spree in Pelham that spanned two workplaces and took the lives of three men, all of whom suffered an especially heinous, atrocious, and cruel ending: Each man was suddenly shot multiple times, realized his horrific fate, and then was mercilessly executed.

Miller began the slaughter at his place of employment, Ferguson Enterprises. Armed with a handgun, Miller shot his coworkers, Lee Holdbrooks and Christopher Yancy, a total of nine times.

Lee Holdbrooks, 32, was found dead in a hallway, lying face down at the end of a long trail of blood. Miller first shot Holdbrooks in the chest and head, leaving him alive but incapacitated. Despite his wounds, Holdbrooks crawled twenty-five feet toward an exit. Miller waited as Holdbrooks slowly made his way down the hall and then shot him once more, this time at close range in the head. Holdbrooks was looking up at Miller when Miller fired the fatal shot.

Yancy was found dead in an office, slumped underneath a desk in a pool of blood. Miller had first shot Yancy in the spine, which left him alive but instantly paralyzed, helpless beneath the desk, unable to reach for the cell phone just inches from his hand. Miller then walked over to the desk, stooped down and looked into his victim's eyes, and executed him. Yancy was 28 years old.

Miller continued the killing at his previous place of employment, Post Airgas. Using the same handgun, Miller shot his former coworker, Terry Jarvis, five times.

Jarvis was found dead behind the sales counter, sprawled on the floor and riddled with gunshot wounds. Miller had first shot Jarvis in the chest and abdomen, which left him alive but severely wounded, defenseless against further attack. Miller then walked behind the sales counter, stood over his victim, and executed him. Jarvis was 39 years old.

Miller would later explain that he had committed his murder spree merely because he believed his victims had “spread rumors” about him. Afterward, he confessed that he felt better after murdering these men.

At trial, Miller was convicted of capital murder by a jury of his peers and sentenced to death for his crimes.