

Florida Supreme Court gives condemned killer stay of execution

David Johnston was scheduled to die Wednesday for the 1983 murder of an 84-year-old Orlando woman

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The Florida Supreme Court today stayed the execution of convicted murderer David Eugene Johnston, who was scheduled to die by lethal injection on Wednesday.

Gov. Charlie Crist signed the death warrant on April 20, but Johnston appealed a judge's denial of his motion to have DNA testing on his tennis shoes, socks and shorts, and on nail clippings from his victim, the ruling states. The Supreme Court ruled unanimously.

Johnston, 49, was convicted in the 1983 murder of Orlando resident Mary Hammond, 84, who was stabbed and strangled. He had been working at a demolition site near Hammond's home and had been in her apartment five days before the murder, which happened on Nov. 5, court records show.