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Man condemned for drug dealer's slaying set to die

By MICHAEL GRACZYK Associated Press Writer © 2009
The Associated Press

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LIVINGSTON, Texas — After more than 15 years on Texas death row, Stephen Moody has had enough.

He's ready to die.

"I understand the consequence of my crime," Moody, 52, said recently from a tiny visiting cage outside death row. "I made the decision to put myself here ... I don't blame my situation on anybody but myself."

Moody was scheduled to receive a lethal injection Wednesday evening for the October 1991 shooting death of Joseph Hall, 28, during a robbery at Hall's home in Houston. Hall was described at Moody's trial as a drug dealer doing business out of his home when he was gunned down.

Moody would be the 17th prisoner executed this year in the nation's busiest capital punishment state and the first of four set to die over the next two weeks.

"I don't want life without parole," he said. "That ain't no walk in the park.

"I'd rather be dead."

At Moody's insistence, no late appeals were filed to try to block the execution.

"It is his wishes and we have to honor them," his



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lawyer, Philip Hilder, said.

The U.S. Supreme Court refused to review Moody's case last year after a federal appeals court rejected questions raised about jury selection procedures at his 1993 trial.

The former oilfield worker from Houston had at least four previous convictions when he was convicted of capital murder and condemned in 1993. His first conviction for burglary came in 1978 and earned him an eight-year prison term. He was paroled less than three years later.

"I lived day-to-day in the '70s," he said. "It was drugs, a wild life. I can't sit here and justify it. It isn't right."

Eleven months after his parole, he was back locked up with a six-year term for auto theft, but served only half the sentence before he was released. Less than six months later, in April 1984, he received 14 years for burglary and was paroled after less than four years. In 1992, he got 40 years for robbing a Houston bank and was just starting that sentence when he was also charged with Hall's slaying.

"I see everything now clearly," Moody said. "It's hard to explain, but it was a lifestyle. And once I got into this system, I just seemed to fall into that lifestyle. You either get killed or come to prison."

Evidence at Moody's trial characterized Hall as a marijuana and ecstasy dealer who was known to

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carry cash. On the evening of Oct. 10, 1991, he and his girlfriend were walking to his Houston home and saw two men walking away from the place. The woman went inside to use the bathroom, then heard voices and saw Hall speaking to the men, one of whom had a sawed-off shotgun. She crawled out the window, ran next door to call 911, heard a shot and returned to find Hall dead on the living room floor.

"He started fighting," Moody said. "He wouldn't listen to me. He wouldn't lay down. This guy was bigger than me.

"It was just supposed to be a robbery. But when you go into a place with a loaded gun, you put yourself in that situation."

Evidence showed the attackers fled with about \$1,200. Moody said it was more like \$2,000.

The slaying went unsolved for nearly a year until a relative of the man accused of being Moody's accomplice gave police a tip that led to their arrests. The man convicted of being the accomplice, Calvin Doby, received a life sentence. Moody, identified by Hall's girlfriend as the man with the shotgun, got the death penalty.

"As soon as it happened, I felt terrible," he said. "It was a terrible thing. But you can't take things back."

Moody recently said Doby wasn't involved in the slaying and swore in an affidavit earlier this month that Doby was innocent.

"Calvin Doby wasn't there," he said from death row, identifying his partner as a man now dead of natural causes. "He brought his lawyers down here and I signed statements saying he wasn't with me. But that's one thing to sign statements and another thing to get a federal judge to look



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at it again."

Moody said he didn't come forward sooner because he didn't want to implicate his partner while the man was alive and free and that any mistake regarding Doby was the fault of the district attorney's office.

Harris County prosecutors said they were investigating the claim.

The next person scheduled to be executed in Texas is Christopher Coleman, 37, who is set for lethal injection Sept. 22 for a December 1995 shooting spree that left three people dead in Houston.

On the Net:

Texas Department of Criminal Justice execution schedule <http://www.tdcj.state.tx.us/stat/scheduledexecutions.htm>

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