

# DEATH PENALTY ACTION

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## Two Trial Jurors Call For Halt to Execution and Review of New Evidence // Cantu's Mother, Investigator to Visit Texas State Capitol Building Today

\*\*\* Interviews Available \*\*\*

Austin, TX: The mother of the man next in line to be executed in Texas and the man whose investigation identified multiple instances of false evidence used at trial will deliver petitions and be available to the media outside the Governor's office on the second floor of the Texas State Capitol Building at 11am CT on Wednesday, April 19, just one week prior to the scheduled execution of Ivan Cantu.

Cantu is scheduled to be executed in Texas on April 26, 2023, despite significant questions about his guilt. Numerous issues of concern are spelled out in legal motions filed Tuesday. ([Subsequent Application for a Writ of Habeas Corpus](#), [Motion for a Stay of Execution](#), [Motion to Withdraw Execution Date](#)). Two jurors from the original trial, including the jury foreman, filed declarations expressing deep concern that evidence presented at trial has been shown to be false.

**"I am disturbed by the possibility that false testimony and evidence was presented to me and the other jurors at trial," wrote Montra Marie Biggs in a declaration signed on April 2, 2023 and included in the clemency petition. "As a juror who served in this case, I do not want to see Mr. Cantu executed without getting a full hearing on this new information."**

Bigg's declaration, ([appendix 10, here](#), referenced in [Cantu's clemency petition](#)), was compiled after she viewed a brief [video summary of evidence](#) compiled by investigator Matt Duff. Duff will participate in a press conference alongside Sylvia Cantu, Ivan Cantu's mother.

Issues raised in the application include evidence of perjured testimony, retracted testimony, newly developed concerns expressed by multiple jurors from the original trial, ineffective assistance of counsel, and rebuttal evidence showing that multiple claims made by prosecutors at trial were demonstrably false.

"The clemency application actually states that courts are unlikely to agree to review Mr. Cantu's evidence of innocence or the record of his ineffective assistance of counsel," said Abraham Bonowitz, executive director of Death Penalty Action, which is mounting a campaign to raise awareness of Cantu's case. "That's why executive clemency is an important consideration. It is an incontrovertible fact that Ivan's lawyers did not call a single witness in his defense, and much of the evidence presented at trial would be discredited in a fair hearing. It would be unAmerican for Governor Abbott to allow this execution to go forward."

Ivan Cantu's mother, Sylvia Cantu, and the investigator in the case, Matthew Duff, are featured in videos linked at [bit.ly/IvanCantu](https://bit.ly/IvanCantu). They will participate in meetings with the media at 11am CT at the Texas Governors office on the second floor of the Texas State Capitol. Both are also available for interviews by contacting Blair Fitzgibbon, 202-503-6141, [blair@blairfitzgibbon.com](mailto:blair@blairfitzgibbon.com).

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