

Judge orders more DNA testing in death penalty case

Florida Supreme Court stayed David Johnston's execution in May.

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An Orange Circuit Court judge is allowing a lab selected by the defense and another picked by the state to test evidence for DNA in the death penalty case against David Eugene Johnston, whose execution was stayed last month by the Florida Supreme Court.

Johnston was convicted of the murder of 84-year-old Mary Hammond, who was strangled and stabbed in her Orlando home in 1983. He was scheduled to die on May 27.

The Florida Supreme Court stayed the execution so DNA testing could be done. Earlier this month, a state forensic lab recommended more testing with newer technology evaluate the evidence, which included the victim's fingernail clippings. The lab also tested Johnston's shoes, socks and shorts.

Now, a lab in Ohio selected by the defense will test for DNA and a lab in Virginia will test and report back to the court their findings, according to an order signed by Orange Circuit Court Judge Bob Wattles.