

Florida justices deny appeal after new DNA testing

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TALLAHASSEE, Fla. — The Florida Supreme Court has rejected an appeal from a convicted killer under an active death warrant after new DNA testing.

In a 7-0 opinion Thursday, the justices noted tests of material from under the victim's fingernails showed their DNA profile was consistent with that of David Eugene Johnston's DNA.

Johnston, now 49, was convicted of stabbing and strangling 84-year-old Mary Hammond at her Orlando home in 1983.

Gov. Charlie Crist signed a second death warrant for Johnston last year, but the Supreme Court stayed his execution so DNA testing, which was not available when he was convicted, could be conducted.