

NEWS

Alabama executes inmate Anthony Boyd despite innocence claims in 1993 burning death

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Anthony Boyd (ADOC) ADOC



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Alabama executed an inmate using nitrogen gas Thursday night, despite the man's claims of innocence and a legal fight calling the execution method unconstitutional.

Anthony Todd Boyd, 54, died by breathing in nitrogen through a gas mask at William C. Holman Correctional Facility in Atmore. The prison is where Alabama Death Row is housed, holds the state's only execution chamber and is just miles north of the Florida border.

The U.S. Supreme Court had ruled Thursday afternoon that his execution would go forward. Three of the justices issued a scathing dissent, calling the nitrogen method "cruel" and "experimental." Justice Sonia Sotomayor wrote it "superadds psychological terror as a necessary feature of its successful completion."

Boyd spent more than three decades on Alabama Death Row for his role in the 1993 burning death of Gregory Huguley. Huguley was killed in Talladega County over a \$200 cocaine debt.

But Boyd [maintained his innocence in the case](#) up until his last words, even though his legal battles haven't recently centered around those claims.

[In a recorded phone call earlier this week](#), he pleaded with Ivey to meet with him prior to Thursday. That meeting didn't happen.

Instead, Boyd was executed and officially pronounced dead at 6:33 p.m. His execution was acknowledged by the prison commissioner and Boyd's advocates to be the longest nitrogen execution in the state so far.

Last moments

Boyd's last words centered around his claims of innocence.

The curtain to the execution chamber opened at 5:50 p.m. for the scheduled 6 p.m. execution.

Boyd appeared to smile towards his witness room, which housed four of his witnesses, including his brother, and five members of the media. He offered a thumbs up to the room and made another sign with his hand.

When asked if he had any last words, Boyd said: "I didn't kill anybody. I didn't participate in killing anybody."

He continued, talking about how the court system isn't fair. "There's no justice in this state," he said. "It's all political... it's revenge motivated."

Boyd said, "It's not about closure because closure comes from within, not an execution."

He ended his final statement, "Keep fighting... I love every single one of y'all."

"Let's get it."

After he spoke his final words, an officer checked the seal of the blue gas mask. Boyd's spiritual advisor, Rev. Jeff Hood, stood in a corner of the room near Boyd's feet and made the sign of the cross.

At 5:55 p.m., Hood approached the gurney. He spoke to Boyd briefly, grabbed his hand, and appeared to bless the inmate. He opened his Bible and appeared to read from it. No audio could be heard from the media witness room.

While Hood stood at Boyd's side, part of the view from the media witness room was blocked. Boyd appeared to lift his head off the gurney at 5:57 p.m. and shook. He began breathing deeply, and both legs raised off the gurney several inches at 5:58 p.m.

At 5:59 p.m., Boyd appeared to close his eyes.

Hood continued to make the sign of the cross repeatedly throughout the execution.

At 6:01 p.m., Boyd began heaving. The heaving appeared to turn to gasping and agonal breathing.

Boyd's brother, seated in the witness room with members of the media, sighed deeply. "It's like he's gasping for air," he murmured in the silent room.

The heaving-type breaths continued until approximately 6:16 p.m. There were no visible breaths after that.

The curtain to the viewing rooms closed at 6:27 p.m. Boyd's official time of death was 6:33 p.m.

No relatives of Huguley witnessed the execution. Prison officials said they didn't provide a statement, either.

Claims around execution

Hood, Boyd's spiritual advisor, spoke with reporters on a phone call after the execution. He said that a correctional officer told him to stand close to Boyd, which resulted in blocking the view of the media.

"And it really bothers me that I felt like I was used to block y'all's view at the very beginning and it it was very clear there was no reason for me to be up there," Hood said during the call.

John Hamm, the Commissioner of the Alabama Department of Corrections, denied Hood's allegation.

Hood also held a press conference outside a hotel close to the prison, where he detailed his account of the execution and described meeting with Boyd's emotional family earlier in the day.

Hamm, the prison commissioner, also spoke to the media. During his press conference after the execution, Hamm said the gas flowed five minutes past Boyd's flatline, which is standard in the state's protocol.

He said he didn't have the exact time of how many minutes the gas was flowing, but he believed it was the longest execution the state has conducted using nitrogen.

"It was just a few minutes past some of the others, the times have varied on the others as well," said the commissioner.

Hamm said he didn't know why Boyd's heavy breathing lasted longer than other men who have died using the method. "A lot of this stuff has been litigated here recently," he said. "It's not a medical procedure, so I don't have an explanation for that."

Hamm said Boyd's flatline occurred five minutes before the curtain closed. He reiterated that he believed the inmate's gasping was involuntary, but he didn't medically know what the movements were.

Hood took a different approach, saying that Boyd was conscious for around 16 minutes.

Hood said Boyd held his breath briefly when Hood approached the gurney, but then Boyd took measured breaths. Hood said the state was "absolutely incompetent when it comes to carrying out these executions."

In the phone call, Hood added that he didn't think the nitrogen mask was on correctly.

Final hours

Earlier in the evening, a prison spokesperson gave details of Boyd's last day.

On Thursday, he visited with two of his daughters, three friends, his mother, his brother, his son-in-law, and his spiritual advisor. He talked on the phone with his friend and brother.

He accepted his breakfast tray on Thursday but refused his lunch and dinner. He did not request a final meal.

On Wednesday, Boyd was visited by his daughter, brother, and friend. He spoke on the phone with two friends, his brother, and his spiritual advisor.

He was seen eating a cheeseburger, a Reese's cup, popcorn, Skittles, Starburst, and barbecue Fritos twisted corn chips. He was seen drinking a strawberry Sunkist, Dole lemonade, water, orange V-8 Splash and coffee. He ate his breakfast and lunch meals but declined his dinner.

U.S. Supreme Court's scathing dissent

On Thursday afternoon, the U.S. Supreme Court had denied Boyd's request to stay his execution and review his case. Justices Sotomayor, Elena Kagan and Ketanji Brown Jackson dissented from the denial of the application for a stay and certiorari (review).

In the dissent, Sotomayor started by asking readers to take out their phones and start the timer.

"For two to four minutes, Boyd will remain conscious while the State of Alabama kills him in this way," she wrote.

"When the gas starts flowing, he will immediately convulse. He will gasp for air. And he will thrash violently against the restraints holding him in place as he experiences this intense psychological torment until he finally loses consciousness."

In his lawsuit, Boyd had asked for the option to die by firing squad.

"Boyd asks for the barest form of mercy: to die by firing squad, which would kill him in seconds, rather than by a torturous suffocation lasting up to four minutes," wrote the justice. "The Constitution would grant him that grace. My colleagues do not. This Court thus turns its back on Boyd and on the Eighth Amendment's guarantee against cruel and unusual punishment."

Sotomayor's opinion read that the lower judge's conclusion "is blind to the reality of what will happen to Boyd in this execution chamber and the additional and unnecessary psychological terror he will experience."

She called Alabama's method "experimental" and said it "superadds psychological terror as a necessary feature of its successful completion."

"Allowing the nitrogen hypoxia experiment to continue despite mounting and unbroken evidence that it violates the Constitution by inflicting unnecessary suffering fails to 'protect the dignity' of 'the Nation we have been, the Nation we are, and the Nation we aspire to be.'"

"Seven people have already been subjected to this cruel form of execution. The Court should not allow Boyd to become the eighth."

Boyd was the seventh inmate in Alabama to die using the controversial method. Louisiana has executed one person using nitrogen.

Gov. Kay Ivey's response to 'unworkable' request

On Wednesday, anti-death-penalty advocates and Boyd's spiritual advisor held a protest outside the Statehouse in Montgomery and delivered a petition for clemency to the governor.

That request was denied.

Alabama Gov. Kay Ivey issued a statement just after 6:30 p.m., recapping the brutal 1993 crime.

"After trial, the court found Anthony Boyd to have been an 'active and full participant' in Mr. Huguley's horrific death, noting that he bound the victim's feet as the group prepared to burn him alive. After 30 years on death row, Anthony Boyd's death sentence has been carried out, and his victim's family has finally received justice."

Ivey's office had issued a statement earlier about Boyd's request to meet. A spokesperson said the governor personally reviews each case before an execution.

"At this point, however, we have not seen any recent court filings disputing Mr. Boyd's guilt in the horrific, burning-alive murder of Gregory Huguley. Nor have we received a clemency submission to such an effect," said the spokesperson. "The governor's execution-review process understandably does not include one-on-one meetings with inmates, but this inmate's invitation to 'sit down and talk' delivered just hours before the scheduled execution is especially unworkable."

Legal fight

Boyd has waged multiple court battles over his decades behind bars. The latest was his federal fight to have the state's nitrogen execution process declared unconstitutional.

"This is not just about me," Boyd said on a previous phone call.

"This is about the injustice that's going on in this state," he added, saying the state has spent more than three decades trying to kill "an innocent man."

Boyd's lawyers asked a federal judge this summer to call off his execution. He argued that the state's way of carrying out nitrogen executions was unconstitutionally cruel and that his asthma and vertigo could present complications with the method and leave him severely wounded but alive.

Boyd chose the method over being killed with lethal injection in June 2018, when Alabama inmates had an option of switching their method. At the time, the state had approved the method of execution but didn't have a plan in place on how to carry it out.

The first inmate to be executed using nitrogen gas in America was Kenneth Smith, who Alabama put to death in January 2024. Since then, five more men have been executed using the state's gas protocol.

Earlier this month, a federal district judge disagreed with Boyd's claims that the state's way of carrying out nitrogen executions amounted to cruel and unusual punishment. "The Court does not doubt that a person consciously deprived of oxygen even for two minutes under the protocol experiences discomfort, panic, and emotional distress," Chief U.S. District Judge Emily Marks wrote in her order.

She said any execution method "presumes the prospect of some pain, including psychological pain."

"Every person condemned to die likely experiences feelings of angst, anxiety, stress, or panic. For hundreds of years, condemned inmates—regardless of the execution method—have been placed in the unenviable position of confronting their final moments."

On Monday, the Eleventh Circuit Court of Appeals agreed with Judge Marks and denied the request for a stay.

Boyd then turned to the U.S. Supreme Court in a final appeal. Without a stay of execution, Boyd's attorneys argued, he will face "superadded pain and terror of being asphyxiated while remaining conscious for several minutes at the outset of his execution, despite being likely to prevail on the merits of his claim that the protocol violates his Eighth Amendment rights."

His lawyers said that, in contrast to the prospect of pain, "there is no harm to (the state) to merely delay Mr. Boyd's execution."

"Every method of execution also inevitably includes several steps signaling that death is imminent," Marks wrote in her 64-page order earlier in October. "The condemned inmate eats a last meal, says goodbye to loved ones, is escorted to the execution chamber, and utters his final words. It is no accident that the Protocol refers to these actions as 'last' and 'final.'"

"The condemned inmate's psychological and emotional pain likely increase as each step is complete—an unfortunate 'but inescapable consequence of death.'"

[deny stay](#) by [KentFaulk](#)

The case

Boyd was sentenced to death row for the July 31, 1993, slaying of Gregory “New York” Huguley in Talladega County. According to court records, Huguley owed a \$200 drug debt to Boyd.

Records show Boyd and three other men took 34-year-old Huguley off a street in Anniston at gunpoint, tossed him into a van, and brought him to a baseball field in the Munford community. The men taped Huguley’s hands, feet and mouth and then taped him to a park bench. They doused him with gasoline and lit him on fire, where Huguley burned to death.

According to the judge’s order and court records, Huguley had pleaded for his life during the crime and promised to repay the men what he owed.

The other men charged in the crime were Robert Shawn Ingram, Moneek Marcell Ackles and Dwinaune Quintay Cox.

Ingram is also on death row. Cox pleaded guilty to murder and testified against Boyd, receiving a life sentence in exchange for his testimony, but leaving him eligible for parole. While no publicly available records showed that he was released on parole, prison data doesn’t show him listed as being currently incarcerated.

Ackles is serving life without parole and is currently housed at William E. Donaldson Correctional Facility, according to prison records.

Boyd has said he is innocent in the case, which primarily rested on witness accounts to the kidnapping and Cox’s testimony about the burning. He asked Ivey to meet with him at Holman prior to his Thursday execution and hear his side of the story.

Advocates for better conditions in Alabama prisons rally at the State Capitol, along with death penalty opponents protesting the planned execution of Anthony Boyd, scheduled for Oct. 23. Mike Cason/AL.com

Boyd is the chairman of Project Hope to Abolish the Death Penalty, an inmate-run group in the state that advocates for an end to capital punishment.

“Thou shall not kill is one of the Ten Commandments,” Boyd said during a phone call that same day. “I’ve held to that all my life.”

“When you turn a blind eye to injustice, you’re not living God’s path. You’re not doing what he asked you to do.”

The group’s executive director, Esther Brown, has said Boyd is like a brother to her.

At that press conference, Boyd’s brother, mother, and sister spoke, too. Maurice Boyd said it’s been hard having his brother on death row and called the situation “unfair.” He said his brother has been a role model for those in prison.

When asked what his life has been like while having his older brother incarcerated, Maurice Boyd said: “It’s been kind of difficult but at the same time, he’s still my brother. I can still go to him... I feel like I was cheated most of my life.”

Boyd’s mother spoke, too. She said Anthony Boyd, her firstborn, was a good person and was “railroaded” by the court system.

“They had already tried and convicted him before he went to trial,” she said. “It could be your son, your brother, your sister, your cousin, your uncle, whatever it is... and y’all need to step up and fight for them just like we’re fighting for Anthony.”

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Ivana Hrynkiw reports on the Alabama justice system which includes the Alabama Department of Corrections, state and federal courts, the Eleventh Circuit Court of Appeals, and the U.S. Supreme Court. She also... more

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