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AG MARSHALL ANNOUNCES COURT OF CRIMINAL APPEALS UPHOLDS CHEROKEE COUNTY MURDER CONVICTION

(MONTGOMERY) - Attorney General Steve Marshall announced the Alabama Court of Criminal Appeals has upheld the murder conviction of Terry Lee McKinney. McKinney, 66, of Cedar Bluff, was convicted in Cherokee County Circuit Court in November 2016 for the murder of Leroy L. "Pete" Foster.

Evidence presented at trial stated that on March 23, 2015, McKinney picked up Foster from his (Foster's) residence in Slackland. Foster later was reported missing by his mother. Several days later, on March 29, a Cedar Bluff resident reported to law enforcement that his dog had brought home dismembered human body parts. Law enforcement agencies conducted a search and found additional body parts alongside County Road 82, including those showing that the victim had been shot twice in the chest. Because Foster was missing and had last been seen with McKinney, the Cherokee County Sheriff's office obtained a search warrant for McKinney's house. Additional remains and other physical evidence were found. As law enforcement officers were bagging up McKinney's bloodstained clothes, McKinney said to the Sheriff. "I guess I'm in a lot of trouble." Police later obtained a statement from McKinney in which he admitted to killing Foster after an alleged altercation.

The case was prosecuted at trial by Cherokee County District Attorney Michael O'Dell's office. McKinney was sentenced to life imprisonment and subsequently sought to have his conviction reversed on appeal.

The Attorney General's Criminal Appeals Section handled the case during the appeals process, arguing for the Alabama Court of Criminal Appeals to affirm the conviction. The Court did so in a decision issued last Friday, September 1.

Attorney General Marshall commended Assistant Attorney General Ferris Stephens of the Attorney General's Criminal Appeals Section for his successful work in this case.

