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Texas Sets October Execution Date for Inmate Convicted in Disputed 'Shaken Baby' Case

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– Categories: Crime



Texas has scheduled the execution of death row inmate Robert Roberson for October 16, reigniting debate over his 2003 conviction in the death of his 2-year-old daughter, a case rooted in the controversial and widely questioned “shaken baby syndrome” theory. Roberson, now 58, maintains his innocence, with his legal team and dozens of supporters urging the courts to re-examine what they call compelling new evidence.

Judge Austin Reeve Jackson signed the execution order, saying the decision reflects “the reality of where we are,” despite unresolved questions surrounding the evidence that led to

Roberson's conviction over two decades ago. The scheduled execution follows a delay last year when the Texas Supreme Court intervened, responding to bipartisan calls from lawmakers and growing concerns from medical experts.

Roberson was sentenced to death after prosecutors claimed he violently shook his daughter, Nikki Curtis, causing her death. But his attorneys insist she died from undiagnosed pneumonia and the effects of strong prescription medication she had been given in the days before her death. They say the original theory, known as shaken baby syndrome, has since been discredited and would not stand up in court today.

Mounting Questions

Attorney Gretchen Sween, who represents Roberson, criticized the court's decision, calling it a miscarriage of justice. "Texans should be outraged that the court has scheduled an execution date for a demonstrably innocent man," she said in a statement. "Everyone who has taken the time to look at the evidence of Robert Roberson's innocence, including the lead detective, a juror, medical experts, and lawmakers, reached the same conclusion. Robert did not kill his daughter. There was no crime."

Sween confirmed that she will ask the court for a stay of execution to give time for a full review of new medical and scientific evidence. The Texas Court of Criminal Appeals is currently reviewing that material. According to Sween, the evidence supports a theory that Nikki died due to natural causes, including a serious respiratory infection and interactions between medications that doctors had not fully understood at the time.

Over 80 Texas lawmakers have voiced their support for clemency, joined by pediatricians, parental rights groups, human rights advocates, and even novelist John Grisham. Several lawmakers visited Roberson in prison last year to show their support, highlighting the rare bipartisan interest in a death penalty case.

Texas Attorney General Ken Paxton recently asked the court to move forward with the execution, despite the ongoing review. Sween argued this creates unnecessary pressure on the courts to rush a decision before all the facts are fully considered.

In 2023, the state House Committee on Criminal Jurisprudence issued a subpoena for Roberson to testify about his case. That action led to a last-minute stay from the Texas

Supreme Court, allowing time for review. However, Roberson was ultimately blocked from testifying after Paxton's office intervened.

If carried out, Roberson's execution would be the first in the United States based solely on a shaken baby syndrome conviction. Critics argue that this case could become a historic misstep, given the advances in medical understanding since the early 2000s and the risk of punishing an innocent man. The clock now ticks toward October as his legal team races to stop what they say would be a tragic mistake.