Exhibit A

DECLARATION OF DEMARIUS CUMMINGS

1. My name is Demarius Cummings. I currently reside in the Coffield Unit in Tennessee Colony, Texas.
2. On June 19, 2008, I participated in a robbery in Dallas with my cousin, James Broadnax. During the course of the robbery, the two victims, Stephen Swan and Matthew Butler, were shot and killed. In 2011, I was convicted of capital murder and sentenced to life in prison for this crime.
3. At the time we committed these crimes, I had previously committed and been convicted of other crimes, including burglaries; my cousin James was 19 years old and did not have a criminal record, except for a marijuana possession conviction. It was my idea to rob Mr. Swan and Mr. Butler, and I obtained the pistol we took with us that evening and which was used to shoot the victims.
4. Following the crime, James and I spoke about the story we would tell. At the time, we were both still high on PCP and marijuana. I persuaded James to take the blame for shooting the two victims. Later, we both gave statements to the media. In James' statements, he said that he had participated in the robberies and shot the two victims, while in my statements, I said that while I had participated in the robberies, James had shot the two victims.
5. These statements were not accurate. In fact, I was the one who shot the two victims, not James. This is confirmed by the fact that my DNA, and not James' DNA, was found on the pistol.
6. I have met with James' lawyer, Steven Herzog, several times over the past ten years. Until our meeting on February 20, 2026, I have always maintained that James was the one who shot Mr. Swan and Mr. Butler. But the fact that James received a death sentence

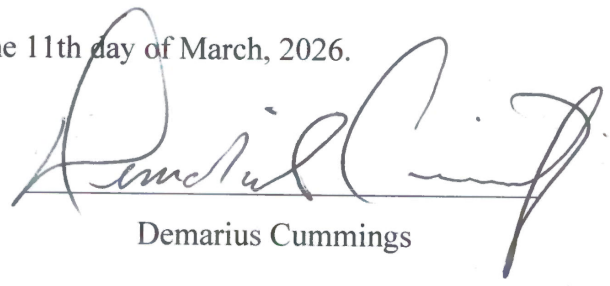
for these crimes, while I was the one who shot the victims, has been weighing on my conscience, particularly as I have become more spiritual during my years in prison.

7. When Mr. Herzog told me on February 20 that James was scheduled to be executed on April 30, 2026, I decided it was time to come clean, and I told him that it was me, and not James, who had shot the two victims.

8. I am signing this declaration so that the real truth about what happened on June 19, 2008 is known. My hope is that James will not be executed for committing acts that he did not do. I want to clear my conscience and do not want James to be executed for shooting two people when I was the one who committed those acts. It was my decision to come clean with the facts set forth above and sign this declaration.

9. My name is Demarius Cummings, my date of birth is November 11, 1988, and my inmate identifying number is 01695832. I am currently incarcerated in the Coffield Unit, Tennessee Colony, Anderson County, Texas 75884. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Anderson County, Texas on the 11th day of March, 2026.



Demarius Cummings