



State of North Carolina

Department of Justice
PO Box 629
Raleigh, North Carolina
27602

Phone: (919) 716-6400
Fax: (919) 716-6750

ROY COOPER
ATTORNEY GENERAL

October, 2015

Senator Buck Newton
Representative Jamie Boles
Representative Pat Hurley
Co-Chairs, Joint Legislative Oversight Committee on Justice and Public Safety

North Carolina General Assembly
Raleigh, North Carolina 27601-1096

Re: Report on Pending Post-Conviction Capital Cases

Dear Members:

In accordance with N.C. Session Law 2013-154, 15-188.1, Section 2(b), please find the attached report which provides the status of pending post-conviction capital cases in the State.

Thank you for the opportunity to provide this information. We will be happy to respond to any questions you may have regarding this report.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kristi Jones".

Kristi Jones
Chief of Staff

cc: Kristine Leggett, NCGA Fiscal Research Division
Christy Agner, NCDOJ, Legislative Liaison

Report on Pending Post-Conviction Capital Cases

Case Status	Total	Number of Pending Additional Claims			
Voluntarily Dropped Claims	2				
2 -Letters Sent to DPS Secretary					
Previous Execution Dates	1				
*Prior to RJA		1	RJA		
		1	ARJA		
		1	Lethal Injection		
Previous Execution Dates	6				
		6	RJA		
		2	AMAR		
		1	Lethal Injection		
		3	SBI		
USSC Cert Denial	32				
1 - Letter Sent to DPS Secretary		31	RJA		
		4	AMAR		
		18	Lethal Injection		
		4	SBI		
		2	Martinez Claim		
		1	Brady Claim		
Fed Court Remand	5				
		5	RJA		
		1	Post-Conviction Motion for DNA Testing		
		1	AM PWHC		
4th Circuit Held in Abeyance	2				
		2	RJA		
		1	AMAR		
		2	Martinez Claim		
Federal District Court in Abeyance	2				
		2	RJA		
		1	AMAR		
		1	MR		
Federal District Court PWHC Pending	4				
		4	RJA		
State Complete/PWHC Not Filed	10				
		9	RJA		
		1	AMAR		
		3	SBI		
		3	MR		
NC Supreme Court PWC Pending	2				
		2	RJA		
		1	SBI		
NC Supreme Court Remanded	3				
		3	RJA		
		2	AMAR		
		1	MR		
NC Supreme Court in Abeyance	2				
		2	RJA		
		1	AMAR		
MAR Complete/PWC Not Filed	2				

Report on Pending Post-Conviction Capital Cases

Case Status	Total	Number of Pending Additional Claims			
		2	RJA		
		1	SBI		
MAR/AMAR Pending	69				
*Also includes Pending MR Claims		64	RJA		
		14	SBI		
Appellate	15				
Total	157				
		149	Death Row		
		4	RJA Relief Granted		
		4	Multiple Death Sentences		
Key					
RJA - Racial Justice Act Claims					
ARJA - Amended Racial Justice Act Claims					
MAR - Motion for Appropriate Relief					
AMAR - Amended Motion for Appropriate Relief					
MR - Mental Retardation Claim					
Lethal Injection - Lethal Injection Lawsuit					
SBI - State Bureau of Investigation Discovery Motions					
USSC - United States Supreme Court					
PWHC - Petition for Writ of Habeas Corpus					
APWHC - Amended Petition for Writ of Habeas Corpus					
PWC - Petition for Writ of Certiorari					