



State of North Carolina

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October 2016

Senator Shirley Randleman
Representative James Boles, Jr.
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 would 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", followed by a long horizontal line.

Kristi Jones
Chief of Staff

cc: Kristine Leggett, NCGA Fiscal Research Division

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 (2014)					
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 (2014)		31 RJA			
		4 AMAR			
		18 Lethal Injection			
		4 SBI			
		2 Martinez Claim			
		1 Brady Claim			
USSC Petitions Pending	2				
		5 Named Defendants			
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	5				

Report on Pending Post-Conviction Capital Cases

* Four cases listed in additional category as they also have litigation pending in other courts		5*	RJA			
NC Supreme Court in Abeyance	2					
		2	RJA			
		1	AMAR			
MAR Complete/PWC Not Filed	2					
		2	RJA			
		1	SBI			
MAR/AMAR Pending	69					
*Also includes Pending MR Claims		64	RJA			
		13	SBI			
Appellate	14					
Total	160					
		150	Death Row			
		0	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						