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October 1, 2025

Representative Ted Davis, Jr.  
Senator Danny Earl Britt, Jr.  
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.

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Sincerely,

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EW/dr

Enclosure

cc: NCGA Fiscal Research Division

Last Name	First Name	County	Case Numbers	Capital Judgment Imposed	Status
Tucker	Russell	Forsyth	94CRS40465; 113A96 (NCSC); 97-7725 (USSC); 1:07CV868 (MDNC)	2/21/1996	Pending before the Forsyth County Superior Court on Tucker's 5 August 2010 RJA MAR, amended 2017; stayed in the Federal District Court for the Middle District of North Carolina pending resolution of Tucker's state RJA claims/ <i>Bacote</i> (status report due 30 October 2025)
Gillard	Seaga	Wake	16CRS223351, 16CRS5702; 316A19 (NCSC); 24-7346 (USSC)	3/4/2019	Pending before the United States Supreme Court on Gillard's direct appeal.
Thompson	John	Guilford	01CRS23491-92, 01CRS35326; 142A03 (NCSC); 04-9891 (USSC) 1:13CV196 (MDNC)	11/14/2002	Pending before the Guilford County Superior Court on Thompson's August 2010 RJA MAR; stayed in the Federal District Court for the Middle District of North Carolina pending resolution of Thompson's state RJA claims/ <i>Bacote</i> (renewed motion for stay due 18 December 2025)
Badgett	John	Randolph	02CRS57851, 522A04 (NCSC); 07-6156 (USSC)	5/6/2004	Pending before the Randolph County Superior Court on Badgett's 24 June 2009 MAR and 6 August 2010 RJA MAR, amended 30 August 2012
Cummings	Paul	New Hanover	02CRS20547-48; 1A05 (NCSC); 07- 9303 (USSC)	9/8/2004	Pending before the New Hanover County Superior Court on Cummings's 2 March 2009 MAR and 6 August 2010 RJA MAR.
Polke	Alexander	Randolph	03CRS52726-27; 412A05(NCSC); 06-11108 (USSC)	2/7/2005	Pending before the Randolph County Superior Court on Polke's 23 September 2008 MAR and 10 August 2010 RJA MAR, amended 31 August 2012
Goss	Christopher	Ashe	03CRS51674; 316A05 (NCSC); 07-10708 (USSC)	2/8/2005	Pending before the Ashe County Superior Court on Goss's 3 July 2009 MAR and 6 August 2010 RJA MAR
Raines	William	Henderson	02CRS57664-65, 03CRS307; 211A06 (NCSC); 07-11127 (USSC)	9/9/2005	Pending before the Henderson County Superior Court on Raines's 25 June 2008 MAR, amended 20 May 2010, and 10 August 2010 RJA MAR, amended 30 August 2010
Murrell	Jeremy	Forsyth	03CRS61862; 03CRS61694 484A06 (NCSC); 08-8785 (USSC)	2/17/2006	Pending before the Forsyth County Superior Court on Murrell's 14 January 2010 MAR and 2 August 2010 RJA MAR
Maness	Darrell	Brunswick	05CRS387-396, 05CRS50338; 402A06 (NCSC); 09-8974 (USSC)	4/4/2006	Pending before the Brunswick County Superior Court on Maness's 27 August 2011 MAR and 5 August 2010 RJA MAR
Hurst	Jason	Randolph	02CRS53657; 363A04; 1:10CV725 (MDNC); 13-6 (4th)	3.17.2004	One claim in Defendant's § 2254 petition remains outstanding; Defendant's RJA claim remains pending
Sidden	Tony	Alexander	94CRS1969-72; 148A95	3.15.1995	Defendant's RJA claim and his MAR claims remain pending
Woods	Darrell	Forsyth	94CRS10876; 228A95	5.22.1995	Defendant's RJA claim and MAR claims (specifically related to IAC) remain pending.
Morganherring	William	Wake	94CRS5442-43; 340A95	7.22.1995	Defendant's RJA claim and MAR claims remain pending; Defendant's request for SBI/CCBI discovery remain outstanding (though the SBI has provided significant discovery to the defense)

Warren	Leslie	Buncombe/Guilford	90CRS16035 (Buncombe)/ 90CRS20090 (Guilford);16065 116A96; 1:05CV260	10.6.1995/3.29.1996	Buncombe - Defendant's RJA claim remains pending, his motion to reconsider the denial of MAR remains pending, SBI discovery remains unfinished / Guilford - Defendant's RJA claim remains pending
Hill	Jerry	Harnett	94CRS1631-34; 535A95; 5:02-HC-41 (EDNC); 06-19 (4th)	10.31.1995	Defendant's RJA claim remains pending, alongside his <u>Roper</u> -Related MAR; Defendant is also a member of the lethal injection litigation, providing an additional stay against execution.
Tyler	Stacey	Hertford	93CRS4777; 11A96	11.14.1995	Defendant's MAR remains pending
McNeil	John	Cumberland	92CRS45535; 484A95; 5:00-HC-606 (EDNC); 05-12 (4th)	11.10.1995	Defendant's RJA claim remains pending; Defendant is also a member of the lethal injection litigation, providing an additional stay against execution
Rouse	Kenneth	Randolph	91CRS3316-17, 93CRS0002; 120A92 9 (NCSC) 1:00CV137 (MDNC); 94-9360 (USSC); 03-7892 (USSC); 5:04CT00004 (LI)	3/25/1992	Pending before Randolph County Superior Court on Rouse's RJA MAR and MAR. The trial court has not yet ruled on these MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC. Pending before the United States District Court for the Eastern District of North Carolina on Rouse's lethal injection federal habeas petition. This litigation is stayed pending litigation on lethal injection in Wake County Superior Court, and ongoing litigation pursuant to the RJA referenced above. Defendant had an execution date scheduled for 16 April 2004. Defendant's execution was stayed on 1 April 2004 by order of the trial court.
Thomas	James	Wake	86CRS43829, 86CRS44695; 91A95 (NCSC); 96-8489 (USSC); 5:99HC503 (EDNC); 05-7 (4th); 06-7060 (USSC);	2/24/1995	Pending before Wake County Superior Court on Thomas' RJA MAR and MAR. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC. Defendant had an execution date set for 2 February 2007. Defendant's execution was stayed by the trial court on 25 January 2007
Cummings	Daniel	Brunswick/ Robeson	Brunswick: 94CRS2928, 94CRS7620-21; 4A95 (NCSC); 97-6747 (USSC); 5:01CT910 (EDNC); 06-11(4th); 07-5961 (USSC); 5:07-CT-03153 (LI) Robeson: 94CRS7721-22; 510A99 (NCSC); 01-6017 (USSC)	12/16/1994 (Brunswick) 11/11/1997 (Robeson)	Pending before the Brunswick and Robeson County Superior Courts on Cummings' RJA MARs. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC. Pending before the United States District Court for the Eastern District of North Carolina on Cummings' lethal injection federal habeas petition. This litigation is stayed pending the statewide RJA litigation described above and pending state lethal injection litigation in Wake County Superior Court.
Williams	Eugene	Cumberland	01CRS63278; 506A07 (NCSC); 09-11158 (USSC)	5/1/2007	Pending before the Cumberland County Superior Court on Williams' post-conviction DNA testing litigation, related MAR, and RJA MAR. The trial court has not yet ruled on Defendant's RJA MAR, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC.

Thomas	Walic	Guilford	95CRS62631, 96CRS22276; 435A96 (NCSC); 99-5946 (USSC)	8/9/1996	Pending before Guilford County Superior Court on Thomas' RJA MAR and before the North Carolina Supreme Court on Thomas' petition for writ of certiorari.. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC. Defendant had an execution date of 11 October 1996, which would have seen him executed prior to the completion of his direct appeal. The North Carolina Supreme Court ordered a stay of Defendant's execution on 4 October 1996.
Davis	James	Buncombe	95CRS57886-88, 95CRS4432-33; 452A96 (NCSC)	10/2/1996	No pending litigation in Davis' case, but executions including Davis' were stayed pending litigation in Wake County Superior Court.
White	Melvin	Craven	95CRS10229-30, 1352; 505A96 (NCSC); 98-9318 (USSC)	10/15/1996	Pending before the Craven County Superior Court on Defendant's RJA MAR. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC; Pending before the United States District Court for the Eastern District of North Carolina on White's federal habeas petition. . This matter is stayed pending completion of Defendant's state post-conviction matters.
Wallace	Henry	Mecklenburg	94CRS15837; 241A97 (NCSC); 00-6281 (USSC); 3:05CV464 (WDNC) 08-10 (4th); 09-9365 (USSC)	1/29/1997	Pending before Guilford County Superior Court on Wallace's RJA MAR. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC.
Mann	Leroy	Wake	95CRS100097-98, 99884; 362A97 (NCSC); 02-6069 (USSC)	7/15/1997	Pending before the Wake County Superior Court on Mann's MAR and RJA MAR. The trial court has not yet ruled on Defendant's MAR. The trial court has not yet ruled on Defendant's RJA MARs, as that litigation is stayed pending completion of <i>State v. Bacote</i> , which is presently before the NCSC.
Blakeney	Roger	Union	96CRS4775-77; 203A98 (NCSC); 00-7488 (USSC); 3:05CV10 (WDNC); 07-15 (4th); 09-6225 (USSC); 5:07-ct- 3153 (EDNC) (Lethal Inj)	9/10/1997	Pending before Union County Superior Court on Blakeney's RJA MAR, and before the United States District Court for the Eastern District of North Carolina on Blakeney's lethal injection federal habeas petition
Phillips	Mario	Moore	03CRS56012-13, 03CRS56019-22, 03CRS56035; 07CRS 3693, 95; 48A08 (NCSC); 11- 7274 (USSC)	10/17/2007	Defendant's and State's discovery motions remain pending. RJA MAR and Amended RJA MAR await a Bacote ruling, but MAR may receive an evidentiary hearing or (as the State has requested) a summary denial.
Hyatt	Terry	Buncombe	98CRS66556, 66558; 99CRS3311-16 402A00 (NCSC); 02-7557 (USSC); 1:05-CV-55 (WDNC); 08-15 (4th); 09-9254 (USSC)	2/7/2000	Last filing was RJA on 10 Aug 2010.
Robinson	Terry	Wilson	99CRS54019; 578A00 (NCSC); 02-6108 (USSC)	4/10/2000	MAR filed on 3 July 2003. RJA action. Last filing was order denying defense counsel's motion to withdraw on 20 Oct 2021.

Squires	Mark	Pitt	98CRS18471-72; 428A00 (NCSC); 03-9702 (USSC)	5/17/2000	RJA action filed. Last filing was SBI answer on 1 April 2014. Defense counsel moved to withdraw on 24 July 2023.
Holmes	Mitchell	Johnston	99CRS892, 2445; 7A01	9/8/2000	MAR filed on 3 July 2003, amended MAR on 6 July 2006. Last filing was discovery production on 12 Sept 2019.
Carter	Shan	New Hanover	97CRS3886-87, 9739; 479A01 (NCSC); 16-14 (4th); 5:16HC2108 (EDNC); 03-8367 (USSC)	3/19/2001	MAR filed 18 January 2005, amended MAR on 8 August 2013. RJA action. Last filing was order assigning MAR to Judge Harrell on 18 Sept 2017.
Haselden	Jim	Stokes	99CRS6321,6323; 665A01 (NCSC); 03-6114 (USSC)	6/6/2001	MAR filed 30 August 2004. RJA MAR on 9 August 2010. Discovery production on 23 December 2014. Defense counsel moved to withdraw on 17 February 2020.
Miller	Clifford	Onslow	00CRS58370-71, 58396; 84A02 (NCSC); 03-9998 (USSC)	10/25/2001	Last filing was RJA related on 17 July 2013.
Campbell	Terrance	Pender	00CRS473-74; 366A02 (NCSC); 05-9017 (USSC)	3/28/2002	MAR filed 13 March 2007. RJA action filed. Last filing was SBI answer and discovery on 12 Dec 2013.
Smith	Wesley	Rowan	01CRS56701; 607A02 (NCSC); 03-10008	5/29/2002	MAR filed 28 June 2004. Amended RJA filing on 25 August 2012.
Lynch	David	Gaston	91CRS30986-93, 31202-04, 31206- 09, 31211-22; 242A93 (NCSC); 95-7852 (USSC); 3:02CV365 (WDNC); 05-13 (4th); 06-11258 (USSC); 5:07ct03153 (EDNC) (Let Inj)	5/27/1993	Lynch's RJA MAR is pending in the Gaston County Superior Court. Lynch's civil lawsuit challenging the method of his execution (lethal injection) is pending in the United States District Court for the Eastern District of North Carolina
Barrett	Jeffrey	Northampton	91CRS173-74; 255A93 (NCSC); 96-5778 (USSC)	6/1/1993	Barrett's MAR, five amendments to his MAR, and his RJA MAR are pending in the Northampton County Superior Court.
Richardson	Martin	Union	93CRS347-49; 11A94 (NCSC); 96- 5297 (USSC)	11/22/1993	Richardson's MAR, amended MAR, and RJA MAR are pending in the Union County Superior Court.
Bond	Charles	Bertie	94CRS763,791, 95CRS262-63; 143A95 (NCSC); 99-8839 (USSC)	3/23/1995	Bond's second amendment to his MAR, RJA MAR, and Motion for Imposition of a Life Sentence Pursuant to N.C.G.S. § 15A-2006 (intellectual disability, formerly mental retardation) are pending in the Bertie County Superior Court.

Larry	Thomas	Forsyth	94CRS1451-52; 189A95 (NCSC); 97-5008 (USSC); 1:05CV682 (MDNC); 07-7, 19- 6(L), 19-7 (4th); 09-5828 (USSC); 5:07-ct-03153 (EDNC) (Let Inj)	4/28/1995	Larry's RJA MAR is pending in the Forsyth County Superior Court. Larry's civil lawsuit challenging the method of his execution (lethal injection) is pending in the United States District Court for the Eastern District of North Carolina. Larry's federal habeas corpus proceedings are stayed while he pursues his state court RJA MAR.
Cagle	Richard	Cumberland	93 CRS 44845-87; 336A95 (NCSC); 97-6543 (USSC); 5:02-hc-00666 (EDNC); 08-6298 (4th); 07-6 (USSC); 5:07-ct- 03153 (EDNC) (Let Inj)	6/15/1995	Cagle's RJA MAR is pending in the Cumberland County Superior Court. Cagle's civil lawsuit challenging the method of his execution (lethal injection) is pending in the United States District Court for the Eastern District of North Carolina
Meyer	Jeffrey	Cumberland	86 CRS 53729; 379A95 (NCSC); 00-9959, 03-5679 (USSC); 5:03hc866 (EDNC); 06-26 (4th); 07-10835 (USSC); 5:07ct03153 (EDNC) (Leth Inj)	2/3/1999	Meyer's RJA MAR is pending in the Cumberland County Superior Court. Meyer's civil lawsuit challenging the method of his execution (lethal injection) is pending in the United States District Court for the Eastern District of North Carolina
East	Keith	Surry	94CRS6000-01, 95CRS 594-96; 478A95 (NCSC); 97-5549 (USSC)	11/8/1995	East's MAR, amended MAR, and RJA MAR are pending in the Surry County Superior Court.
Smith	Jamie	Buncombe	95CRS51504, 506, 95CRS3069, 95CRS2919, 95CRS51407, 95CRS51508- 1095CRS3070; 233A96, 279A99 (NCSC); 97-9328, 00-8318 (USSC)	5/10/1996 (Cotton) 5/23/1998 (Froemke)	Smith's MAR, first amendment to his MAR, and RJA MAR in the Cotton case are pending in the Buncombe County Superior Court. Smith's MAR and RJA MAR in the Froemke case are pending in the Buncombe County Superior Court.

Billings	Archie	Caswell	95 CRS 1541-43, 45; 216A96 (NCSC); 98-6038, 06-6435 (USSC); 1:03-cv-00286 (MDNC); 05-8 (4th); 07 CVS 1109, 1607, 1411 (Wake Co)	6/5/1996	An execution date of March 2, 2007, was set for Billings. Billings filed a civil lawsuit with other plaintiffs in the Wake County Superior Court challenging the method of his execution (lethal injection), and a preliminary injunction staying his execution was entered by the Court on February 22, 2007. That litigation and the stay of execution remain pending. Billings' RJA MAR and a motion for additional discovery from the North Carolina State Crime Laboratory are pending in the Northampton County Superior Court.
Mitchell	Marcus	Wake	97CRS15432-34; 217A99 (NCSC); 01-6002 (USSC)	11/3/1997	Mitchell's MAR and RJA MAR are pending in the Wake County Superior Court
Brown	Paul	Wayne	96CRS21076-77; 145A02 (NCSC); 03-7935 (USSC)	8/11/2000	The unresolved claims in Brown's MAR and his second, third, and fourth amendments to his MAR are pending in the Wayne County Superior Court. Additionally, Brown's RJA MAR and a motion for additional discovery from the North Carolina State Crime Laboratory are pending in the Wayne County Superior Court.
Garcia	Fernando	Wake	00CRS46696; 504A01 (NCSC); 04-7382 (USSC)	4/19/2001	Garcia's MAR, three amendments to his MAR, a motion for post-conviction discovery (pertaining to his third amendment to his MAR), and his RJA MAR are pending in the Superior Court of Wake County.
Allen	Scott	Montgomery	99CRS3818,3820; 115A04 (NCSC); 05-11609 (USSC)	11/18/2003	Allen's PWC is currently due in the Supreme Court of North Carolina on January 15, 2026. Allen's RJA MAR is pending in the Montgomery County Superior Court.
Wilkerson	George	Randolph	05CRS50253, 50254; 170A07 (NCSC); 09-9069 (USSC)	12/20/2006	Wilkerson's MAR, RJA MAR, and a motion for additional discovery from the North Carolina State Crime Laboratory are pending in the Randolph County Superior Court.
Waring	Byron	Wake	05CRS114800; 525A07 (NCSC); 10-10260 (USSC)	7/9/2007	Waring's MAR, Second Motion for Discovery (requesting discovery in addition to the discovery provided by the State pursuant to statute), and RJA MAR are pending in the Wake County Superior Court.
McNeill	Mario	Cumberland	09CRS66040-41,65760; 446A13; 18-6869	5/29/2013	McNeill's MAR, which includes an RJA claim, and two amendments to his MAR are pending in the Cumberland County Superior Court
Buckner	George	Gaston	92CRS4663, 4664, 5671-72; 444A93 (NCSC); 96-8767 (USSC); 3:03CV28 (WDNC); 05-14 (4th); 06-8699 (USSC)	10/8/1993	Buckner's RJA MAR is pending in the Gaston County Superior Court.
Richardson	Timothy	Nash	93CRS14709, 14711; 232A95 (NCSC); 97-6553 (USSC); 5:08-hc-2163 (EDNC); 11-1, 11-2, 17-2, 17-7, 18-1, 18-3 (4th); 97-6553, 12-5643, 16-5609 (USSC)	6.1.1995	RJA MAR, and postconviction DNA testing, to which the State consented to perform, remains pending

Reeves	Michael	Carteret	92CRS4243-44; 193A92 (NCSC); 94-8203 (USSC)	5.14.1992	Initial MAR, and RJA MAR, remain pending
Burr	John	Alamance	91CRS21905-06, 21908-909; 179A93; 1:01CV393 (MDNC); 12-4 (4th); 95-7709, 13- 5213 (USSC)	4.21.1993	RJA MAR remains pending
Brewington	Robert	Harnett	97CRS7203-04, 97CRS7206-08; 252A99 (NCSC); 00-7475 (USSC)	9.3.1998	Initial MAR, and RJA MAR, remain pending
Prevatte	Ted	Anson	98CRS8264-66; 492A99 (NCSC); 02-9169 (USSC)	2.22.1999	Initial MAR, and RJA MAR, remain pending
Thibodeaux	Raymond	Forsyth	98CRS17279; 157A99 (NCSC); 00-7162 (USSC)	3.2.1999	All but 4 claims in initial MAR were denied, and an evidentiary hearing ordered on remaining claims (including trial and appellate IAC). Initial MAR (4 claims), and RJA MAR, remain pending.
May	Lyle	Buncombe	97CRS60515-16; 509A99 (NCSC); 01-8772 (USSC)	3.18.1999	All initial MAR claims have been denied, except IAC claim(s) for which an evidentiary hearing has been ordered. Defendant's SBI claim was answered by the State, but still remains pending. Initial MAR (IAC claim(s)), SBI claim, and RJA MAR remain pending.
Parker	Carlette	Wake	98CRS32132, 35096; 556A99 (NCSC); 01-8781 (USSC)	4.1.1999	Initial MAR, and RJA MAR, remain pending
Fair	Nathaniel	Wake	98CRS80824, 80826; 506A99 (NCSC); 01-8859 (USSC)	5.18.1999	Initial MAR, and RJA MAR, remain pending
Anthony	William	Gaston	97CRS11653-54; 183A00 (NCSC); 01-10030 (USSC)	6.3.1999	Initial MAR, and RJA MAR, remain pending
Fletcher	Andre	Rutherford	94CRS6290; 117A96 (NCSC); 01-10488 (USSC)	12.9.1999	Initial MAR, and RJA MAR, remain pending.
Bowman aka Taylor	Terrence	Lenoir	96CRS442-43; 142A97 (NCSC); 98-9080 (USSC)	2/18/1997	MAR, AMAR and RJA pending
Grooms	Timmy	Scotland	94CRS2234-36, 7798; 39A99 (NCSC); 00-9949 (USSC); 1:19CV396 (MDNC)	4/24/1998	MAR, AMAR and RJA pending
Smith	Reche	Washington	01CRS314-15; 360A02 (NCSC); 04-10420 (USSC)	3/14/2002	SBI Motion, MAR, AMAR & RJA pending



Moore/Al-Bayyinah	Terry/Jathiyah	Davie	98CRS836, 1009; 550A03 (NCSC); 05-9158 (USSC);	6/14/2003	SBI & RJA pending
Elliott	Terrance	Moore	01CRS50600-601; 184A04 (NCSC);	12/18/2003	AMAR & RJA pending
Bowie	William	Catawba	91CRS10161-62; 50A93 (NCSC); 95- 6162, 09-9557 (USSC);	2/5/1993	RJA Pending.
Best	Norfolk	Bladen	93CRS2621-25; 300A93 (NCSC); 96-5093 (USSC); 5:98HC897 (EDNC)	6/7/1993	AMAR, RJA and Intellectual Disability claim pending
Harden	Alden	Mecklenburg	93CRS65820, 93CRS65823; 427A94 (NCSC); 96-7720 (USSC) 3:06CV248 (WDNC); 11-8 (4th)	8/12/1994	4th Circuit case held in abeyance; RJA and AMAR pending
Forte	Linwood	Wayne	01CRS4724-30; 20A04 (NCSC); 5:09-HC-2054 (EDNC); 12-3 (4th) ; 06-6282 (USSC)	10/8/2003	4th Circuit case held in abeyance; RJA pending
Gregory	Warren	Pitt	91CRS21119-20, 21032; 232A93;5:01HC84 (EDNC); 5:07CT3153(LI)	5/18/1993	RJA & Lethal Injection lawsuit pending
Kandies	Jeffrey	Randolph	92CRS94, 4588; 197A94; 1:99cv764 (MDNC); 03-9, 19- 4(4th);	4/20/1994	4th Circuit case held in abeyance; MAR & RJA pending
Watts	James	Davidson	99CRS22598; 2A02	7/19/2001	MAR, AMAR and RJA pending
DeCastro	Eugene	Johnston	92CRS2591-92, 2659; 221A93; 5:08hc2075 (EDNC); 10-5	4/28/1993	RJA pending
Campbell	James	Rowan	92CRS9559, 10836-40; 299A93; 1:00cv680 (MDNC); 04-2 (4th)	7/8/1993	AMAR & RJA pending; Lethal Injection lawsuit pending
Garner	Daniel	Robeson	88CRS18371-72; 342A93	9/3/1993	MAR, AMAR and RJA pending

Atkins	Randy	Buncombe	93CRS53579; 9A94; 1:06cv372 (WDNC); 12-1 (4th)	12/8/1993	RJA pending
Elliott	John	Davidson	93CRS16, 137; 224A94	5/4/1994	MAR, AMAR and RJA pending
Cole	Wade	Camden	88CRS202, 332; 324A94; 5:05-he- 461 (EDNC); 5:07CT3153; 07- 20 (4th)	6/14/1994	MAR & RJA pending; Lethal Injection lawsuit pending
Gregory	William	Davie/Davidson	96CRS12921; 19A97	11/7/1996	MAR, AMAR and RJA pending
Wilkinson	Phillip	Cumberland	92CRS1295; 465A94; 5:01HC343 (EDNC); 06-3 (4th); 07-6815	9/15/1994	SBI Discovery Motion pending
Guevara	Angel	Johnston	95CRS12695-96, 296A96	6/20/1996	Pending RJA and Non-RJA MAR in Superior Court. Defendant to Supplement MAR prior to State Answering.
Bell	Bryan	Onslow	01CRS2989-91; 86A02, 04-9255	8/24/2001	Pending RJA and USSC PWC Pending No. 25-5469 (Post-Conviction MAR Denied NCSC).
Taylor	Eddie	Harnett	03CRS57461- 62,57465-66, 719A05, 08-10745	8/24/2005	Pending RJA. NCSC denied Post-Conviction. PWC 10-16-2025 (Review of MAR).
Richardson	Jonathan	Johnston	10CRS3981- 82;10CRS54369, 54426, 272A14, 23- 6804	4/3/2014	Pending non RJA MAR, RJA, and related motions.
Chambers	Frank	Rowan	92CRS11149-50; 92CRS11973-75, 35A02, 146A94, 97-5115	3/10/1994	Pending RJA and Defendant to file federal review denial PWC (Post-Conviction MAR Denied)
Braxton	Michael	Halifax	96CRS7429, 2A98, 00-7359	11/20/1997	Pending RJA.
Lawrence	Jimmie	Harnett	97CRS737- 38;97CRS1006;97 CRS1847-48,00- 6622,5:07-CT- 03153-FL,5:03-HC- 327-BO,585A97- 2,07-2,07-4,07- 11435,02-9171, 585A97	12/11/1997	Pending RJA and lethal injection federal district court case.
Williams	John	Wake	97CRS8388;97CR S17582,17584,175 87,17591, 278A99, 02-7283	3/4/1998	RJA Pending. NCSC remand to Wake Co. Superior Court regarding evidentiary hearing for intellectual disability claim.

Frogge	Danny	Forsyth	94CRS44963-64; 98CRS3537, 5:07- CT-03153-FL, 1:05-CV-00502, 413A95-2, 413A95- 3,07-19,08- 8452,00-5638	3/27/1998	Pending RJA and lethal injection federal district court case.
Hyde	Johnny	Onslow	96CRS21443-45, 08-7536 08-1, 5:07-CT- 03153-FL, 529A98, 00-6911, 5:06-HC-2032-D	7/23/1998	Pending RJA and lethal injection federal district court case.
Steen	Patrick	Mecklenburg	96CRS19104, 19106, 59050, 98CRS101583, 101584, 530A98, 00-7534	8/28/1998	Pending non-RJA MARs and RJA. Intellectual disability claim Mecklenburg DA is handling. MAR expanded voluntary post-conviction discovery forthcoming from State Crime Lab and SBI this week (9/22/2025).
Parker	Johnny	Sampson	94CRS7958-59; 152A97 (NCSC); 99-6596, 03-7568 (USSC); 5:03hc966 (EDNC); 08-5 (4th)	3/13/1997	Defendant's RJA MAR remains pending in state court. Further, once the stay is lifted in the federal proceedings Defendant is entitled to an evidentiary hearing on a <u>Brady</u> claim.
Garcell	Ryan	Rutherford	04CRS53453, 2980, 3997; 465A06 (NCSC); 09-6396 (USSC)	4/4/2006	Defendant's RJA MAR is still pending in Rutherford County Superior Court. Defendant's 2015 PWC seeking review of the denial of his non-RJA MAR is still pending before our Supreme Court.
Taylor	Rodney	New Hanover	98CRS1955; 505A99 (NCSC); 01-7588 (USSC)	10/23/1998	Defendant currently has an MAR, a pro se MAR, and a FAMAR pending, along with an RJA MAR which includes seventeen separate arguments. The State has responded to the MAR, pro se MAR, and FAMAR. State has not responded to the RJA MAR to date.  RJA litigation continues in <i>State v. Hasson Bacote</i> , which affects all pending RJA claims. The North Carolina Supreme Court is considering an appeal from the trial court's order granting relief pursuant to the RJA in Bacote. That decision may have implications for all pending RJA claims.
Laws	Wayne	Davidson	84CRS4186-87; 653A85 (NCSC); 89-5837, 91-5115 (USSC)	8/20/1985	Defendant has multiple claims from his MAR currently pending in superior court.
Moore	Blanche	Forsyth	89 CRS 25053; 556A90; 94-5367	11/16/1990	Defendant's non-RJA MARs have been denied, but Defendant still has RJA claims pending
Conner	Jerry	Gates	90CRS648-49, 812- 13; 219A91 (NCSC); 97-5109 (USSC); 5:00hc546 (EDNC); 04-23 (4th); 05-7270 (USSC)	4/30/1991	Defendant does not have any post-conviction claims pending, except for the RJA MAR which has not been adjudicated. Defendant also filed a separate lawsuit challenging the constitutionality of the State's lethal injection protocol.

Rose	Clinton	Rockingham	90CRS6351-54; 32A92 (NCSC); 94 8947 (USSC)	12/30/1990	Defendant has one MAR claim to be heard at an evidentiary hearing, and a pending RJA MAR.
Davis	Edward	Buncombe	91CRS57692-93, 16310; 135A92 (NCSC); 94-9616 (USSC)	3/6/1992	Defendant has a pending RJA MAR in superior court that has not yet been adjudicated
Jaynes	James	Polk	90CRS1096-97, 91CRS466-68, 1118; 194A92 (NCSC); 01-7547 (USSC)	4/23/1992	Defendant has an MAR and an RJA MAR pending in superior court.
Moses	Erroll	Forsyth	96CRS19456-57; 574A97 (NCSC); 99-7116, 02-9163, 07-10499, 11-5753 (USSC); 1:03CV910 (MDNC); 06-8 (4th); 5:07ct3153	11/18/1997	Defendant's post-conviction motions have been denied, as has his federal habeas claims. However, Defendant has a pending motion for firearm testing pending in superior court. Defendant also filed a separate lawsuit challenging the constitutionality of the State's lethal injection protocol.
Duke	Jeffrey	Gaston	03CRS4557-58	9/26/2003	Defendant withdrew his RJA MAR, but has an MAR pending in Gaston County Superior Court. Three of the claims went to an evidentiary hearing in September 2024, with the remaining being denied without an evidentiary hearing. The trial court has yet to rule on the remaining three claims. No matter the trial court's ruling, the losing side is expected to petition for appellate review.
Ramseur	Andrew	Iredell	07CRS61116-17	6/8/2010	NCSC Remanded opinion dated 6-5-20
Buckner	Stephen	McDowell	08CRS50170-79; 267A11	11/8/2010	9/16/2011 NCSC Order staying Def appeal pending disposition of MAR RJA in SCt
Hartford, Jr.	Timothy	Forsyth	08CRS54472, 54474, 54476, 56948, 58905, 09CRS2114-15, 10CRS8978; 102A11	11/19/2010	8/26/2011 NCSC Order staying Def appeal pending disposition of MAR RJA in SCt
Summers	Tony	Guilford	07CRS24195-97, 24199, 06CRS97930- 32;328A11	3/22/2011	11/10/2011 Order Staying Def appeal pending disposition of MAR RJA in SCt
Anthony	Antwan	Pitt	12CRS52713-13, 52715-17; 324A16	4/6/2016	02/01/2017 Order Staying Def appeal pending disposition of MAR RJA in SCt
Godwin	David	Carteret	16CRS52931; 331A19	4/23/2019	Defendant-Appellant's Proposed Record on Appeal due 12/8/2025
Brady	Mikel	Dare	19CRS103-116; 220A20	10/28/2019	Defendant-Appellant's Proposed Record on Appeal due 9/26/2025
Freeman	Tillman	Hoke	17CRS5031-32; 334A22	4/19/2022	Defendant-Appellant's Proposed Record on Appeal due 11/21/2025
Burgess	Joshua	Union	19CRS53523; 68A2	6/3/2022	Defendant-Appellant's New Brief due 10/28/2025
McKamey	James	Columbus	16CRS52675-76, 52679-80, 16CRS909; 215A23	1/26/2023	Defendant-Appellant's Proposed Record on Appeal due 11/04/2025
Buckman	Wisezah	Dare	20CRS19-32; 258A22	11/2/2023	Defendant-Appellant's Proposed Record on Appeal due 10/06/2025

Monk	Jonathan	Pasquotank	17CRS962-71; 1066-67, 51488	3/26/2025	Appealed to NCSC 3/26/2025; Transcript produced by 10/29/2025
Valdez	Joel	Randolph	22CRS300395	8/20/2025	Appealed to NCSC 8/20/2025

# Attachment Index

1- Order of Preliminary Injection filed in Wake County Superior Court April 25, 2014

2- Order filed in Wake County Superior Court March 11, 2019

# Attachment 1

Order of Preliminary Injunction filed in  
Wake County Superior Court

April 25, 2014

STATE OF NORTH CAROLINA

COUNTY OF WAKE

FILED

IN THE GENERAL COURT OF JUSTICE

SUPERIOR COURT DIVISION

07 CVS 1109, 1607, 1411

2014 APR 28 A 11:44

MARCUS ROBINSON, JAMES EDWARD )  
THOMAS, ARCHIE LEE BILLINGS, and, D.O.C. )  
JAMES A. CAMPBELL, )

Plaintiffs, )

v. )

FRANK L. PERRY, Secretary of the North )  
Carolina Department of Public Safety, )  
CARLTON JOYNER, Warden of Central )  
Prison, and Unknown Executioners, )

Defendants. )

**ORDER OF  
PRELIMINARY INJUNCTION**

This matter having been remanded by the North Carolina Court of Appeals in a decision issued on 18 March 2014 following the issuance on 12 March 2012 of an Order granting summary judgment to Defendants, the undersigned, exercising the Court's inherent authority and discretion to manage this case and having scheduled a status conference on 4 April 2014 during which counsel for the parties were present, and upon the arguments of counsel, makes the following:

**FINDINGS OF FACT**

1. On 25 January 2007, the undersigned issued an Order Allowing Preliminary Injunction staying the executions of Plaintiffs Marcus Robinson and James Edward Thomas. Similar injunctions were issued by the undersigned for Plaintiff James A. Campbell on 29 January 2007 and Plaintiff Archie Lee Billings on 22 February 2007.

2. On 6 March 2007, in the case of *State v. Holman*, 97 CRS 49226 (Wake County Superior Court), the undersigned issued an Order to Cancel Execution Date for death row inmate Allen Holman and directed that Holman's execution "shall not be re-scheduled until all requirements of the execution protocol and of the law can be met."

3. On 24 October 2013, during the pendency of the Plaintiffs' appeal of the Order granting summary judgment, Defendant Frank L. Perry, Secretary of the North Carolina Department of Public Safety, approved a new, one-drug lethal injection execution protocol.

4. On 31 March 2014, the Office of the Attorney General of North Carolina delivered three (3) letters to Defendant Perry notifying him that, pursuant to N.C.G.S. § 15-194,



the conditions precedent had been satisfied to require the scheduling of executions for three inmates on death row at Central Prison: Holman, James Floyd Davis, and Phillip Wilkinsom.

5. As the Senior Resident Judge of the Tenth Judicial District, the undersigned received a copy of the letter sent to Defendant Perry directing that the execution of Allen Holman be scheduled.

6. This Court has been directed by the North Carolina Court of Appeals to determine whether the new, one-drug lethal injection execution protocol must be promulgated through rulemaking under the North Carolina Administrative Procedure Act.

7. The one-drug lethal injection execution protocol approved by Defendant Perry has not been reviewed by the undersigned or the appellate courts to determine whether it comports with the Eighth Amendment requirement that cruel and unusual punishments shall not be inflicted and comports with the North Carolina Constitution's requirement that cruel or unusual punishments shall not be inflicted.

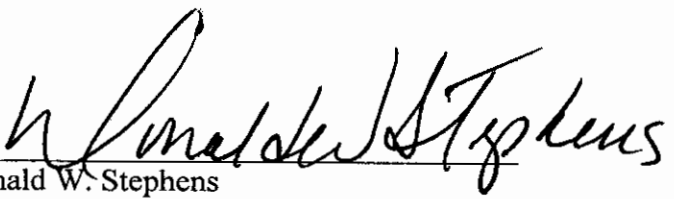
**BASED ON THE FOREGOING FINDINGS OF FACT, THE UNDERSIGNED  
MAKES THE FOLLOWING**

**CONCLUSIONS OF LAW**

1. Defendant Perry (or his successor as Secretary of Public Safety) and Defendant Joyner (or his successor as Warden of Central Prison) are enjoined from either scheduling or carrying out any execution, whether by lethal injection or any other means, until such time as this Court has determined whether the selected method of execution comports with the requirements of the federal and state constitutions and whether the one-drug protocol is subject to rulemaking under the North Carolina Administrative Procedure Act and all direct appellate review of those determinations has been completed.

2. The undersigned retains jurisdiction over all matters in this case.

This the 25 day of April, 2014.

  
Donald W. Stephens  
Senior Resident Superior Court Judge

## Attachment 2

Order filed in Wake County Superior  
Court

March 11, 2019

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
07 CVS 1109, 1607, 1411

MARCUS ROBINSON,  
JAMES EDWARD THOMAS,  
ARCHIE LEE BILLINGS, and  
JAMES A. CAMPBELL

Plaintiffs

v.

ERIK A. HOOKS, Secretary of  
the North Carolina Department of  
Public Safety, EDWARD THOMAS,  
Warden of Central Prison, and Unknown  
Executioners

Defendants

**ORDER**

This matter is before the Court on review of the status of these proceedings. For the reasons set forth below, the Court finds it appropriate to enter an order temporarily staying this case until further notice.

1. This case began in January 2007 when Plaintiffs, who are all death-sentenced prisoners, filed complaints asserting constitutional and statutory challenges to the execution procedures in effect at that time.

2. Defendants sought summary judgment on Plaintiffs' claims, arguing they lacked any merit. On March 12, 2012, the Court entered summary judgment in Defendants' favor on all claims. Plaintiffs appealed.

3. During the pendency of the appeal, the General Assembly amended N.C. Gen. Stat. § 15-188, which provides for the manner and place of execution. The Secretary of the Department

of Public Safety subsequently replaced the prior execution protocol and adopted a new execution procedure manual.

4. On March 18, 2014, in *Robinson v. Shanahan*, COA13-504, the North Carolina Court of Appeals remanded the case for further consideration and development of the record as to the issues raised by the amendments to N.C. Gen. Stat. § 15-188 and the adoption of the new execution procedure.

5. On April 28, 2014, this Court entered an order enjoining Defendants from scheduling or carrying out any execution until such time as the Court determined whether North Carolina's method of execution, as provided in the new execution procedure, comported with the law and all appellate review of those determinations was completed. Plaintiffs subsequently filed a Petition for Review of Rule-Making Denial on July 21, 2014, and a Second Consolidated Amended Complaint on December 10, 2014.

6. On January 12, 2015, Defendants filed a notice of removal to federal court. On June 25, 2015, the federal district court remanded the case back to this Court. *See Robinson v. Perry*, No. 5:15-CT-3008-D (E.D.N.C.).

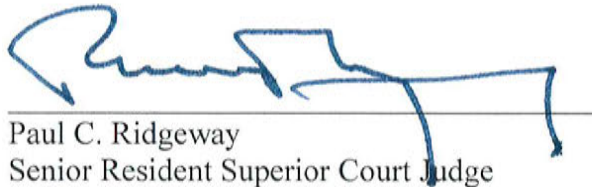
7. Contemporaneously with these proceedings, and by federal court order, the parties have periodically provided status reports to federal district courts that are also considering challenges to the execution process. The parties have represented that they do not expect any execution dates to be set for Plaintiffs until after the resolution of litigation involving the now-repealed Racial Justice Act (RJA) and the conclusion of any pending litigation regarding lethal injection either in state court or federal court. *See, e.g., Blakeney v. Hooks*, No. 5:07-CT-3153-FL (E.D.N.C) (status report filed September 21, 2015). The parties most recently provided this information in status reports filed in September 2018. The federal district courts have held their cases in abeyance, in part, due to the ongoing RJA matters.

8. The Court finds in this regard that the Supreme Court of North Carolina is currently considering six cases raising issues under the RJA, and issues relating to the repeal of that enactment, and that these cases are fully briefed and awaiting designation of a date for oral argument. *See State v. Augustine*, No. 130A03-2, *State v. Golphin*, No. 441A98-4, *State v. Robinson*, No. 411A94-6, *State v. Walters*, No. 54800-2, *State v. Ramseur*, No. 388A10, *State v. Burke*, No. 181A93-4. Resolution of the issues in these cases may affect the ability of North Carolina death row prisoners, including Plaintiffs, to proceed on the merits of motions for appropriate relief involving allegations of racial bias in capital jury selection, charging, and sentencing as raised pursuant to the now-repealed RJA. *See also* N.C. Gen. Stat. § 15A-194 (setting of execution date triggered, in part, upon denial of motion for appropriate relief).

9. Staying this case would serve the interests of judicial economy given the pendency of the RJA-related litigation in the Supreme Court of North Carolina and the potential impact on the instant case of further litigation as a result of any opinion issued by that Court.

In light of the foregoing, particularly the pendency of the on-going RJA litigation before the Supreme Court of North Carolina, this Court finds it appropriate to formally place this case in abeyance. The Court therefore ORDERS that this case shall be temporarily stayed until further notice. The Court's prior injunction order issued in 2014 shall remain in full force and effect during the pendency of the temporary stay.

This the 15 day of March 2019.

  
Paul C. Ridgeway  
Senior Resident Superior Court Judge