



## State of North Carolina

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ROY COOPER  
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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**

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

**Report on Pending Post-Conviction Capital Cases**

<b>Case Status</b>	<b>Total</b>	<b>Number of Pending Additional Claims</b>			
		2	RJA		
		1	SBI		
<b>MAR/AMAR Pending</b>	<b>69</b>				
*Also includes Pending MR Claims		64	RJA		
		14	SBI		
<b>Appellate</b>	<b>15</b>				
<b>Total</b>	<b>157</b>				
		149	Death Row		
		4	RJA Relief Granted		
		4	Multiple Death Sentences		
<b>Key</b>					
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					