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STATE OF NORTH CAROLINA
DEPARTMENT OF JUSTICE

SETH DEARMIN
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October 10, 2017

Senator Shirley Randleman
Representative James Boles, Jr.
Representative Ted Davis, 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.

Very truly yours,

Seth Dearmin
Chief of Staff

SD:ml

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 (Stayed)	6		
		6	RJA
		2	AMAR
		1	Lethal Injection
		3	SBI
USSC Cert Denial	30		
1 - Letter Sent to DPS Secretary (2014)		30	RJA
		3	AMAR
		17	Lethal Injection
		3	SBI
		2	Martinez Claim
		1	Brady Claim
USSC Petitions Pending	0		
Fed Court Remand	4		
		3	RJA
		1	Post-Conviction Motion for DNA Testing
		1	AM PWHC
4th Circuit	3		
		3	RJA
		1	SBI
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	3		
		3	RJA
State Complete/PWHC Not Filed	9		
		8	RJA
		1	AMAR
		3	SBI
		2	MR
NC Supreme Court PWC Pending	4		

Report on Pending Post-Conviction Capital Cases

		7*	RJA * 4 of these are listed in another category since this is due to the RJA Remand.
		1	SBI
NC Supreme Court PWC Granted	2		
NC Supreme Court Remanded	1		
		1	RJA
NC Supreme Court in Abeyance	2		
		2	RJA
		1	AMAR
MAR Complete/PWC Not Filed	2		
		2	RJA
		1	SBI
MAR/AMAR Pending	67		
*Also includes Pending MR Claims		64	RJA
		13	SBI
Appellate	13		
Total	153		
		145	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			