



**JOSH STEIN**  
**ATTORNEY GENERAL**

**STATE OF NORTH CAROLINA**  
**DEPARTMENT OF JUSTICE**

**SETH DEARMIN**  
**CHIEF OF STAFF**

November 29, 2023

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.

Very truly yours,

Seth Dearmin  
Chief of Staff

SD:ml

cc: Sean Hamel, NCGA Fiscal Research Division  
Mark White, NCGA Fiscal Research Division  
Morgan Weiss, NCGA Fiscal Research Division

Case Status	Total	Number of Pending Additional Claims			
<b>Voluntarily Dropped Claims</b>	1				
2 -Letters Sent to DPS Secretary (2014)					
<b>Previous Execution Dates</b>	1				
*Prior to RJA		1	RJA		
		1	ARJA		
		1	Lethal Injection		
<b>Previous Execution Dates (Stayed)</b>	5				
		5	RJA		
		2	AMAR		
		1	Lethal Injection		
		3	SBI		
<b>USSC Cert Denial</b>	29				
1 - Letter Sent to DPS Secretary (2014)		29	RJA		
		3	AMAR		
		16	Lethal Injection		
		3	SBI		
		1	Brady Claim		
<b>Fed Court Remand</b>	3				
		3	RJA		
<b>4th Circuit Held in Abeyance</b>	2				
		2	RJA		
		1	AMAR		
		2	Martinez Claim		
<b>Federal District Court in Abeyance</b>	0				
			RJA		
<b>Federal District Court PWHC Pending</b>	1				
		1	RJA		
<b>State Complete/PWHC Not Filed</b>	10				
		9	RJA		
		2	AMAR		
		3	SBI		
		1	ID		
<b>NC Supreme Court PWC Granted</b>	2				
		2	RJA		
		2	AMAR		
		1	ID		
<b>NC Supreme Court PWC Pending</b>	2			*RJA-Mandate will issue 10/15/2020	
		2	RJA		
		1	SBI		
<b>NC Supreme Court RJA Pending</b>	0				

			RJA		
<b>NC Supreme Court Remanded</b>	<b>3</b>				
		<b>2</b>	RJA		
<b>MAR Complete/PWC Not Filed</b>	<b>2</b>				
		<b>2</b>	RJA		
		<b>1</b>	SBI		
<b>MAR/AMAR Pending</b>	<b>60</b>				
<b>*Also includes Pending ID Claims</b>		<b>47</b>	RJA		
		<b>13</b>	SBI		
<b>Appellate</b>	<b>15</b>				
<b>Total</b>	<b>136</b>				
<b>No RJA Filed</b>			<b>Key</b>		
Laws, Wayne A.	<i>RJA - Racial Justice Act Claims</i>				
Robinson, Eddie	<i>ARJA - Amended Racial Justice Act Claims</i>				
Wilkinson, Phillip	<i>MAR - Motion for Appropriate Relief</i>				
Tyler, Stacey	<i>AMAR - Amended Motion for Appropriate Relief</i>				
Davis, James	<i>ID - Intellectual Disability Claim</i>				
McNeill, Mario (convicted after repeal)	<i>Lethal Injection - Lethal Injection Lawsuit</i>				
	<i>SBI - SBI Discovery Motions</i>				
	<i>USSC - United States Supreme Court</i>				
	<i>PWHC - Petition for Writ of Habeas Corpus</i>				
	<i>APWHC - Amended Pet for Writ of Habeas Corpus</i>				
	<i>PWC - Petition for Writ of Certiorari</i>				