



ALAN WILSON  
ATTORNEY GENERAL

July 12, 2019  
\*via hand delivery\*

The Honorable Edward R. Tallon, Sr.  
Subcommittee Chair, House Legislative Oversight Committee  
P.O. Box 11867  
Columbia, SC 29211

Re: June 13, 2019 Request for Litigation Status Analysis SCDC Death Row Inmates

Dear Representative Tallon:

On June 13, 2019, you asked this agency to provide a "detailed analysis of the status of each inmate with a death sentence which includes a timeline with any applicable appeals." You also asked that the information be provided by July 12, 2019. Please accept the following information in response to your inquiry.

Though litigation is difficult to confine to a timeline, there are 5 inmates in the federal appeal process who are closer to completion of their available remedies. Having completed the state review process, these 5 inmates have also had relief denied by the federal District Court, and are on appeal in the Fourth Circuit Court of Appeals. If the Fourth Circuit denies relief, there would likely be a petition filed in the Supreme Court of the United States and that would conclude ordinary review process. Because these cases are nearing the end of the ordinary review process, some cautious estimates may be made:

2 cases are briefed and ready for oral argument; complete exhaustion of ordinary remedies may occur in Fall 2020;

3 cases are currently in briefing; complete exhaustion of ordinary remedies may occur in Spring 2021.

Additionally, there are 3 other cases that are presently waiting disposition in the District Court of South Carolina. If the litigation follows the same path as those above, these 3 cases would also be expected to be completed in 2021. Exhaustion in the remaining cases cannot be adequately estimated at this time. Please be advised, though, there is always the possibility that an inmate, at any time, may waive his appeals and be executed.

If I may provide anything further, please do not hesitate to ask.

Sincerely,

Melody J. Brown  
Senior Assistant Deputy Attorney General

cc: Matthew R. Gates, Deputy Attorney General