

The Grose Law Firm, LLC

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August 1, 2024

The Honorable Patricia A. Howard
Clerk, Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

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AUG 05 2024

S.C. SUPREME COURT

Re: *Bobby Wayne Stone v. State of South Carolina*
PCR Case No. 2018-CP-43-01205
60 Day Status Report

Dear Ms. Howard:

This letter is the sixty-day status report pursuant to *In re Stays of Execution in Capital Cases*, 321 S.C. 544, 471 S.E.2d 140 (1996).

Mr. Stone's capital federal habeas corpus case, *Stone v. Stirling*, C/A No. 2:17-cv-01221-MGL-MGB, is stayed pending the resolution of this successive post-conviction relief case. Both Mr. Stone's retained expert and the Department of Disabilities and Special Needs designated examiner opined that Mr. Stone is a person with an Intellectual Disability and, therefore, ineligible for the death penalty pursuant to *Atkins v. Virginia*, 536 U.S. 304 (2002).

Judge Keesley convened an evidentiary hearing on July 30-31, 2024. At the conclusion of the hearing, Judge Keesley granted the parties request to obtain a transcript of the hearing and submit post-hearing briefs.

Thank you for your attention to this matter. Please let me know if you have any questions or require additional information.

With kindest regards, I am

Yours very truly,

s/E. Charles Grose, Jr.

E. Charles Grose, Jr.

cc: The Honorable William P. Keesley
Rosalind Major, Esquire
Melody J. Brown, Esquire
Tommy Evans, Esquire

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