RECEIVED
Feb 11 2025
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

The State,

Respondent,

v.

Brad Keith Sigmon,

Appellant.

Appellate Case No. 2002-024388

The Honorable Joseph J. Watson
Greenville County
Trial Court Case No. 2001GS2307630, 2001GS2307631, 2001GS2307629

AFFIDAVIT OF BRYAN P. STIRLING

PERSONALLY APPEARED BEFORE ME, BRYAN P. STIRLING, who having first been duly sworn, deposes and states as follows:

1. I am over the age of eighteen, of sound mind, and competent to give this testimony.

2. I served as the Interim Director of the South Carolina Department of Corrections ("Department") between October 1, 2013, and February 19, 2014, when I was confirmed by the Senate as the Director. I have served as the Director of the Department since my confirmation.

3. According to S.C. Code Ann. § 24-3-530, there are three statutorily approved methods of execution: electrocution, the firing squad, and lethal injection.

4. Pursuant to S.C. Code Ann. § 24-3-530(B), I am charged with certifying, under penalty of perjury, the available methods of execution upon receipt of a notice of execution from this Court.

5. On February 7, 2025, in accordance with S.C. Code Ann. §§ 17-25-370, -380, the Department received an Execution Notice issued by the Clerk of this Court for Brad Keith Sigmon.

6. According to the Execution Notice for Brad Keith Sigmon, the Department is required to "execute the judgment and sentence of death imposed on said defendant on the fourth Friday after the service . . . or receipt of this notice," which is March 7, 2025.

7. I hereby certify that all three statutorily approved methods of execution—electrocution, the firing squad, and lethal injection—are available for carrying out Sigmon's execution.

8. I am certifying that electrocution is available because the appropriate and responsible Department staff informed me that the electric chair and system were tested on February 10, 2025, and all aspects performed as intended.

9. I am certifying that the firing squad is available because the appropriate and responsible Department staff informed me that the Department has in its possession the necessary firearms and ammunition and that members of the firing squad have completed all required training.

10. I am certifying that lethal injection is available via a single dose of pentobarbital. I have confirmed that the pentobarbital in the Department's possession is of sufficient potency, purity, and stability to carry out an execution successfully using the Department's lethal injection protocol. The Department provided pentobarbital to the S.C. Law Enforcement Division (SLED) for testing

by its Forensic Services Laboratory. SLED confirmed that its Forensic Services Laboratory is an internationally accredited forensic laboratory and that it used widely accepted testing protocols and methodologies in this matter. SLED reported to me that experienced, qualified, and duly authorized personnel tested and confirmed the concentration of the solution provided is consistent with the vial labeling of pentobarbital, 50 milligrams per milliliter, and acknowledged the substance's concentration in terms of its purity and stability. The appropriate and responsible Department staff reported to me that, based on a review of SLED's test results, data published by National Institutes of Health, and information regarding executions by lethal injection using pentobarbital carried out by the Department, other States, and the federal government, the dosage called for by the Department's lethal injection protocol is sufficiently potent such that administration in accordance with the protocol will result in death.

11. I declare under penalty of perjury that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

Bryan P. Stirling

Bryan P. Stirling

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 11th DAY OF February, 2025

M. Dayne Hill (SEAL)
NOTARY PUBLIC FOR S.C.
COMMISSION EXPIRES: 2/9/2034