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May 26 2026

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Grace G. Knie, Circuit Court Judge

Case No. 2022-CP-23-6219

John Richard Wood,

Respondent,

v.

State of South Carolina,

Petitioner.

NOTICE OF APPEAL

The State of South Carolina hereby appeals from the *Order Granting Relief*, signed by the Honorable Grace G. Knie and dated April 22, 2026, and filed April 27, 2026. The state received a copy of the filed Order on April 28, 2026.

May 26, 2026

s/R. Brandon Larrabee

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COC JAY GRESHAM GUL SC

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
John Richard Wood,)
Applicant,)
vs.)
State of South Carolina,)
Respondent.)

IN THE COURT OF COMMON PLEAS
FOR THE THIRTEENTH JUDICIAL CIRCUIT

Case No. 2022-CP-23-06219

ORDER GRANTING RELIEF

ENTERED COMPUTER

This matter comes before the Court on the capital post-conviction relief (hereinafter “PCR”) action of the Applicant, John Richard Wood, which challenges his competency to be executed pursuant to state and federal law. *See* U.S. Const. amend. VIII; S.C. Const. art. I, § 15; *Ford v. Wainwright*, 477 U.S. 399 (1986); *Panetti v. Quarterman*, 551 U.S. 930 (2007); *Singleton v. State*, 313 S.C. 75, 437 S.E.2d 53 (1993). Present representing Applicant were Emily C. Paavola, Esq., and Allison Franz, Esq. Present representing the Respondent were Melody J. Brown, Esq., and R. Brandon Larrabee, Esq. Also present was L. Brie Rust, Esq., in her capacity as court appointed Guardian *ad litem* for Applicant. The hearing was conducted in person at the Spartanburg County Courthouse. Applicant’s presence was waived through Counsel for Applicant by his Guardian *ad litem*, L. Brie Rust, Esq. The Court Reporter was Alice M. Adler. At this evidentiary hearing on the merits the parties presented testimony and evidence for the Court’s consideration as follows: The testimony of Amanda B. Salas, M.D., of the Palmetto Center of Psychiatry, LLC; Susan C. Knight, Ph.D., ABPP, of Applied Psychological Services, LLC; and Matthew E. Gaskins, M.D., of Gaskins Psychiatry, LLC. Applicant presented Exhibits 1-4, the Curricula Vitae and Competency to Be Executed Evaluations of Dr. Salas and Dr. Knight. The Respondent presented Exhibits 1 and 2, the Curriculum Vitae and Competency to Be Executed Evaluation of Dr. Gaskins.

The Court hereby makes the following findings of fact and conclusions of law.

PROCEDURAL HISTORY

A. Pre-Hearing Procedural History

John Richard Wood (hereinafter “Wood”) was sentenced to death by a jury in the Greenville County Court of General Sessions for the murder of Trooper Eric Nicholson, a State Highway Patrol officer. He was tried and convicted in February of 2002. Wood’s convictions and death sentence were affirmed on direct review by the South Carolina Supreme Court. *State v. Wood*, 362 S.C. 135, 607 S.E.2d 57 (2004), *cert. denied*, 545 U.S. 1132 (2005). His applications for state post-conviction and federal habeas relief were denied. *See Wood v. Stirling*, 27 F.4th 269, 275, 280 (4th Cir. 2022). Having exhausted all avenues for collateral review, the question of Wood’s competency to be executed is now ripe. *See Stewart v. Martinez-Villareal*, 523 U.S. 637, 645 (1998) (stating a claim of incompetency to be executed is ripe when the defendant becomes eligible for an execution warrant); *Panetti v. Quarterman*, 551 U.S. at 946 (same); *Singleton v. State*, 313 S.C. at 87, 437 S.E.2d at 60 (same).

Since the date of his conviction, Wood has resided on death row within the South Carolina Department of Corrections (hereinafter “SCDC”). As noted by all three expert examiners, over the course of his now twenty-four-year incarceration, Wood’s SCDC records document a pervasive history of psychological deterioration. *See, e.g.*, Report of Dr. Salas (hereinafter “Applicant’s Ex. 2”) at 4 (noting “a chronic, persisting and active course of schizophrenia that has been present and progressively worsening over time.”); Report of Dr. Knight (hereinafter “Applicant’s Ex. 4”) at 1 (describing “a worsening of psychosis,” “repeated diagnoses of Schizophrenia,” and well-documented symptoms that “greatly impair rational and factual case comprehension, and preclude rational communication with his attorneys.”); Report of Dr. Gaskins (hereinafter “Respondent’s Ex. 2”) at 11 (“The records and his presentation confirm these symptoms have been present for

multiple decades.”); Id. at 13 (noting the “ample evidence to the genuineness of Mr. Wood’s mental health condition”).

Wood has been involuntarily committed to the Gilliam Psychiatric Hospital on four occasions over the past decade, following determinations by the Probate Court that he suffers from mental illness by clear and convincing evidence. S.C. Code Ann. § 44-17-580 (Supp. 2025). The probate court ultimately appointed L. Brie Rust, Esq., to act as Wood’s permanent legal guardian, finding by clear and convincing evidence that Wood is “incapacitated” within the meaning of S.C. Code Ann. § 62-5-101(13) (2022), because “his diagnosis impairs him such that he cannot meet the essential requirements for his physical health, safety, or self-care, or manage his property or financial affairs, or provide support.” Order Appointing Permanent Guardian (March 4, 2025). Counsel for Wood filed a PCR application raising a competency-to-be-executed claim on October 31, 2022.

On November 11, 2022, the South Carolina Supreme Court assigned this matter to this Court for a determination on the merits. In its Return, the State asserted that “this Court should order the S.C. Department of Mental Health (hereinafter “DMH”) to conduct a *Singleton* competency evaluation.” Return at 10. After a brief stay pending the outcome of litigation regarding South Carolina’s methods of execution in *Owens v. Stirling*, 443 S.C. 246, 904 S.E.2d 580 (2024), *reh’g denied* (Aug. 16, 2024), this Court ultimately granted the State’s request and entered an order directing that such an evaluation be scheduled at any time after disclosure of Wood’s expert reports on May 1, 2025. Order For Competency to Be Executed Evaluation (March 10, 2025).

Wood produced his expert reports on the prescribed date. The DMH evaluation by Dr. Matthew E. Gaskins took place on June 18, 2025, and the parties received a copy of Dr. Gaskins’

report on July 7, 2025, which was forwarded to the Court. This Court denied the State's request for an order requiring Dr. Gaskins to conduct a second interview after 180 days of forced medication. *See* Order Denying Motion for Additional Interview (Sept. 23, 2025) at 2.

B. Post-Conviction Relief Evidentiary Hearing

This Court subsequently convened an evidentiary hearing in Spartanburg County on March 24–25, 2026. Both parties waived any venue requirements. A transport order was issued for Wood; however, Wood's permanent guardian, Attorney Rust, testified under oath that Wood did not understand the purpose of the proceedings and did not wish to be transported. Attorney Rust, in her capacity as Wood's Guardian *ad litem*, waived Wood's right to be present at the hearing.

The parties stipulated to the admission of reports from three forensic examiners: Dr. Amanda B. Salas, a forensic psychiatrist (Applicant's Exhibit 2), Dr. Susan C. Knight, a forensic psychologist (Applicant's Exhibit 4), and Dr. Matthew E. Gaskins, the DMH psychiatrist (Respondent's Exhibit 2). All three experts found that Wood was not competent to be executed.

APPLICABLE LAW

A. Competency Standard

The standard this Court must apply in determining Wood's competency claim is:

- (1) Whether he lacks the capacity to rationally and factually understand the nature of the proceedings, what he was tried for, the reasons for the punishment, or the nature of the punishment; and
- (2) Whether he lacks sufficient capacity or ability to rationally communicate with counsel.

Ford v. Wainwright, 477 U.S. 399 (1986); *Panetti v. Quarterman*, 551 U.S. 930, 946 (2007); *Singleton v. State*, 313 S.C. 75, 437 S.E.2d 53 (1993). Failure of either prong renders an individual incompetent to be executed. *Ford*, *Singleton*, and their progeny illuminate several additional principles that this Court must apply.

1. *A prisoner who possesses a delusional belief that he cannot be executed is not competent.*

In *Ford v. Wainwright*, the United States Supreme Court held that the Eighth Amendment forbids the execution of an incompetent prisoner. 477 U.S. 399 (1986). Alvin Bernard Ford was convicted of murder in 1974 and sentenced to death. At the time of his trial, there was “no suggestion that he was incompetent at the time of his offense, at trial, or at sentencing.” *Id.* at 401. However, after Ford went to prison, he began exhibiting “gradual changes in behavior,” eventually resulting in bizarre, persecutory delusions. For example, Ford believed people were tormenting him in prison and that his family members had been taken hostage. He also exhibited grandiose delusions that he had special powers, such as the authority to fire prison officials and the belief that he had appointed nine new justices to the Florida Supreme Court. *Id.* at 402. An expert examiner concluded that Ford “sincerely believed that he would not be executed because he owned the prisons and could control the Governor through mind waves.” *Id.* at 403.

The South Carolina Supreme Court addressed a similar situation in the case of Freddie Singleton, who had a delusional belief that he could not die because he possessed special powers. *Singleton v. State*, 313 S.C. at 84, 437 S.E.2d at 58. The Court concluded that Singleton was “incapable of meeting even a modicum of competency” because he was “completely unaware that he is capable of dying in the electric chair [due to] his reliance on protective ‘genes.’” *Id.*

2. *A prisoner who cannot rationally communicate with counsel is not competent.*

A “pivotal issue” in *Singleton* was whether the lower court erred in adopting the American Bar Association’s standard of incompetency, which included an “assistance prong” aimed at the ability to communicate with counsel. *Id.* at 79, 437 S.E.2d at 56. The South Carolina Supreme Court affirmed the PCR court’s decision to adopt a two-pronged test but concluded that the test should be “tempered with the rational communication element for the assistance prong.” *Id.* at 84,

437 S.E.2d at 58. The Court adopted a “slightly modified standard in South Carolina, which satisfies the mandates of federal due process, the common law, and the South Carolina Constitution.” *Id.* Thus, *Singleton* held that South Carolina’s two-pronged test for competency to be executed includes an “assistance prong,” defined as “whether the convicted defendant possesses sufficient capacity or ability to rationally communicate with counsel.” *Id.* Failure of either prong is sufficient for a finding of incompetency. *Id.* As *Singleton* was “incapable of rational communication” with his counsel, he did not meet the assistance prong. *Id.* at 90, 437 S.E. 2d at 61.

3. *Mere factual understanding is not enough for competency.*

In *Panetti v. Quarterman*, the Supreme Court held that *Ford* requires an inquiry into whether a prisoner possesses a *rational understanding* of the crime, the punishment, and the reason for the punishment (not mere awareness of those facts). 551 U.S. at 959. (“A prisoner’s awareness of the State’s rationale for an execution is not the same as a rational understanding of it.”). A prisoner’s mental state may become “so distorted by mental illness that his awareness of the crime and punishment has little or no relation to the understanding of those concepts shared by the community as a whole.” *Id.* Scott Panetti factually understood that he had been found guilty of murder, that he was facing execution, and that he would die if executed. However, he possessed a delusional belief that the stated reason for his execution was a “sham.” Panetti believed the State’s true motivation for his execution was to prevent him from preaching the Gospel. *Id.* at 955.

Panetti was ultimately found incompetent by the District Court for the Western District of Texas because he “lack[ed] a rational understanding of the connection between his offense and his sentence of death. His execution would therefore violate the Eighth Amendment’s prohibition on

cruel and unusual punishment.” *Panetti v. Lumpkin*, 2023 WL 6348877 (W.D. Texas Sept. 27, 2023).

The United States Supreme Court reiterated the importance of a rational understanding in *Madison v. Alabama*, which addressed the question of whether a prisoner could be incompetent to be executed because he suffered from dementia. 586 U.S. 265 (2019). The Court concluded that a rational understanding is what matters, explaining:

The standard has no interest in establishing any precise *cause*: Psychosis or dementia, delusions or overall cognitive decline are all the same under *Panetti*, so long as they produce the requisite lack of comprehension. . . . The *Panetti* standard concerns, once again, not the diagnosis of such illness, but a consequence—to wit, the prisoner’s inability to rationally understand his punishment.

Id. at 728.

B. Burden of Proof

Pursuant to *Singleton*, as in all post-conviction proceedings, the applicant bears the burden of proving his allegations by a preponderance of the evidence. 313 S.C. at 87, 437 S.E.2d at 60. A preponderance of the evidence means ““proof which leads the trier of fact to find that the existence of the contested fact is more probable than its nonexistence.”” *State v. Grooms*, 343 S.C. 248, 254, n.5, 540 S.E.2d 99, 102, n.5 (2000) (quoting 2 McCormick on Evidence § 339, 5th ed. 1999)).

C. Remedy

Upon a finding by this Court that Wood is incompetent, *Singleton* specifies that “the appropriate remedy is to issue a temporary stay of execution pending a mandatory review by [the South Carolina Supreme Court]”. 313 S.C. at 87, 437 S.E.2d at 60. After the stay is affirmed by the South Carolina Supreme Court, the burden will shift to the State to move for a hearing if the

State believes it can show, by a preponderance of the evidence, that Wood is no longer incompetent.

Id.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After consideration of the testimony and other evidence offered at the evidentiary hearing, this Court finds that Applicant is not competent to be executed. All three testifying experts concluded that Wood lacks competency to be executed and does not satisfy either prong of *Singleton*. Respondent's Ex. 2 (Report of Dr. Matthew E. Gaskins) at 11–12; Applicant's Ex. 4 (Report of Dr. Susan C. Knight) at 61–63; Applicant's Ex. 2 (Report of Dr. Amanda B. Salas) at 4. All three experts testified to Wood's longstanding history of schizophrenia and delusional beliefs, his belief that he will not die if he is executed, and his inability to rationally communicate with counsel.

A. Prong 1: Rational and Factual Understanding of the Nature of the Proceedings

All three experts found that Wood lacks both a rational and factual understanding of the nature of the proceedings of his case, what he was tried for, and the nature of his punishment. While Wood "is able to identify the charged capital offense, cite the correct date and county, and provide some factual case details," he expressed delusions surrounding his offense, including his belief that police officers were "trying to frame him for a brutal rape" and "shot him to prevent him from testifying to their alleged perjury," and that the trial judge and other courtroom personnel were agents of a delusional deity ("Kevin") and worked against him. Applicant's Ex. 4 at 61. He does not rationally understand that his death sentence is connected to his crime and instead believes that the State seeks to execute him "because Kevin is heavily involved in government." Applicant's Ex. 2 at 3.

Further, Wood’s “beliefs pertain directly to understanding the nature of his punishment,” Respondent’s Ex. 2 at 11, of which he lacks a factual and rational understanding. “Mr. Wood does not believe there is any scenario in which he could be executed or die.” Applicant’s Ex. 4 at 62; *see also* Applicant’s Ex. 2 at 3 (“Mr. Wood does not believe he can die.”); Respondent’s Ex. 2 at 11 (referencing Wood’s belief that he is immortal and has “died three times on death row”). “Mr. Wood believes he has experienced many deaths from which he has been able to rise himself up before,” and that he will be similarly resurrected if the State executes him. Applicant’s Ex. 2 at 4. “In speaking of execution, he is able to identify a possible method as “lethal injection” but believes he is ‘immune to all poisons,’ which is a longstanding delusion noted repeatedly throughout his records.” Applicant’s Ex. 4 at 62. Dr. Gaskins further noted that “[i]n addition to citing his immortality . . . [Wood] made statements indicating that he believes his execution would not be attempted,” including his belief that he had received a pardon from the Governor. Respondent’s Ex. 2 at 12. Wood’s delusions were consistent across multiple competency interviews, Applicant’s Ex. 4 at 61, and Dr. Salas further testified that, in her professional opinion, it is unlikely that Wood can be restored to competency. Applicant’s Ex. 2 at 4. “He appears to have an irrational understanding of his original conviction and does not appreciate the finality of his assigned punishment.” Respondent’s Ex. 2 at 12.

B. Prong 2: Capacity to Rationally Communicate with Counsel

All three experts found that Wood lacks the ability to rationally communicate with counsel. “[H]e is unable to rationally assist his attorneys, or rationally utilize their assistance, due to active psychosis. His delusional beliefs prevent accurate factual and rational consideration of his case, and prevent him from providing rational or potentially useful information to his attorneys which may aid their efforts.” Wood “cannot rationally communicate” due to his “significantly

disorganized speech and grossly delusional state.” Applicant’s Ex. 4 at 63. Dr. Salas further noted that Wood’s “pronounced disorganization of thought and inability to rationally process information presented to him renders him unable to assist in rational communication with his legal team.” Applicant’s Ex. 2 at 4. “[H]e does not have the ability to engage in meaningful conversation[,] which impairs his ability to work with his counsel in a reality-based manner.” Respondent’s Ex. 2 at 12.

The Court finds all three experts credible and consequently finds that Wood (a) lacks both a rational and factual understanding of the nature of the proceedings, what he was tried for, the reasons for his punishment, and the nature of his punishment; and (b) lacks the capacity to rationally communicate with his counsel. *Singleton v. State*, 313 S.C. 75, 437 S.E.2d 53 (1993).

C. Respondent’s Request for Order Mandating Release of Wood’s Future Medical Records

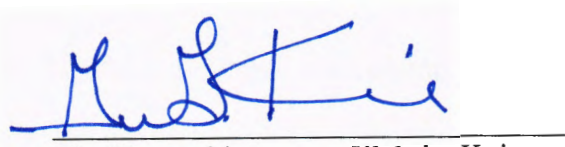
At the conclusion of the evidentiary hearing, Respondent requested that this Court order the SCDC to release Wood’s medical records to the State every six months and order GAL Rust to provide the State with copies of the mandatory guardian reports that she submits to the Probate Court regarding Wood’s plan of care. The Court finds no legal basis on which to grant these requests. However, GAL Rust informed the Court at the hearing that she will comply with any requests from the State in the future as to periodic updates on Wood’s mental status, which apparently is the procedure that has been followed in other South Carolina competency-to-be-executed proceedings.

For these reasons, this Court finds that Applicant is not competent to be executed, grants Applicant’s petition for post-conviction relief, and issues a temporary stay of execution pending review by the South Carolina Supreme Court.

IT IS THEREFORE ORDERED THAT:

- (1) Applicant's petition for post-conviction relief is granted; and
- (2) Applicant's execution is temporarily stayed pending review by the South Carolina Supreme Court, for as long as Applicant is not competent to be executed.

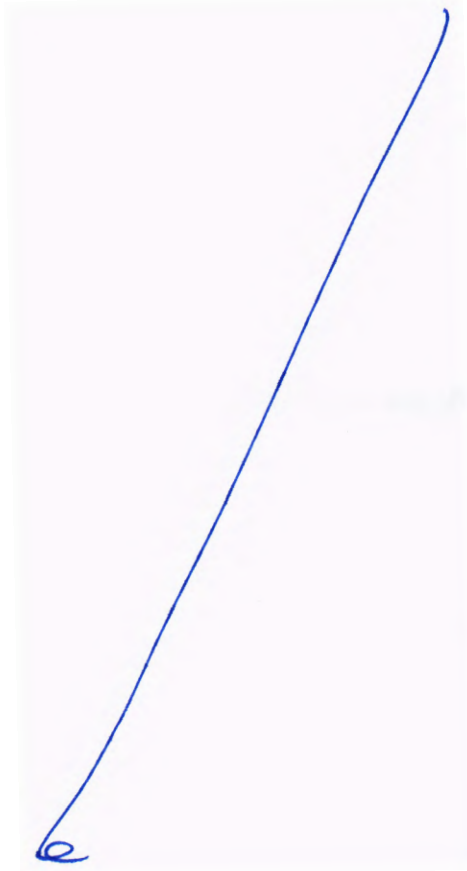
IT IS SO ORDERED.



The Honorable Grace Gilchrist Knie
Presiding Judge

Date: April 22, 2026

Spartanburg, South Carolina





State of South Carolina
The Circuit Court of the Seventh Judicial Circuit

Grace Gilchrist Knie
Judge

180 Magnolia Street
Spartanburg, SC 29306
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April 22, 2026
Via USPS

Greenville County Clerk of Court
Attn: Jan White
305 E. North St.
Greenville, SC 29601

Dear Madam Clerk:

Please see the attached Order on John Richard Wood v. State, 2022-CP-23-6219. Once you receive this Order and have clocked it in, please email me a copy for our records at gkniesc@sccourts.org.

Sincerely,

Ashley B. Searcy
Administrative Assistant to
The Honorable Grace G. Knie
S.C. Circuit Court Judge
7th Judicial Circuit

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