RECEIVED
Nov 16 2026
S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

Appeal from Spartanburg County
Court of Common Pleas

Appellate Case No. 2025-001377

RICKY LEE BLACKWELL

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT.

MOTION FOR LEAVE TO FILE BRIEF OF *AMICUS CURIAE*

Pursuant to Rule 213 of the South Carolina Appellate Court Rules, the Cornell Death Penalty Project respectfully submits this Motion for Leave to File a Brief of *Amicus Curiae* in support of Petitioner.

The Cornell Death Penalty Project consists of advocates and academics who work on behalf of individuals subjected to capital punishment across the country, including in South Carolina. The Project conducts empirical research and educates students and attorneys regarding issues related to capital punishment in the United States. Members and associates of the Cornell Death Penalty Project have litigated and consulted on capital post-conviction cases in South Carolina for over thirty years.

Petitioner challenges the verbatim adoption of a State-drafted order disposing of his application for post-conviction relief. The proposed amicus brief offers a broader perspective of

the development of this practice, and the numerous problems associated with it, over the course of the past three decades. The brief also discusses relevant, unique features of capital post-conviction cases that support the legislature's decision to require judges in capital post-conviction cases to prepare their own written orders that "make specific findings of fact and state expressly the judge's conclusions of law relating to each issue." S.C. Code § 17-27-160(D).

WHEREFORE, the Cornell Death Penalty Project respectfully moves this Court for leave to file a brief of *amicus curiae*. A copy of the proposed brief is conditionally filed with this motion.

Respectfully submitted,

s/Emily C. Paavola
Emily C. Paavola (No. 77855)
900 Elmwood Ave., Suite 200
Columbia, SC 29201
(803) 765-1044

John H. Blume (No. 743)
Cornell Law School
112 Myron Taylor Hall
Ithaca, NY 14853

Counsel for Amicus Curiae
Cornell Death Penalty Project

November 16, 2026.