

Hopkins, Debbie

From: Shealy, Brenda
Sent: Thursday, October 02, 2014 4:47 PM
To: Hopkins, Debbie
Subject: FW: Special Order (Circuit) Dated October 2, 2014 Re: John Richard Wood v State 2013-CP-23-05190
Attachments: Special Order (Circuit) Hayes Verdin Re John Richard Wood v State 2013 CP 23 05190.pdf

From: Garrett, Tracy
Sent: Thursday, October 02, 2014 4:29 PM
To: Hayes, J. Mark; Verdin, Letitia H.
Cc: Wickensimer, Paul; Zelenka, Don; Shearouse, Daniel; Shealy, Brenda; 'elizabeth.a.franklin@gmail.com'; 'emily@deathpenaltyresource.org'
Subject: Special Order (Circuit) Dated October 2, 2014 Re: John Richard Wood v State 2013-CP-23-05190

Dear Judges,

Attached is a special order regarding the above-referenced case.

Thank you,

Tracy Garrett
Judge Scheduling Coordinator
SC Court Administration
1015 Sumter Street, Suite 200
Columbia, SC 29201
tgarrett@sccourts.org
803-734-1861
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The Supreme Court of South Carolina

John Richard Wood,

Appellant,

v.

The State,

Respondent.

Greenville County
2013-CP-23-05190

ORDER

Appellant was convicted of murder and possession of a weapon during the commission of a violent crime and was sentenced to death. State v. Wood, 362 S.C. 135, 607 S.E.2d 57 (2004). This Court affirmed appellant's convictions and sentence. The United States Supreme Court denied certiorari on June 20, 2005. Wood v. South Carolina, 545 U.S. 1132, 125 S.Ct. 2942 (2005). Appellant filed an application for post-conviction relief (PCR) which was dismissed with prejudice by the Court of Common Pleas on December 19, 2007. Appellant's petition for writ of certiorari was denied by this Court on October 31, 2012. Subsequently, in 2013, appellant filed an action for habeas corpus in the United States District Court for South Carolina; as well as another PCR action in the Court of Common Pleas. On October 23, 2013, the District Court issued an order granting a motion to stay the habeas corpus action pending resolution of the PCR action. Wood v. Byars, 0:12-03532-DCN-PJG.


The Honorable J. Mark Hayes, II is hereby assigned to the PCR action appellant has filed. Judge Hayes shall retain jurisdiction over this case regardless of where he

may be assigned to hold court and may schedule such hearings as may be necessary at any time without regard to whether there is a term of court scheduled.

Judge Hayes shall conduct a hearing on appellant's desires regarding counsel within thirty days of the date of this order. Within sixty days of the date of this order, Judge Hayes shall issue a scheduling order setting forth the schedule that shall be followed in this matter, including the date of the hearing on the merits. The scheduling order may be amended as necessary. A copy of the scheduling order and any amended scheduling order shall be provided to counsel, this Court and Court Administration. In addition to appellant's obligation to notify the Clerk of this Court of the Status of this matter every sixty days under In re Stays of Execution in Capital Cases, supra, 321 S.C. 544, 471 S.E.2d 140 (1996), Judge Hayes is requested to provide the Clerk of this Court and Court Administration with an update on the status of this matter every one hundred and twenty days.

The previous Order dated September 22, 2014 assigning this matter to the Honorable Letitia H. Verdin is rescinded.

IT IS SO ORDERED.


FOR THE COURT C.J.

October 2, 2014
Columbia, South Carolina

cc: The Honorable Letitia H. Verdin
Donald J. Zelenka
Elizabeth A. Franklin-Best
Emily C. Paavola
Daniel E. Shearouse
Paul B. Wickensimer