

This imaged document was originally scanned using a proprietary format and has been converted prior to uploading into C-Track.

The document should be checked carefully before use.

The Supreme Court of South Carolina

The State,

Respondent

v.

Richard Bernard Moore,

Appellant.

The Honorable Gary E. Clary
Spartanburg County
Trial Court Case No. 2000-GS-42-0617
2000-GS-42-0619
2001-GS-42-2460

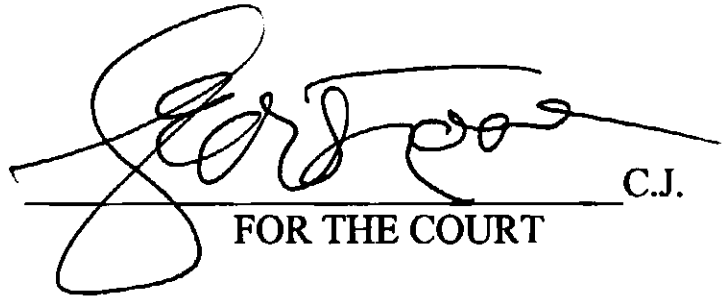
ORDER

By order dated April 7, 2004, this Court issued an order staying the execution of appellant to allow him to proceed in post-conviction relief (PCR). The PCR action was filed as Moore v. State, 2004-CP-42-02715, and was assigned to Judge Roger L. Couch in January 2010 after the retirement of Judge Larry R. Patterson.

The PCR judge is requested to issue a scheduling order to allow a final order to be issued by November 15, 2010. This scheduling order should be issued within thirty (30) days of the date of this order. A copy of this

scheduling order should be provided to this Court. If there are compelling reasons why a final order cannot be issued by November 15, 2010, the PCR judge shall notify this Court of those reasons and provide an alternative date.

IT IS SO ORDERED.



C.J.
FOR THE COURT

Columbia, South Carolina

June 17, 2010

cc: Melissa Jane Reed Kimbrough, Esquire
Assistant Deputy Attorney General Donald J. Zelenka
Senior Assistant Attorney General William Edgar Salter, III
The Honorable Roger L. Couch

Melissa J. Kimbrough, Esquire
1830 Marion Street
Columbia, S.C. 29201

(803) 765-2796 (telephone)
(803) 765-2750 (telecopier)

May 20, 2010

Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
1231 Gervais Street
Columbia, S.C. 29201

RECEIVED

MAY 20 2010

S.C. SUPREME COURT

Re: Charles E. Shuler v. State of South Carolina
Richard B. Moore v. State of South Carolina

Dear Mr. Shearouse:

I am writing as to the status of the above-referenced capital post-conviction relief cases.

As to Mr. Shuler, counsel are awaiting transcription of a post-conviction relief transcript. After receipt of the transcript, counsel will begin preparing proposed orders.

As to Mr. Moore, this case was previously assigned to Judge Larry R. Patterson, who is now retired. Counsel is awaiting receipt of the newly assigned circuit judge and anticipates a status conference will be held after the assignment is made.

Very truly yours,



Melissa J. Kimbrough

MJK/ja

cc: S.C. Office of the Attorney General, Capital Division
James M. Morton, Esquire
Jim Brown, Esquire

Melissa J. Kimbrough, Esquire
1830 Marion Street
Columbia, S.C. 29201

(803) 765-2796 (telephone)
(803) 765-2750 (telecopier)

May 6, 2010

RECEIVED

MAY 12 2010

S.C. SUPREME COURT

Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
1231 Gervais Street
Columbia, S.C. 29201

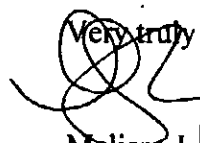
Re: Richard Moore v. State of South Carolina,

Dear Mr. Shearouse:

I am writing to advise the Court of the status of Mr. Moore's case. As of today's date, no hearing has been scheduled in this capital post-conviction relief matter. Recently, this case was reassigned due to the retirement of Judge Larry R. Patterson. This case remains in the investigation phase of hearing preparation.

Counsel anticipates a status conference will be held in the near future to discuss scheduling and any other pretrial issues; however, there are no pending court dates at this time.

Very truly yours,



Melissa J. Kimbrough

MJK/ja

cc: W. Edgar Salter, Esquire
James M. Morton, Esquire

The Supreme Court of South Carolina

The State

Respondent

v.

Richard Bernard Moore

Appellant

ORDER

The post-conviction relief action in this matter was assigned to the Honorable Larry R. Patterson by order dated April 7, 2004. I find that with the recent retirement of Judge Patterson, this matter must be reassigned to another judge. Now, therefore,

Pursuant to the provisions of S. C. CONST. Art. V, §4,

IT IS ORDERED that the order dated April 7, 2004 assigning this matter to the Honorable Larry R. Patterson is rescinded and the Honorable Roger L. Couch is hereby assigned to the post-conviction relief action in this matter. Judge Couch 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.

s/ Jean Hofer Toal

Jean Hofer Toal
Chief Justice

January 13, 2010
Columbia, South Carolina

Melissa J. Kimbrough, Esquire
1830 Marion Street
Columbia, S.C. 29201
(803) 765-2796 (telephone)
(803) 765-2750 (telecopier)

December 28, 2009

RECEIVED
DEC 30 2009
S.C. SUPREME COURT

Honorable Daniel E. Shearouse
Clerk, South Carolina Supreme Court
P.O. Box 11330
Columbia, S.C. 29211

Re: Shuler, Charles v. State--03-GS-38-359
✓ Moore, Richard v. State--04-CP-42-2715
Woods, Anthony v. State--09-CP-14-00654

Dear Mr. Shearouse:

I am writing to provide status letters on the above-referenced pending capital post-conviction relief cases.

In Shuler v. State, proposed Orders are due to the trial judge, Honorable Casey L. Manning, by the end of January, 2010.

In Moore v. State, Counsel is awaiting the appointment of a substitute trial judge, as the Honorable Larry R. Patterson is now retired and was previously appointed to try this matter.

In Woods v. State, Counsel were recently appointed and are in the process of reviewing the trial transcript and files so as to determine what investigation is necessary to prepare for a hearing. A scheduling order will be forthcoming.

If you have any questions concerning these matters, please do not hesitate to contact me.

Very truly yours,


Melissa J. Kimbrough

MJK/ja

cc: Atty. General Anthony Mabry
Atty. General W. Edgar Salter
Atty. Jim Brown
Atty. Robert Kilgo
Atty. James M. Morton

Melissa J. Kimbrough, Esquire
1830 Marion Street
Columbia, S.C. 29201
(803) 765-2796 (telephone)
(803) 765-2750 (telecopier)

October 7, 2009

Honorable Daniel E. Shearouse
Clerk, S.C. Supreme Court
P.O. Box 11330
Columbia, S.C. 29201

RECEIVED

OCT 08 2009

Re: Status Letters

✓ Richard Moore v. State of South Carolina
Shuler (Charles) v. State of South Carolina

S.C. SUPREME COURT

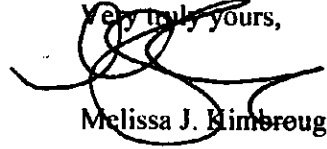
Dear Mr. Shearouse:

I am writing to advise the Court of the status of the above-referenced pending capital post-conviction relief cases.

Mr. Shuler's case is due to have proposed orders submitted to the trial judge, the Honorable Casey L. Manning, on or before January 1, 2010.

Mr. Moore's case is pending the scheduling a post-conviction relief hearing. This case was previously assigned to now retired judge Larry R. Patterson.

Very truly yours,



Melissa J. Kimbrough

MJK/ja

cc: Jim Brown, Esquire
James M. Morton, Esquire
Anthony Mabry, Esquire
W. Edgar Salter, Esquire