

**JEFFREY P. BLOOM
ATTORNEY AT LAW**

P.O. Box 5885
COLUMBIA, S.C. 29250-5885
LICENSED MEMBER OF THE
S.C., N.C., & N.Y. BARS

OFFICE (803) 256-7001
FAX (803) 256-7002
CELL (803) 261-4576
E-MAIL: JEFF@JPBLOOMLAW.COM

December 8, 2016

Mr. Dan Shearhouse
Clerk of the S.C. Supreme Court
ATTN: Debbie Hopkins
S.C. Court Administration
P.O. Box 11330
Columbia, S.C. 29211

RECEIVED

DEC -8 2016

S.C. SUPREME COURT

RE: State of S.C. v. Steven Barnes
Capital Retrial
Ind.Nos. 2005-GS-19-00457 and 00273

Dear Mr. Shearhouse:

Pursuant to *In Re Stays of Execution in Capital Cases*, 471 S.E.2d 140 (S.C. 1996), and an instruction from your Office to provide a status letter in the above-captioned case, please consider this letter as a status report to Court Administration regarding this capital retrial. Please note there is no stay of execution in this case, as referenced in *In Re Stays, supra.*¹ because the defendant is not under a sentence of death but awaiting a retrial.

If required by the Court, I will file another status report with Court Administration, per *In Re Stays*, in another sixty (60) days, which will be due on: February 6, 2017.

This case is pending a retrial in General Sessions Court in Edgefield County. The assigned Circuit Court Judge, Hon. Diane Goodstein, has held several status conferences. William McGuire, of the S.C. Office of Indigent Defense – Capital Trial Unit – is also appointed in this case. Mr. McGuire has an Order of Protection in the case of State v. Roof (of Charleston, Ninth Circuit). The Order of Protection in the Roof case was signed by former Chief Justice Toal. Once the Roof case is concluded in state court, then we anticipate that a trial date will be set in defendant Barnes' case. Also, the new Solicitor-elect Rick Hubbard will take Office as the Eleventh Circuit Solicitor in January 2017. Presumably Solicitor Hubbard will need some time to become familiar with this case for trial (note that I obviously do not intend to speak for or represent the State in this regard but submit this

¹ Please note it is undersigned counsel's understanding that *In Re Stays*, applied only to capital-PCR cases and similar cases where a defendant was actually under an imposed sentence of death; and not that *In Re Stays* – by its own language – applied to pending capital trials in General Sessions Court. Hence, counsel has not previously filed status letters because counsel was unaware of the need to do so in defendant Barnes' case.

as an observation); although, Assistant Solicitor Ervin Maye has informed the Circuit Court that the State is ready to proceed.

I have also been informed that defendant Barnes has filed several pro se matters in the Court's original jurisdiction. Please note that Mr. McGuire and I do not represent defendant Barnes in the pro se matters.

Please feel free to call me with any questions. Thank you for your attention to this matter.

Sincerely,


Jeffrey P. Bloch

cc: Hon. Diane Goodstein, Circuit Court Judge
Melody Brown, Assistant Attorney General
Ervin Maye, Assistant Solicitor, Edgefield County
Robert Dudek, Chief Attorney, Office of Appellate Defense
William McGuire, co-counsel