

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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S.C. SUPREME COURT

RICHARD BERNARD MOORE,

Petitioner,

v.

STATE OF SOUTH CAROLINA,

Respondent.

SUPPLEMENT TO
RESPONSE IN OPPOSITION TO (SECOND) MOTION
FOR STAY OF EXECUTION

The State, as Respondent, supplements its Response in Opposition to Moore's (Second) Motion for Stay of Execution filed on November 19, 2020.

In reply to the response filed today, Moore for the first time asserts that counsel for Bobby Wayne Stone did, in fact, request the protocols in 2017. (See Reply, p. 2 n. 1). This admits knowledge of the restriction. Even so, undersigned counsel amends to assert that counsel attempted to confirm this morning with SCDC whether that had occurred, but was informed at that time that no request was made. Clearly that request was never shared with the Attorney General's Office lawyers during that time which is evident by the email counsel sent directly to SCDC. The point not contested is that counsel was aware of the denial; and that counsel did not take any known steps known to the undersigned to litigate by any method. However, undersigned counsel files this amended response to confirm their good-faith basis for the assertions in note 7, infra.

Respectfully Submitted,

ALAN WILSON
Attorney General of South Carolina

DONALD J. ZELENKA
Deputy Attorney General

MELODY J. BROWN
Senior Assistant Deputy Attorney General

WILLIAM EDGAR SALTER, III
Senior Assistant Attorney General

s/Melody J. Brown

By: _____
MELODY J. BROWN
S.C. Bar No. 14244

s/William Edgar Salter, III

By: _____
WILLIAM EDGAR SALTER, III
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ATTORNEYS FOR RESPONDENT

November 19, 2020

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STATE OF SOUTH CAROLINA,

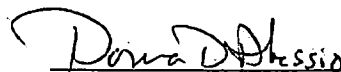
Respondent.

CERTIFICATE OF SERVICE

I, Donna D'Alessio, am an employee of the Respondent, hereby certify that as per the March 20, 2020 Order of the Chief Justice, the Respondent's Supplement to Response in Opposition to (Second) Motion for Stay of Execution, and Certificate of Service has been forwarded to Petitioner's counsel, Lindsey S. Vann, Esq., via email today, November 19, 2020 to lindsey@justice360sc.org, to Hannah Freedman, Esq. at hannah@justice360.org, and to John H. Blume, Esq. at jb94@cornell.edu

I further certify that all parties required by Rule to be served have been served.

This 19th day of November, 2020.



Donna D'Alessio,
Legal Assistant to Melody J. Brown, Senior
Assistant Deputy Attorney General and to
William Edgar Salter, III, Senior Assistant
Attorney General