

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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Case No. 2002-024388

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BRAD KEITH SIGMON

*Petitioner,*

v.

STATE OF SOUTH CAROLINA,

*Respondent.*

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REPLY TO STATE'S RESPONSE IN OPPOSITION  
TO MOTION FOR TEMPORARY STAY OF EXECUTION

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The Attorney General's response to Brad Sigmon's requests that this Court either decline to set a date for his execution or enter a temporary stay of execution explicitly states that the Department of Corrections, "despite on-going efforts," has not been able to obtain the chemicals need to legally carry out executions by lethal injection at this time. St. Resp at \*, n. 2.<sup>1</sup> Thus setting an execution date at this time is pointless and would result in an unnecessary waste of state and federal judicial resources and South Carolina taxpayers' money.

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<sup>1</sup> Without knowing which drugs the State might use to carry out his execution, Mr. Sigmon would be unable to make a knowing and informed choice between lethal injection and electrocution should this Court set an execution date. Since the default method of execution is lethal injection if the inmate cannot or does not choose one of the two methods, S.C Code Ann. § 24-3-530, the execution will not be able to proceed at this time.

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S.C. SUPREME COURT

## CONCLUSION

For the reasons stated above, this Court should temporarily suspend setting an execution date or enter a temporary stay of execution.

Respectfully submitted,

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