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S.C. SUPREME COURT

ALAN WILSON
ATTORNEY GENERAL

June 8, 2021
(via electronic filing only)

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

Re: *Sigmon v. State*, Appellate Case No. 2002-024388
*Execution Date Set: June 18, 2021
Owens v. State, Appellate Case No. 2006-038802
*Execution Date Set: June 25, 2021

Dear Mr. Shearouse:

Please accept this filing as a supplement to the State's responses opposing the motions to stay execution in both of the listed cases. Both motions reference a jointly filed action in Richland County presenting challenges to the constitutionality and applicability of the amended statute, S.C. Code § 24-3-530 (2021), and for injunctive relief. (C/A 2021-CP-40-2306). Today, the Honorable Jocelyn Newman entered a Form 4 Order declining to enjoin the defendants, finding "little likelihood of success on the merits" therefore, "injunctive relief cannot be granted." The Order additionally indicates "[a] formal, more detailed written Order is forthcoming." A copy of the Form 4 Order is being filed with this letter.

Sincerely,

s/Melody J. Brown

Melody J. Brown
Senior Assistant Deputy Attorney General

MJB/abb
(Attachment – June 8, 2021 Form 4, C/A 2021-CP-40-2306)

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Freddie Eugene Owens et al
PLAINTIFF(S)

Bryan P Stirling et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

On June 7, 2021, the Court heard oral arguments on Plaintiffs' "Motion for a Preliminary Injunction and Expedited Discovery and Hearing," which was filed on May 17, 2021.

Having fully considered both the written and oral arguments of the parties, the Court DENIES Plaintiffs' motion and DECLINES to enjoin Defendants from taking action pursuant to S.C. Code Ann. §24-3-530, as amended in 2021. The Court finds that Plaintiffs have little likelihood of success on the merits of their claim; therefore, injunctive relief cannot be granted.

A formal, more detailed written Order is forthcoming.

ORDER INFORMATION

This order ends does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/08/2021 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Richland Common Pleas

Case Caption: Freddie Eugene Owens , plaintiff, et al vs Bryan P Stirling , defendant,
et al
Case Number: 2021CP4002306
Type: Order/Electronic Form 4

So Ordered

Jocelyn Newman

Electronically signed on 2021-06-08 15:18:22 page 3 of 3