

1977 WL 37271 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 17, 1977

*1 Ms. Paula Murphy
1142 Dickson Avenue
Hanahan, South Carolina 29406

Dear Ms. Murphy:

Thank you for your letter of March 15, 1977.

I am aware of only one instance where an electric chair has failed to perform satisfactorily and, in that instance, the individual was rescheduled for electrocution after an appeal to the United States Supreme Court. It is not necessary, in my opinion, that resentencing be made, although it may be necessary if a specific time has been fixed for the execution. This is done in South Carolina and if the period fixed by the Court should expire without the execution being carried out, it will be necessary to establish a new date for the execution, but this is not a resentencing.

Very truly yours,

Daniel R. McLeod
Attorney General

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