

1976 WL 30687 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 1, 1976

***1 In Re: State v. Richard Edward Workman**

The Honorable James B. Edwards
Governor
Columbia, South Carolina

Dear Governor Edwards:

I have received a copy of the letter of John C. Hayes, counsel for the above defendant, dated February 25, 1976, and requesting that the execution of Mr. Workman, following his conviction of the offense of murder, be stayed during the pendency of the appeal which has been made.

In my opinion, a reprieve or stay of sentence by you is unnecessary during the course of the appeal. The appeal operates as a stay of the execution of the sentence until the appeal is finally disposed of. Section 7-6, Code of Laws, 1962. By a statute adopted at the 1975 session of the General Assembly (75 Acts 74), provision is made for the imposition of a sentence should the appeal from it be affirmed or the appeal dismissed or abandoned.

Should an appeal be made from a decision of the Supreme Court of South Carolina to the Supreme Court of the United States, appropriate procedures are available to stay the execution of the sentence until the matter has been finally disposed of in the courts.

A copy of this letter is being forwarded to Honorable William D. Leeke, Director, Department of Corrections, so that he may be apprised of the views herein expressed. A copy is likewise being forwarded to the attorney for the defendant, John C. Hayes, Esq.

Very truly yours,

Daniel R. McLeod
Attorney General

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