

IN THE
Supreme Court of the United States

FREDDIE EUGENE OWENS,

Petitioner,

v.

BRYAN P. STIRLING, Director, South Carolina Department of Corrections;
SOUTH CAROLINA DEPARTMENT OF CORRECTIONS; & HENRY
MCMASTER, Governor of South Carolina,

Respondent.

CAPITAL CASE

EXECUTION OF APPELLANT OWENS SCHEDULED FOR SEPTEMBER 20, 2024, 6 P.M. ET

**DIRECTED TO THE HONORABLE JOHN G. ROBERTS, CHIEF JUSTICE OF THE SUPREME
COURT OF THE UNITED STATES, AND CIRCUIT JUSTICE FOR THE FOURTH CIRCUIT**

**REPLY IN SUPPORT OF EMERGENCY MOTION FOR STAY
OF EXECUTION AND PETITION FOR WRIT OF CERTIORARI**

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JUSTICE 360
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Counsel for Petitioner Owens

Although this case does involve complex and important questions of law, the Court should not lose sight of the bigger picture. Owens was put in the position of having to choose his method of execution based solely on Director Stirling's and the state crime lab's word that the execution drugs were tested and approved; no confirmatory documents were provided. Owens then attempted to remedy this dearth of information in a way that accounted for the State's interests, by seeking drug information not expressly foreclosed by the secrecy statute and offering to abide by a non-disclosure protective order. In short, Owens has made every effort to be reasonable and mindful of concerns about undue delay, while also protecting his own important interest in being able to choose how he will die with the benefit of the most basic information. This careful balancing is exactly how procedural due process should work, and why Owens's claim is likely to succeed on the merits. An emergency injunction should be issued in these circumstances.

Respectfully submitted,

/s/ David Weiss

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September 20, 2024