

State of North Carolina

Roy Cooper
GOVERNOR

PARDON OF INNOCENCE
for
CHARLES RAY FINCH

WHEREAS, during the July 1976 Term of Wilson County Superior Court, Charles Ray Finch ("Finch") was convicted of First-Degree Murder, Docket Number 76-CR-1251; and

WHEREAS, on July 2, 1976, by judgement of the Court, Finch was sentenced to death and placed in the custody of the then-North Carolina Department of Correction; and

WHEREAS, in 1977 the North Carolina Supreme Court upheld Finch's conviction but commuted his sentence to life imprisonment, *State v. Finch*, 293 N.C. 132 (1977); and

WHEREAS, on December 17, 2015, counsel for Finch filed a federal habeas petition in the United States District Court for the Eastern District of North Carolina and it was denied; and

WHEREAS, on January 25, 2019, the United States Court of Appeals for the Fourth Circuit issued a ruling in *Finch v. McKoy*, 914 F.3d 292 (4th Cir. 2019) that Finch had overcome the exacting standard for actual innocence through sufficiently alleging and providing new evidence of a constitutional violation and through demonstrating that the totality of the evidence, both old and new, would likely fail to convince any reasonable juror of his guilt beyond a reasonable doubt and remanded his case to the district court; and

WHEREAS, on May 23, 2019, the United States District Court for the Eastern District of North Carolina, having considered the Fourth Circuit's decision and the State's position on the Writ, granted the Writ, vacated Finch's conviction, and ordered his release; and

WHEREAS, Finch was released from custody on May 23, 2019; and

WHEREAS, on June 14, 2019, the District Attorney for the Eighth Prosecutorial District dismissed the above-mentioned charge; and

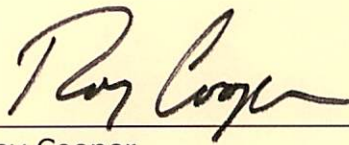
WHEREAS, Finch now seeks a Pardon of Innocence from the Governor; and

WHEREAS, the Governor of the State of North Carolina is vested with the exclusive authority under the state constitution to issue pardons to individuals upon such conditions as he may think proper.

NOW, THEREFORE, I, Roy Cooper, Governor of the State of North Carolina, in consideration of the above factors, and by virtue of the power and authority vested in me by the Constitution of the State, do by these presents PARDON the said CHARLES RAY FINCH, it being a Pardon of Innocence.

This Order effective this the 16th day of June 2021.




Roy Cooper
Governor