



State of North Carolina

Roy Cooper
GOVERNOR

PARDON OF INNOCENCE
for
HOWARD DENICE DUDLEY

WHEREAS, during the April 1992 Term of Lenoir County Superior Court, Howard Denice Dudley ("Dudley") was convicted of First-Degree Sexual Offense and Taking Indecent Liberties with a Minor, Docket Number 91 CRS 11955; and

WHEREAS, on April 27, 1992, by judgment of said Court, Dudley was sentenced to concurrent prison sentences of natural life and three years and placed in the custody of the then-North Carolina Department of Corrections; and

WHEREAS, in 2013, counsel for Dudley filed a Motion for Appropriate Relief with the Superior Court of Lenoir County, North Carolina after which an evidentiary hearing was granted; and

WHEREAS, pursuant to the aforementioned motion, an evidentiary hearing was conducted on March 1 and 2, 2016, where testimony was given, and other evidence presented; and

WHEREAS, in an order entered on March 2, 2016, Superior Court Judge W. Douglas Parsons concluded that "the Court is completely satisfied that the testimony given by" the State's key witness "at trial was false, that she was a material witness at trial – indeed, the only witness directly implicating Mr. Dudley – and that, had her testimony not been admitted, there is more than a reasonable probability that the outcome of Mr. Dudley's trial would have been different"; and

WHEREAS, the March 2, 2016 Order concluded as a matter of law that the State's failure to disclose material exculpatory evidence "constitutes an egregious violation of *Brady v. Maryland*, 373 U.S. 83 (1967) and its progeny, wholly

undermining confidence in the outcome at trial and establishing that there is more than a reasonable probability that, had this evidence been disclosed to Mr. Dudley, the result of the proceeding would have been different"; and

WHEREAS, on March 2, 2016 the Superior Court ordered that Mr. Dudley's convictions be vacated and that he be released immediately from prison; and

WHEREAS, on May 2, 2016, the Lenoir County District Attorney's Office dismissed the above-mentioned charges; and refused to retry the case on grounds that there was insufficient evidence to warrant prosecution; and

WHEREAS, Mr. Dudley 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 HOWARD DENICE DUDLEY, it being a Pardon of Innocence.

This Order effective this the 21st day of December 2021.



A handwritten signature in black ink that reads "Roy Cooper".

Roy Cooper
Governor