

The State of South Carolina

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SOLICITOR'S OFFICE Fifth Judicial Circuit

October 1, 2025

VIA EMAIL AND U.S. MAIL

The Honorable Alan Wilson
South Carolina Attorney General
Rembert Dennis Building
1000 Assembly Street, Room 519
Columbia, South Carolina 29201

RE: The State v. Alexander Devante Dickey
Warrants 2025A4021601544-2025A4021601555

Dear General Wilson:

I am in receipt of your letter (attached) dated September 30, 2025, requesting that I consider filing a notice of intent to seek the Death Penalty in the matter of the *State of South Carolina vs. Alexander Dickey*. The letter not only sets a deadline of October 10, 2025 for me to decide about what sentence this office will seek, but goes on to state that the Attorney General's Office is ready to assume responsibility of this decision "after appropriate review of the evidence."

My staff has been working diligently in conjunction with the Columbia Police Department since Mr. Dickey's arrest to meticulously review, research, and assess this case. As of right now, we are not in a position to ethically make an informed decision about something of this magnitude in order to meet your imposed deadline.

The decision to seek the Death Penalty in any case should not, cannot, and will not be taken lightly. It would be reckless, irresponsible, and unethical for my office to make this decision without first having conducted a comprehensive review of all evidence in the case. To make such a determination a mere four months into the case, without investing the due diligence necessary to conduct a thorough analysis of all facets of the evidence, would set a dangerous precedent. With such a voluminous amount of material to review in this matter, to include the forthcoming results of yet to be completed forensic analyses, it is imperative that we make an informed and deliberate decision about whether or not to seek the ultimate punishment.

The Office of the Fifth Circuit Solicitor recognizes the Attorney General as the chief prosecuting officer of the State with authority to supervise the prosecution of all criminal cases in courts of record. As recently as April 4, 2025 (see attached letter), you exercised such authority by unilaterally adopting the prosecution of the *State of South Carolina vs. Rosali Issac Fernandez-Cruz*. Should similar action be taken in this case, there appears to be little that my office can do to prevent such action. However, until such a declaration is made, my staff will continue to work on this case in preparation for making all relevant and necessary decisions, including, but not limited to, what potential sentences might be appropriate.

In recent days, many outlets and commentators have opined on the actions of the Fifth Circuit Solicitor's Office as it relates to both current and past prosecutions of Mr. Dickey. As you noted in your September 30 letter, Mr. Dickey has an extensive prior criminal history with numerous convictions. Specifically, his record shows that prior to his most recent arrest in May of 2025, Mr. Dickey was arrested on eleven separate occasions dating back to 2013 that totaled approximately 40 different charges. As you are aware from reviewing said record, only ONE of those occasions, a 2022 arrest, occurred in a county within the jurisdiction of this office. The remaining offenses all occurred in other jurisdictions which would make any prosecutorial decisions related to those offenses the responsibility of other prosecutorial agencies outside of the purview of the Fifth Circuit Solicitor's Office.

As we previously discussed, my staff will continue to keep the Federico family informed about all aspects of this prosecution. Throughout the pendency of this case, my office is dedicated to continuing an honest and open dialogue with the Federico family. Our primary goal in this case has been, and will continue to be, to see that justice is done. In the meantime, Mr. Dickey remains in pre-trial confinement without a bond where he will remain until such time as this case is resolved. Should you have any additional questions or need any additional information, please do not hesitate to let me know.

Yours very truly,

By:


Byron E. Gipson

BEG/tf
Enclosure