Supreme Court of Missouri
en banc

April 5, 2022

State ex rel. Keith Carnes,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. SC98736
	)	
Michele Buckner, Superintendent, South Central Correctional Center,		
Respondent.		

ORDER

Having reviewed the record, the amended final report of the special master, and the briefs and finding, in the interest of justice, there is no just reason to delay, *see* Rule 84.24(i); Rule 91.17, the Court concludes the petitioner, Keith Carnes, has met the burden of proof necessary to establish his "gateway cause and prejudice" claim that the state failed to disclose material evidence in violation of *Brady v. Maryland*, 373 U.S. 83 (1963). Mr. Carnes, therefore, is entitled to habeas corpus relief.

Mr. Carnes' convictions are set aside, and this Court orders he be released 30 days from the date of this order unless the state elects to retry him in relation to the offenses

for which he was convicted. All other claims for relief are denied, and no motions pursuant to Rule 84.17 shall be filed.

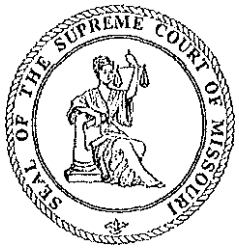
Day – to – Day

Paul C. Wilson
Chief Justice

STATE OF MISSOURI-Sct.

I, Betsy AuBuchon, Clerk of the Supreme Court of the State of Missouri, certify that the foregoing is a full, true and complete transcript of the order of said Supreme Court, entered of record at the January Session thereof, 2022, and on the 5th day of April, 2022, in the above entitled cause.

Given under my hand and seal of said Court, at the City of Jefferson, this 5th day of April, 2021.



Clerk

Deputy Clerk