

IN THE SUPREME COURT OF MISSOURI

STATE OF MISSOURI,	)	
	)	
Respondent,	)	
	)	
v.	)	Case No. SC89833
	)	
BRIAN DORSEY,	)	
	)	
Appellant.	)	

**Motion to Set an Execution Date**

The State of Missouri asks this Court to schedule the execution of Brian Dorsey’s death sentence under Rule 30.30 and states the following in support:

1. On December 23, 2006 Brian Dorsey raped and murdered Sarah Bonnie—his cousin—and then murdered Ben Bonnie—his cousin-in-law— orphaning four-year-old Jade. *State v. Dorsey*, 318 S.W.3d 648,648 (Mo. 2010). Earlier that day, Sarah and Ben took Dorsey into their home to rescued Dorsey from drug dealers who were seeking to collect a debt Dorsey owed. *Id.*
2. This Court affirmed Dorsey’s convictions and sentences on direct appeal. *Id.* The United States Supreme Court denied Dorsey’s petition for a writ of certiorari. *Dorsey v. Missouri*, 562 U.S. 1067 (2010).
3. Dorsey filed a motion for post-conviction relief under Rule 29.15, and the motion court denied all relief. *Dorsey v. State*, 448 S.W.3d 276 (Mo. 2014). This Court affirmed the denial of post-conviction relief. *Id.*

4. Dorsey then filed a petition for a writ of habeas corpus in the United States District Court for the Western District of Missouri. *Dorsey v. Vandergriff*, 4:15-CV-8000-RK (W.D. Mo.). The district court denied Dorsey's petition and did not issue a certificate of appealability. *Dorsey v. Vandergriff*, 2019 WL 4740518 (W.D. Mo. Sept. 27, 2019).

5. Dorsey then sought and received a certificate of appealability from the United States Court of Appeals for the Eighth Circuit. *Dorsey v. Vandergriff*, 30 F.4th 752 (8th Cir. 2022). The Eighth Circuit, after briefing and argument, affirmed the denial of habeas corpus relief. *Id.* That court then denied Dorsey's motion for rehearing. *Dorsey v. Vandergriff*, 20-2099, 2022 WL 2180216 (Jun. 16, 2022).

6. The United States Supreme Court denied Dorsey's petition for a writ of certiorari to the United States Court of Appeals for the Eighth Circuit. *Dorsey v. Vandergriff*, No. 22-6091 (Feb. 21, 2023). The State has included a copy of the United States Supreme Court's February 21, 2023 order list, which includes an order denying Dorsey's petition, as an attachment to this motion.

7. Under Rule 30.30(c), this Court will set a date of execution after the United States Supreme Court has denied review of the defendant's "direct appeal, state post-conviction motion, and federal habeas corpus decision."

8. Dorsey has completed state and federal review, and this Court should set a date for the execution of his sentence. Rule 30.30.

## Conclusion

For these reasons, the State of Missouri asks the Court to set a date for the execution of Brian Dorsey's death sentence.

Respectfully submitted,

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## Certificate of Service

I certify that I filed this document using the Missouri Case Net electronic filing system on February 21, 2023. All other parties will receive electronic service. I further certify that I served Dorsey's federal-litigation attorneys, listed below, by electronic mail:

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