

State	Constitutional Authorization	Scope of Power	Additional Limitations/Regulations	Notes
<b>Alabama</b>	Ala. Const. Art. V, § 124	The governor shall have power to grant reprieves and commutations to persons under sentence of death.	The legislature shall have power to provide for and to regulate the administration of pardons, paroles, remission of fines and forfeitures, and <b>may authorize the courts having criminal jurisdiction to suspend sentence and to order probation.</b>	
<b>Alaska</b>	AK Const. Art. 3, § 21	Subject to procedure prescribed by law, the governor may grant pardons, commutations, and reprieves, and may suspend and remit fines and forfeitures.	The governor may not grant executive clemency to a person unless the governor has first provided notice of consideration of executive clemency to the board of parole for investigation and at least 120 days have elapsed since the notice. Alaska Stat. Ann. § 33.20.080 (West)	
<b>Arizona</b>	AZ CONST Art. 5 § 5	The governor shall have power to grant reprieves, commutation, and pardons, after convictions, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as may be provided by law.	No reprieve, commutation or pardon may be granted by the governor unless it has first been recommended by the board. AZ ST § 31-402	

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Arkansas	AR CONST Art. 6, § 18	In all criminal and penal cases, except in those of treason and impeachment, the Governor shall have power to grant reprieves, commutations of sentence, and pardons, after conviction [ <b>requires Board investigation</b> ]	<p>(a)(1)(A) All applications for pardon, commutation of sentence, reprieve, respite, or remission of fine or forfeiture shall be signed by the applicant under oath.</p> <p>(B) For purposes of § 5-53-102, the application shall be deemed an official proceeding.</p> <p>(2) An applicant shall obtain and include with his or her application a certified copy of the applicant's judgment and commitment order or comparable document.</p> <p>(3) Applications shall be referred to the Parole Board for investigation.</p> <p>Ark. Code Ann. § 16-93-204 (West)</p>	He shall communicate to the General Assembly at every regular session each case of reprieve, commutation or pardon, with his reasons therefor; stating the name and crime of the convict, the sentence, its date, and the date of the commutation, pardon or reprieve.
California	CA CONST Art. 5, § 8	Subject to application procedures provided by statute, the Governor, on conditions the Governor deems proper, may grant a reprieve, pardon, and commutation, after sentence, except in case of impeachment.	[ <i>Reprieve application procedures?</i> ]	The Governor shall report to the Legislature each reprieve, pardon, and commutation granted, stating the pertinent facts and the reasons for granting it. Cal. Const. art. V, § 8. Governor can request investigation by Bd. of Parole, but is not required to do so by law. CA Penal § 4812

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<b>Colorado</b>	Colo. Const. art. IV, § 7	The governor shall have power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and except in case of impeachment, subject to such regulations as may be prescribed by law relative to the manner of applying for pardons.		
<b>Connecticut</b>	CT ST § 54-124a	The Board of Pardons and Paroles shall have independent decision-making authority to (1) grant or deny parole in accordance with sections 54-125, 54-125a, 54-125e and 54-125g, (2) establish conditions of parole or special parole supervision in accordance with section 54-126, (3) rescind or revoke parole or special parole in accordance with sections 54-127 and 54-128, (4) grant commutations of punishment or releases, conditioned or absolute, in the case of any person convicted of any offense against the state and commutations from the penalty of death in accordance with section 54-130a, (5) discharge any person on parole or inmate eligible for parole from the custody of the Commissioner of Correction pursuant to section 54-129, and (6) terminate special parole in accordance with section 54-129.		<i>Governor is not directly involved in process</i>

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<b>Delaware</b>	DE CONST, Art. 7, § 1 (West)	The Governor shall have power to remit fines and forfeitures and to grant reprieves, commutations of sentence and pardons, except in cases of impeachment; but no pardon, or <b>reprieve for more than six months</b> , shall be granted, nor sentence commuted, except upon the recommendation in writing of a majority of the Board of Pardons after full hearing; and such recommendation, with the reasons therefor at length, shall be filed and recorded in the office of the Secretary of State, who shall forthwith notify the Governor thereof.		
<b>District of Columbia</b>	U.S. Const. art II, § 2.	he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.		

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Florida	FL CONST Art. 4 § 8	<p>Except in cases of treason and in cases where impeachment results in conviction, the governor may, by executive order filed with the custodian of state records, suspend collection of fines and forfeitures, <b>grant reprieves not exceeding sixty days</b> and, with the approval of two members of the cabinet, grant full or conditional pardons, restore civil rights, commute punishment, and remit fines and forfeitures for offenses.</p>		
Georgia	GA CONST Art. 4, § 2, ¶ II	<p>The State Board of Pardons and Paroles shall be vested with the power of executive clemency, including the <b>powers to grant reprieves</b>, pardons, and paroles; to commute penalties; to remove disabilities imposed by law; and to remit any part of a sentence for any offense against the state after conviction.</p>		<p><i>[Governor not directly involved]</i></p>

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Hawaii	HI CONST Art. 5, § 5	<p><b>The governor may grant reprieves</b>, commutations and pardons, after conviction, for all offenses, <b>subject to regulation by law as to the manner of applying for the same.</b> The legislature may, by general law, authorize the governor to grant pardons before conviction..</p>	<p><i>[could not find any laws regulating "manner of applying" for reprieves]</i></p>	<p>HI ST § 353-72 discusses the pardon process, but does not implicate reprieves</p>
Idaho	Idaho Const. art. IV, § 7	<p><b>The governor shall have power to grant respites or reprieves</b> in all cases of convictions for offenses against the state, except treason or conviction on impeachment, <b>but such respites or reprieves shall not extend beyond the next session of the board of pardons;</b> and such board shall at such session continue or determine such respite or reprieve, or they may commute or pardon the offense, as herein provided.</p>		

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<b>Illinois</b>	IL CONST Art. 5, § 12	<b>The Governor may grant reprieves, commutations and pardons, after conviction, for all offenses on such terms as he thinks proper. The manner of applying therefore may be regulated by law</b>		Petitions seeking pardon, commutation, or reprieve shall be addressed to the Governor and filed with the Prisoner Review Board. The petition shall be in writing and signed by the person under conviction or by a person on his behalf. It shall contain a brief history of the case, the reasons for seeking executive clemency, and other relevant information the Board may require.
<b>Indiana</b>	IN CONST Art. 5, § 17	<b>The Governor may grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law.</b>	An application to the governor for commutation of sentence, pardon, reprieve, or remission of fine or forfeiture shall be filed with the parole board. The application must be in writing and signed by the person seeking gubernatorial relief or by a person on his behalf. The board may require the applicant to furnish information, on forms provided by the parole board, that it considers necessary to conduct a proper inquiry and hearing regarding the	The Governor ... shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and also the names of all persons in whose favor remission of fines and forfeitures were made, and the several amounts remitted  Ind. Const. art. V, § 17

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			application. Ind. Code Ann. § 11-9-2-1 (West); IN ST 11-9-2-2 further requires the parole board to investigate and make recommendations for each applicant.	
Iowa	Iowa Const. art. IV, § 16	<b>The governor shall have power to grant reprieves</b> , commutations and pardons, after conviction, for all offences except treason and cases of impeachment, subject to such regulations as may be provided by law.	Procedures set forth in IA ST § 914.6	The power of the governor under the Constitution of the State of Iowa to grant a reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship shall not be impaired. Iowa Code Ann. § 914.1 (West)



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Kansas	Kan. Const. art. I, § 7	<p>The pardoning power shall be vested in the governor, under regulations and restrictions prescribed by law.</p> <p><i>[No specific mention of the reprieve power]</i></p>	<p>The governor may pardon, or commute the sentence of, any person convicted of a crime in any court of this state upon such terms and conditions as prescribed in the order granting the pardon or commutation. KS ST 22-3701</p>	<p>Could not find any contemporary caselaw implicating the power to grant reprieves</p>
Kentucky	Ky. Const. § 77	<p>He shall have power to remit fines and forfeitures, commute sentences, <b>grant reprieves</b> and pardons, except in case of impeachment, and he shall file with each application therefor a statement of the reasons for his decision thereon, which application and statement shall always be open to public inspection</p>		
Louisiana	La. Const. Ann. art. IV, § 5	<p><b>The governor may grant reprieves to persons convicted of offenses against the state</b> and, upon favorable recommendation of the Board of Pardons,<sup>1</sup> may commute sentences, pardon those convicted of offenses against the state, and remit fines and forfeitures imposed for such offenses.</p>		

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Maine	ME CONST Art. 5, Pt. 1, § 11	The Governor shall have power to remit after conviction all forfeitures and penalties, and to <b>grant reprieves</b> , commutations and pardons, except in cases of impeachment, upon such conditions, and with such restrictions and limitations as may be deemed proper, subject to such regulations as may be provided by law, relative to the manner of applying for pardons. Such power to grant reprieves, commutations and pardons shall include offenses of juvenile delinquency.		
Maryland	Md. Const. art. II, § 20	<b>He shall have power to grant reprieves</b> and pardons, except in cases of impeachment, and in cases, in which he is prohibited by other Articles of this Constitution; and to remit fines and forfeitures for offences against the State		before granting a nolle prosequi, or pardon, he shall give notice, in one or more newspapers, of the application made for it, and of the day on, or after which, his decision will be given; and in every case, in which he exercises this power, he shall report to either Branch of the Legislature, whenever required, the petitions, recommendations and reasons, which

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				influenced his decision. Md. Const. art. II, § 20
<b>Massachusetts</b>	Mass. Const. Pt. 2, C. 2, § 1, art. VIII	The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council, provided, that if the offence is a felony the general court shall have power to prescribe the terms and conditions upon which a pardon may be granted; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.	<i>[The state constitution makes no mention of reprieves; however, it also omits reference to commutations, which the governor demonstrably has power to grant (with consent of council)]</i>	In a case in which the governor is authorized by the constitution to grant a pardon, he may, with the advice and consent of the council, and upon the written petition of the petitioner, grant it, subject to such conditions, restrictions and limitations as he considers proper, and he may issue his warrant to all proper officers to carry such pardon into effect. MA ST 127 § 154;

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Michigan	MI CONST Art. 5, § 14	The governor shall have power to <b>grant reprieves</b> , commutations and pardons after convictions for all offenses, except cases of impeachment, upon such conditions and limitations as he may direct, subject to procedures and regulations prescribed by law.	Pursuant to MI ST 791.244, there is an extensive review process clemency; but that process can be expedited for medical reasons.	All applications for pardons, reprieves and commutations shall be filed with the parole board upon forms provided therefor by the parole board, and shall contain such information, records and documents as the parole board may by rule require. MI ST 791.243.
Minnesota	Minn. Const. art. V, § 7	The governor, the attorney general and the chief justice of the supreme court constitute a board of pardons. Its powers and duties shall be defined and regulated by law. <b>The governor in conjunction with the board of pardons has power to grant reprieves</b> and pardons after conviction for an offense against the state except in cases of impeachment.		

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Mississippi	Miss. Const. , § 124	In all criminal and penal cases, excepting those of treason and impeachment, the <b>Governor shall have power to grant reprieves</b> and pardons, to remit fines, and in cases of forfeiture, to stay the collection until the end of the next session of the Legislature		
Missouri	Mo. Const. art. IV, § 7	<b>The governor shall have power to grant reprieves</b> , commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may deem proper, subject to provisions of law as to the manner of applying for pardons.		
Montana	Mont. Const. art. VI, § 12	<b>The governor may grant reprieves</b> , commutations and pardons, restore citizenship, and suspend and remit fines and forfeitures subject to procedures provided by law.	<i>Gov. must solicit non-binding recommendation from Board of Pardons and Parole pursuant to MT ST 46-23-301</i>	

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Nebraska	Neb. Const. art. IV, § 13	<p><b>The Governor, Attorney General and Secretary of State, sitting as a board,</b> shall have power to remit fines and forfeitures and to grant respites, <b>reprieves,</b> pardons, or commutations in all cases of conviction for offenses against the laws of the state, except treason and cases of impeachment.</p>		
Nevada	Nev. Const. art. V, § 13	<p>The Governor shall have the power to suspend the collection of fines and forfeitures and grant <b>reprieves for a period not exceeding sixty days</b> dating from the time of conviction, for all offenses, except in cases of impeachment</p>		<p>The Governor shall communicate to the Legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the Sentence, its date, and the date of the remission, commutation, pardon or reprieve.</p>

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New Hampshire	N.H. Const. Pt. 2, art. LII	The power of pardoning offenses, except such as persons may be convicted of before the senate, by impeachment of the house, shall be in the governor, by and with the advice of council.	But no charter of pardon, granted by the governor, with advice of council, before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offense or offenses intended to be pardoned. N.H. Const. Pt. 2, art. LII. On all petitions to the governor and council for pardon or commutation of sentence written notice thereof shall be given to the state's counsel, and such notice to others as the governor may direct... N.H. Rev. Stat. Ann. § 4:21	<i>Statute establishing power to grant respite only mentions its use in capital cases.</i> N.H. Rev. Stat. § 4:24.
New Jersey	NJ CONST Art. 5, § 2, ¶ 1	The Governor may grant pardons and <b>reprieves</b> in all cases other than impeachment and treason, and may suspend and remit fines and forfeitures. A commission or other body may be established by law to aid and advise the Governor in the exercise of executive clemency.		

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New Mexico	NM CONST Art. 5, § 6	Subject to such regulations as may be prescribed by law, the governor shall have power to grant <b>reprieves</b> and pardons, after conviction for all offenses except treason and in cases of impeachment.		On request of the governor the board shall investigate and report to him with respect to any case of pardon, commutation of sentence or reprieve.N. M. S. A. 1978, § 31-21-17.
New York	NY CONST Art. 4, § 4	The governor shall have the power to <b>grant reprieves</b> , commutations and pardons after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations, as he or she may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons.		<i>[Governor can effectively exercise reprieve power unilaterally]</i>
North Carolina	NC CONST Art. III, § 5	(6) Clemency. The Governor may <b>grant reprieves</b> , commutations, and pardons, after conviction, for all offenses (except in cases of impeachment), upon such conditions as he may think proper, subject to regulations prescribed by law relative to the manner of applying for pardons. The terms reprieves, commutations, and pardons shall not include paroles.		



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North Dakota	ND CONST Art. 5, § 7	The governor may <b>grant reprieves</b> , commutations, and pardons. The governor may delegate this power in a manner provided by law.		The governor may appoint a pardon advisory board to consist of five members including the attorney general and two members of the parole board...The governor may dissolve the pardon advisory board at any time...The board shall provide information and make recommendations to the governor concerning any matters before the governor under this chapter.ND ST 12-55.1-02

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Ohio	OH CONST Art. III, § 11	The governor shall have power, after conviction, to <b>grant reprieves</b> , commutations, and pardons, for all crimes and offenses, except treason and cases of impeachment, upon such conditions as the governor may think proper; subject, however, to such regulations, as to the manner of applying for commutations and pardons, as may be prescribed by law	<b>must consult Adult Parole Authority (105-PBD-05).....</b> All applications for pardon, commutation of sentence, or reprieve shall be made in writing to the adult parole authority. Upon the filing of such application, or when directed by the governor in any case, a thorough investigation into the propriety of granting a pardon, commutation, or reprieve shall be made by the authority, which shall report in writing to the governor a brief statement of the facts in the case, together with the recommendation of the authority for or against the granting of a pardon, commutation, or reprieve, the grounds therefor and the records or minutes relating to the case. R.C. § 2967.07	
Oklahoma	Okla. Const. art. VI, § 10	The Governor shall have power to grant after conviction, <b>reprieves or leaves of absence not to exceed sixty (60) days</b> , without the action of the Pardon and Parole Board.		

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<b>Oregon</b>	Or. Const. art. V, § 14	<b>He shall have power to grant reprieves,</b> commutations, and pardons, after conviction, for all offences (sic) except treason, subject to such regulations as may be provided by law.	(5) Following receipt by the Governor of an application for pardon, commutation or remission, the Governor shall not grant the application for at least 30 days. Or. Rev. Stat. Ann. § 144.650 (West).	
<b>Pennsylvania</b>	Pa. Const. art. IV, § 9	Governor shall have power to remit fines and forfeitures, to <b>grant reprieves,</b> commutation of sentences and pardons; but no pardon shall be granted, nor sentence commuted, except on the recommendation in writing of a majority of the Board of Pardons,		<i>[Governor only needs to act on recommendation from Board with respect to commutations and pardons, not reprieves?]</i>
<b>Rhode Island</b>	R.I. Const. art. IX, § 13	The governor, by and with the advice and consent of the senate, shall hereafter exclusively exercise the pardoning power, except in cases of impeachment, to the same extent as such power is now exercised by the general assembly.		<i>[Pardon provision does not mention reprieves (or commutations)]</i>

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<p><b>South Carolina</b></p>	<p>S.C. Const. art. IV, § 14</p>	<p>With respect to clemency, the Governor shall have the power only to grant reprieves and to commute a sentence of death to that of life imprisonment. The granting of all other clemency shall be regulated and provided for by law.</p>	<p>In all other cases than those referred to in § 24-21-910 the right of granting clemency shall be vested in the Board. S.C. Code Ann. § 24-21-920</p>	<p><i>Gramatically ambiguous whether the provision in cell C42 refers to reprieves in capital cases only.</i></p>

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South Dakota	S.D. Const. art. IV, § 3	The Governor may, except as to convictions on impeachment, grant pardons, commutations, and <b>reprieves</b> , and may suspend and remit fines and forfeitures.		
Tennessee	Tenn. Const. art. III, § 6	<b>He shall have power to grant reprieves</b> and pardons, after conviction, except in cases of impeachment		

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Texas	TX CONST Art. 4, § 11	<p>(b) In all criminal cases, except treason and impeachment, the Governor shall have power, after conviction or successful completion of a term of deferred adjudication community supervision, on the written signed recommendation and advice of the Board of Pardons and Paroles, or a majority thereof, to <b>grant reprieves</b> and commutations of punishment and pardons; and under such rules as the Legislature may prescribe, and upon the written recommendation and advice of a majority of the Board of Pardons and Paroles, he shall have the power to remit fines and forfeitures. The Governor shall have the power to grant one reprieve in any capital case for a period not to exceed thirty (30) days; and he shall have power to revoke conditional pardons. With the advice and consent of the Legislature, he may grant reprieves, commutations of punishment and pardons in cases of treason.</p>		

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Utah	Utah Const. art. VII, § 12	<p>3)(a) <b>The Governor may grant respites or reprieves</b> in all cases of convictions for offenses against the state except treason or conviction on impeachment. <b>These respites or reprieves may not extend beyond the next session of the board.</b> At that session, the board shall continue or determine the respite or reprieve, commute the punishment, or pardon the offense as provided in this section.</p>		<p>This chapter may not be construed as a denial of or limitation of the governor's power to grant respite or reprieves in all cases of convictions for offenses against the state, except treason or conviction on impeachment. However, respites or reprieves may not extend beyond the next session of the Board of Pardons and Parole and the board, at that session, shall continue or terminate the respite or reprieve, or it may commute the punishment, or pardon the offense as provided. Utah Code Ann. § 77-27-5 (West)</p>

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Vermont	Vt. Const. CH II, § 20	<p>The Governor shall have power to grant pardons and remit fines in all cases whatsoever, except in treason in which the Governor shall have power to grant reprieves, but not to pardon, until after the end of the next session of the General Assembly; and except in cases of impeachment, in which the Governor shall not grant reprieve or pardon, and there shall be no remission, or mitigation of punishment, but by act of legislation.</p>		
Virginia	Va. Const. art. V, § 12	<p>The Governor shall have power to remit fines and penalties under such rules and regulations as may be prescribed by law; <b>to grant reprieves</b> and pardons after conviction except when the prosecution has been carried on by the House of Delegates</p>		



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Washington	Wash. Const. art. III, § 9	<p>The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.</p> <p><b>The governor may also, on good cause shown, grant respites or reprieves from time to time as he or she may think proper.</b> Wash. Rev. Code Ann. § 10.01.120 (West).</p>		
West Virginia	W. Va. Const. art. VII, § 11	<p>The governor shall have power to remit fines and penalties in such cases and under such regulations as may be prescribed by law; to commute capital punishment <b>and, except where the prosecution has been carried on by the House of Delegates, to grant reprieves and pardons after conviction;</b></p>		

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Wisconsin	Wis. Const. art. V, § 6	<b>The governor shall have power to grant reprieves</b> , commutations and pardons, after conviction, for all offenses, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons.		<i>See also</i> 969.01. Eligibility for release, Wis. Stat. Ann. § 969.01 (West)

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Wyoming	Wyo. Const. art. IV, § 5	The governor shall have power to remit fines and forfeitures, to <b>grant reprieves</b> , commutations and pardons after conviction, for all offenses except treason and cases of impeachment; but the legislature may by law regulate the manner in which the remission of fines, pardons, commutations and reprieves may be applied for	<p>(a) An application for a reprieve shall be made to the governor and shall contain:</p> <ul style="list-style-type: none"> <li>(i) The name of the person seeking the reprieve;</li> <li>(ii) The offense for which he was convicted;</li> <li>(iii) The date and place of the conviction;</li> <li>(iv) The sentence imposed;</li> <li>(v) The sentence served;</li> <li>(vi) Any subsequent arrests, criminal charges, convictions or sentences; and</li> <li>(vii) Any other pertinent information the governor may request.</li> </ul> <p>(b) The governor's warrant granting a reprieve shall list any conditions upon which the reprieve is granted. The person accepting the reprieve shall agree in writing to any conditions contained in the warrant.</p> <p>(c) The warrant of reprieve with the acceptance signed by the person granted the reprieve shall be filed with the clerk of the sentencing court as a part of the record in the case. WY ST § 7-13-801.</p>	