

Hopkins, Debbie

From: Don Zelenka <DZelenka@scag.gov>
Sent: Thursday, October 02, 2014 2:42 PM
To: Keesley, William P.; Diana Holt; Keesley, William P. Law Clerk (Anna Wade)
Cc: Hubbard, Rick; teresa@blumelaw.com; Anthony Mabry; Melody Brown; criminallaw1@aol.com; lisajimbrough@yahoo.com; Hopkins, Debbie
Subject: RE: Ronald Finklea v. State, 2010-CP-32-5076 - Follow-up Status and Scheduling Conference

To all –

I could not immediately locate any involvement of Judge Barber in my materials in the Finklea case.

However, please be advised that Anna Barber was employed by the Attorney General's Office and was directly supervised by me as an Administrative Assistant in the Capital Litigation Unit from March 2011 until August 17, 2012 when she left to begin law school. The Finklea file was an ongoing case throughout her employment. A cursory review of the Finklea files does not any show direct involvement in the preparation of the pleadings in the matter or any of the discovery as far as I can tell.

In light of that I have no preference for time frame for the hearing, recognizing that we had earlier requested the matter be heard in January or February 2015 or sooner previously.

As to the length of the hearing, I will defer to some understanding from the Applicant's counsel since they have four years to prepare the claims since the original application was filed on November 23, 2010 and no amended application has been filed since that time after disclosure of the Solicitor and defense counsel's file.

Sincerely,

Don Zelenka

Donald J. Zelenka
Senior Assistant Deputy Attorney General
South Carolina Attorney General's Office
P.O. Box 11549
Columbia, S.C. 29211
803-734-3601
dzelenka@scag.gov

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Do the attorneys have a preference on whether to start on August 3, 10, or 24? How long do you anticipate the hearing taking?

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**Sent:** Wednesday, October 01, 2014 12:24 PM  
**To:** Teresa Norris; Keesley, William P.; Don Zelenka; Keesley, William P. Law Clerk (Anna Wade)  
**Cc:** DianaHolt@utexas.edu; Hubbard, Rick; Anthony Mabry; Melody Brown; criminallaw1@aol.com; Hopkins, Debbie  
**Subject:** Re: Ronald Finklea v. State, 2010-CP-32-5076 - Follow-up Status and Scheduling Conference

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Teresa L. Norris  
Blume Norris & Franklin-Best, LLC  
900 Elmwood Avenue, Suite 101  
Columbia, SC 29201  
O (803) 765-1044  
F (803) 765-1143  
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To all –

Please note that we will be asking for the setting of the evidentiary hearing for January or February 2015 at the August 25, 2014 status conference. Of course, consistent with 17-27-160, we would have no objection to the matter being set earlier based upon the present application for post-conviction relief.

The PCR application was filed by current appointed counsel on November 23, 2010. And our return was filed December 22, 2010. No amendments to the application have been filed. The State made discovery interrogatories and motion to produce in February 2011. The Solicitors file was produce to opposing counsel August 2011 in CD format. Depositions of the SLED records custodian (Margaret Knox) was held May 11, 2011. The Deputy Coroner's deposition was held April 29, 2011, The records deposition of Deputy Solicitor Rick Hubbard was held April 29, 2011. Material from trial counsel's files were disclosed to me at the office of Teresa Norris on October 11, 2011. I am not aware of other discovery action in this case.

Bu copy of this email, I am requesting prior trial counsel Steve Soltis and Lisa Armstrong to advise me of any court conflicts during December, January or February.

Arrangements have been made with the Department of Corrections for Mr. Finklea to be at the Lexington Courthouse by 1 PM on August 25 for the status hearing.

Your consideration is appreciated.

Sincerely,

Don Zelenka

From: Keesley, William P. Law Clerk (Anna Wade) [<mailto:wkeesleylc@sccourts.org>]

Sent: Monday, August 18, 2014 4:08 PM

To: DianaHolt@utexas.edu; Hubbard, Rick; teresa@blumelaw.com; Don Zelenka; Anthony Mabry; Melody Brown

Subject: Ronald Finklea v. State, 2010-CP-32-5076 - Request for Status and Scheduling Conference

The Judge would like to confirm the status and scheduling conference will be on Monday, August 25th at 2 pm. Additionally, have arrangements been made for transport? If a transport order is necessary, please give us immediate notice.

Best Regards,

Anna Wade

Law Clerk to the Honorable William P. Keesley

P.O. Box 10, 127 Courthouse Square

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