



ALAN WILSON
ATTORNEY GENERAL

December 8, 2014

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S.C. SUPREME COURT

Tracy Garrett
Judge Scheduling Coordinator
Court Administration
Calhoun Building
1015 Sumter Street, Suite 200
Columbia, South Carolina 29201-3739

Re: Abdiyyah Ben Alkebulanyahh, #6012, aka Tyree Roberts vs. State of South Carolina
C.A. No. 2014-CP-07-2994

Dear Ms. Garrett:

I am writing to respectfully request that a judge be appointed to hear this capital post-conviction relief action. The Applicant in this action, Mr. Alkebulanyahh, filed an application for post-conviction relief on November 24, 2014. He also currently has a federal habeas action pending in the United States District Court for the District of South Carolina.

Mr. Alkebulanyahh had previously filed an Application for Post-Conviction Relief on March 12, 2007 after the conclusion of his direct appeal to his capital sentencing proceeding. (C/A No. 2007-CP-07-715). In that action, he was represented by Carl B. Grant, and Glenn Walters. The matter was heard by the Honorable Roger M. Young, Circuit Court Judge. By Order of the South Carolina Supreme Court, the Order assigning jurisdiction of the case to Judge Young was rescinded, and Judge Carmen T. Mullen, Circuit Court Judge was assigned jurisdiction over the case. Judge Mullen issued an Order of Dismissal with Prejudice on September 17, 2009. Mr. Alkebulanyahh appealed the matter to the South Carolina Supreme Court, and his petition for writ of certiorari was denied on February 22, 2013. (Appellate Case No. 2009-143286). Mr. Alkebulanyahh also filed a state habeas action in the South Carolina Supreme Court on February 18, 2011. (Appellate Case No. 2011-185866). The state habeas action was also denied on February 22, 2013. He subsequently filed a federal habeas petition challenging his convictions and death sentence on February 13, 2014. (C/A No. 6:13-cv-00918-TLW-KFM).

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At the present time, Mr. Alkebulanyahh is represented in this post-conviction relief action by Emily C. Paavola and John H. Blume. They also represent Mr. Alkebulanyahh in the federal habeas action. The State has not yet filed a Return in this action. The State received a copy of the application from Ms. Paavola and Mr. Blume on November 24, 2014, and further received a copy of the filed Application from the Beaufort County Clerk of Court on December 4, 2014. I am notifying opposing of this request for the appointment of a judge by copy of this letter.

Thank you for your cooperation in this matter.

Sincerely,



Alphonso Simon, Jr.
Assistant Attorney General

AS:dmd

cc: Emily C. Paavola, Esq.
John H. Blume, III, Esq.
Debbie Hopkins
Victims' Services