

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Abdiyyah Ben Alkebulanyahh,  
a/k/a Tyree Roberts,

Appellant.

Beaufort County  
2014-CP-07-02994

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## ORDER

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Appellant was convicted of two counts of murder and was sentenced to death. State v. Roberts, 369 S.C. 580, 632 S.E.2d 871 (2006). This Court affirmed appellant's convictions and sentence. The United States Supreme Court denied certiorari on March 19, 2007. Roberts v. South Carolina, 549 U.S. 1279, 127 S.Ct. 1828 (2007). Appellant filed an application for post-conviction relief (PCR) on March 12, 2007 which was dismissed with prejudice by the Court of Common Pleas on September 17, 2009. Subsequently, appellant filed an action for habeas corpus in the South Carolina Supreme Court on February 18, 2011. That action, as well as appellant's petition for writ of certiorari, was denied by this Court on February 22, 2013.

Appellant filed a federal habeas petition challenging his convictions and death sentence on February 13, 2014 (C/A No. 6:13-cv-00918-TLW-KFM), as well as another PCR action in the Court of Common Pleas on November 24, 2014 (2014-CP-07-02994). Appellant is currently represented in these actions by Emily C. Paavola and John H. Blume, III.

The Honorable R. Knox McMahon is hereby assigned to the above-captioned PCR action appellant filed on November 24, 2014. Judge McMahon shall retain jurisdiction over this case regardless of where he may be assigned to hold court and may schedule such hearings as may be necessary at any time without regard to whether there is a term of court scheduled.

Judge McMahon shall conduct a hearing on appellant's desires regarding counsel within thirty days of the date of this order. Within sixty days of the date of this order, Judge McMahon shall issue a scheduling order setting forth the schedule that shall be followed in this matter, including the date of the hearing on the merits. The scheduling order may be amended as necessary. A copy of the scheduling order and any amended scheduling order shall be provided to counsel, this Court and Court Administration. In addition to appellant's obligation to notify the Clerk of this Court of the Status of this matter every sixty days under In re Stays of Execution in Capital Cases, supra, 321 S.C. 544, 471 S.E.2d 140 (1996), Judge McMahon is requested to provide the Clerk of this Court and Court Administration with an update on the status of this matter every one hundred and twenty days.

  
C.J.  
FOR THE COURT

December 17, 2014  
Columbia, South Carolina

cc: The Honorable R. Knox McMahon  
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