

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

Abdiyyah Ben Alkebulanyahh, #6012,
a/k/a Tyree Roberts,

Applicant,

vs.

State of South Carolina,

Respondent.

) IN THE COURT OF COMMON PLEAS
) FOURTEENTH JUDICIAL CIRCUIT

) Case No. 2014-CP-07-2994
) (Capital Case)

ORDER

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S.C. Supreme Court

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CLERK OF COURT
SOUTH CAROLINA

The above-captioned capital post-conviction relief action is presently pending before the undersigned. The parties appeared before this Court on Friday January 16, 2015 in Edgefield County, SC at 1:00pm. A hearing was held at that time pursuant to S.C. Code Ann. §17-27-160(B). The purpose of that hearing was to determine Applicant's desires regarding counsel, and to schedule further hearings on this action.

At that hearing, this Court heard testimony from Applicant and his appointed counsel, Ms. Emily Paavola and Ms. Lindsey Vann. The Court finds Ms. Paavola and Ms. Vann are well qualified to represent Applicant in this capital post-conviction relief action based on the requirements provided under S.C. Code Ann. §17-27-160(B). The Court further finds that Applicant is well-satisfied with his appointed counsel and desires for Ms. Paavola and Ms. Vann to represent him in this matter. Hence, this Court enters the instant Order appointing Ms. Paavola and Ms. Vann as counsel for Applicant in the above referenced capital post-conviction relief action.

Additionally, Respondent, the State of South Carolina served a Motion to Dismiss on Applicant at that hearing on January 16, 2015. The Court further orders that Applicant shall be

given thirty (30) days from January 16, 2015 to respond to said motion. After receipt of Applicant's response, Respondent shall be given ten (10) days to reply to Applicant's response.

Finally, the Court orders that an evidentiary hearing on this matter shall be scheduled within 180 days from the hearing conducted on January 16, 2015. This hearing shall take place on Friday July 10, 2015 at a location to be determined later.

IT IS SO ORDERED.

Lexington, South Carolina
January 30, 2015

By: 

R. Knox McMahon, Circuit Court Judge