

# The Supreme Court of South Carolina

The State,

Respondent,

v.

Jesse Waylon Sapp,

Appellant.

Berkeley County  
2015-CP-08-00955

---

## ORDER

---

Appellant was convicted of the murder of a South Carolina Highway Patrolman and was sentenced to death. State v. Sapp, 366 S.C. 283, 621 S.E.2d 883 (2005). This Court affirmed appellant's conviction and sentence. The United States Supreme Court denied certiorari on May 15, 2006. Sapp v. South Carolina, 547 U.S. 1133, 126 S.Ct. 2025 (2006). Appellant filed an application for post-conviction relief (PCR) on October 6, 2006. The Honorable James C. Williams, Jr. granted appellant a resentencing hearing by order dated August 17, 2009. The resentencing is currently pending before the Honorable R. Markley Dennis, Jr.

Appellant filed another PCR action in the Court of Common Pleas on April 16, 2015 (2015-CP-08-00955). Appellant is currently represented in these actions by D. Ashley Pennington.

The Honorable Michael G. Nettles is hereby assigned to the above-captioned PCR action appellant filed on April 16, 2015. Judge Nettles 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 as to whether there is a term of court scheduled.

Judge Nettles 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 Nettles 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, 321 S.C. 544, 471 S.E.2d 140 (1996), Judge Nettles 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

April 23, 2015  
Columbia, South Carolina

cc: The Honorable Michael G. Nettles  
The Honorable R. Markley Dennis  
Donald J. Zelenka, Esq.  
Daniel E. Shearouse, Esq.  
Mary P. Brown  
D. Ashley Pennington  
Tiffany B. Raines