



State of South Carolina
The Circuit Court of the Second Judicial Circuit

DOYET A. EARLY, III
JUDGE

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Mr. Daniel E. Shearouse
Supreme Court of South Carolina
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RECEIVED

FEB 22 2016

Mrs. Rosalyn W. Frierson
S. C. Judicial Department
1220 Sumter St. Ste. 200
Columbia, S.C. 29201

S.C. SUPREME COURT

Re: Bayan Aleksey, SK #5059 v. State of South Carolina: 120 Day Status Report
C/A No.: 2015-CP-38-00764
February 18, 2016

Mrs. Frierson and Mr. Shearouse,

I hope you are both well. Attached is Judge Early's second 120 day status report on the above mentioned case as requested by the Supreme Court Order dated July 1, 2015. Thank you both so much for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Marti Dennis".

Marti Dennis
Judicial Law Clerk

STATE OF SOUTH CAROLINA)
)
COUNTY OF ORANGEBURG)
)
BAYAN ALEKSEY, SK #5059)
)
Applicant,)
)
vs.)
)
STATE OF SOUTH CAROLINA,)
)
Respondent.)
_____)

IN THE FIRST JUDICIAL CIRCUIT
IN THE COURT OF COMMON PLEAS
2015-CP-38-00764
Second 120 Day Status Report

This Court has been assigned to the above-captioned capital post-conviction relief matter by order of the South Carolina Supreme Court, dated July 1, 2015. A hearing was held to determine Applicant's desires with respect to the appointment of counsel on July 28, 2015. This Court appointed Elizabeth Franklin-Best and Teresa L. Norris in an order signed on August 12, 2015. A preliminary scheduling order was signed on August 27, 2015 setting dates for: Applicant's Response to the State's Motion to Dismiss and Initial Motions Filed 8/7/15; State's Response to Motion to Stay Pending *Robertson*; Motions Hearing; and Evidentiary Hearing. A hearing was held on September 15, 2015 where arguments were made on the Applicant's Motion to Stay Pending *Robertson*, Applicant's Motion for Attorney's Fees, Applicant's Motion for Mental Evaluation, and State's Motion to Dismiss.

At this time, these Motions are still Under Advisement pending the result of *Robertson v. State of South Carolina*, Appellate Case No. 2012-205909 because the decision will have an effect on how this court should rule in Mr. Aleksey's case.

Dated this 18 day of Feb, 2016


The Honorable Doyet A. Early, III