

Hopkins, Debbie

From: Al Simon <asimon@scag.gov>
Sent: Wednesday, March 16, 2016 3:55 PM
To: McMahon, R. Knox; McMahon, R. Knox Law Clerk (Todd R. Lyle)
Cc: Lindsey S. Vann (lindsey@justice360sc.org); emily@justice360sc.org; Hopkins, Debbie; Zelenka, Don
Subject: Alkebulanyahh v. State, 2014-CP-07-2994, Capital PCR Action
Attachments: USCA - Order placing case in abeyance pending decision in 12-205909 from SC Sup (Doc. # 31) 3-16-16 (00887414xD2C78).pdf

Good afternoon Judge McMahon.

I am writing to respectfully request a status conference regarding the pending motion to dismiss in this action at the Court's earliest convenience. Earlier today, the Fourth Circuit Court of Appeals issued an Order staying the Applicant's appeal in his federal habeas action pending the South Carolina Supreme Court's decision in Robertson v. State, Appellate Case No. 2012-205909, and pending the resolution of this action. A copy of the Fourth Circuit's Order is attached.

Please let me know if you have any questions.

Sincerely,

Al Simon

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FILED: March 16, 2016

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 15-3
(6:13-cv-00918-TLW)

ABDIYYAH BEN ALKEBULANYAHH, f/k/a Tyree Alphonso Roberts

Petitioner - Appellant

v.

WILLIAM BYARS, JR., Commissioner, South Carolina Department of
Corrections; WAYNE C. MCCABE, Warden of Lieber Correctional Institution

Respondents - Appellees

O R D E R

The court places this case in abeyance pending the South Carolina Supreme Court's decision in Robertson v. State, No. 2012-205909, and resolution of petitioner's ongoing state proceedings for post-conviction relief.

The parties shall notify the clerk upon issuance of the South Carolina Supreme Court's decision in Robertson and upon resolution of each stage of petitioner's state post-conviction proceedings.

For the Court

/s/ Patricia S. Connor, Clerk