

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

United States of America,)
)
vs.)
)
Dylann Storm Roof,)
)
Defendant.)
)
_____)

Criminal No. 2:15-472-RMG

ORDER

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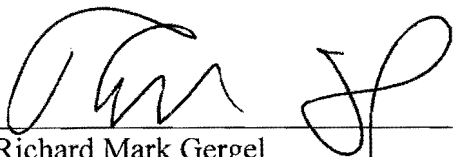
Standby counsel for Defendant moved on December 29, 2016 for a second hearing challenging Defendant’s competency to stand trial and competency to self- represent. (Dkt. No. 832). By orders dated November 25, 2016 and November 29, 2016, this Court found Defendant competent to stand trial and to self-represent. (Dkt. Nos. 656, 691). Although Defendant had undergone a detailed competency evaluation by a court-appointed examiner, Dr. James Ballenger, in mid-November 2016 and a two-day competency hearing on November 21-22, 2016, the Court felt that the serious nature of the proceedings pending against Defendant indicated a need to have Defendant evaluated once again by Dr. Ballenger to confirm there were no material changes in his mental status since his November evaluation.

Dr. Ballenger conducted two additional sessions with Defendant over the New Year’s weekend and issued a report to the Court on January 1, 2017, concluding that Defendant remained competent to stand trial and to self-represent. The Court conducted a day-long competency hearing on January 2, 2017, in which Dr. Ballenger and a number of other witnesses testified. After fully considering all of the evidence presented, the Court ruled from the bench

that Defendant remains competent to stand trial and to self-represent. A more comprehensive opinion from this Court will follow.

At the conclusion of the competency hearing, Defendant requested that the Court consider delaying the sentencing phase of the case one-day, until January 4, 2017, because he was required to devote a great portion of the prior several days to the court examination and competency hearing. The Government made no objection to Defendant's request for a one-day continuance to prepare for trial. For good cause shown, the Defendant's motion for a continuance is granted. Trial of the sentencing phase of this matter will commence at 9:30 a.m. on January 4, 2017.

AND IT IS SO ORDERED.


Richard Mark Gergel
United States District Judge

January 2, 2017
Charleston, South Carolina