

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of General Sessions

The Honorable Brian M. Gibbons, Circuit Court Judge

Case No. 96-GS-32-3226

The State,

Respondent,

v.

William Arthur Kelly,

Appellant.

NOTICE OF APPEAL

William Arthur Kelly appeals his sentences for murder, kidnapping, armed robbery, and possession of a weapon during the commission of a violent crime and his life sentence. Mr. Kelly was sentenced to death on September 19, 1998. His sentence was reversed, and he was subsequently resentenced to life on July 14, 2006. Mr. Kelly became eligible for resentencing pursuant to Aiken v. Byars, 410 S.C. 534, 765 S.E.2d 572 (2014).

From May 20 until May 22, 2024, the Honorable Brian M. Gibbons presided over Mr. Kelly's resentencing hearing and imposed a sentence of life on June 24, 2024. He denied Mr. Kelly's motions for proportionate sentence and motion to declare a forty-year sentence a de facto life sentence.



Sarah H. Mauldin
202 E. Main St.
Lexington, SC 29072
(803) 785-8873
SC Bar Number: 73681
ATTORNEY FOR APPELLANT

July 2, 2024

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CLERK OF COURT
LEXINGTON SC

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Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on S.R. Hubbard, III, Robert Dudek, and William Kelly in the United States Mail, postage prepaid, on July 2, 2024, addressed to:

S.R. Hubbard, III, Solicitor
Eleventh Circuit Solicitor's Office
205 E. Main St.
Lexington, SC 29072

Robert M. Dudek, Chief Appellate Defender
P.O. Box 11589
Columbia, SC 29211

William Arthur Kelly
Broad River Correctional Institution, South Carolina Department of Corrections



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ATTORNEY FOR APPELLANT

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Other Counsel of Record:

S.R. Hubbard, III, Solicitor
Eleventh Circuit Solicitor's Office
205 E. Main St.
Lexington, SC 29072

Chief Appellate Defender Robert M. Dudek
S.C. Commission on Indigent Defense
P.O. Box 11589
Columbia, SC 29211

cc: William Arthur Kelly
Broad River Correctional Institution
South Carolina Department of Corrections

LISA H. COMER
CLERK OF COURT
LEXINGTON SC

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ELEVENTH CIRCUIT PUBLIC DEFENDER

LEXINGTON, SALUDA, EDGEFIELD & MCCORMICK COUNTIES

LEXINGTON
202 EAST MAIN STREET
LEXINGTON, SC 29072
(803) 785-8873

SARAH H. MAULDIN
CIRCUIT PUBLIC DEFENDER

SALUDA • EDGEFIELD • MCCORMICK
POST OFFICE BOX 1852
MCCORMICK, SC 29835
(864) 852-9555

JASON S. CHEHOSKI
CHIEF PUBLIC DEFENDER

July 2, 2024

The Honorable Jenny Kitchings
Clerk of Court for Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
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SC Court of Appeals

Re: The State vs. William Arthur Kelly (Notice of Appeal)

Dear Ms. Kitchings:

I have enclosed an original and one copy of the Notice of Appeal, along with the indictments and sentencing sheets, in the above-referenced case for filing in your office. Please file the original and return the clocked-in copy to me in the enclosed self-addressed, stamped envelope.

I am, by copy of this letter, serving this Notice of Appeal on Solicitor S.R. Hubbard, III, and Chief Appellate Defender Robert M. Dudek. Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Sarah H. Mauldin

Enclosures noted

cc: S.R. Hubbard, III, Solicitor
205 E. Main St.
Lexington, SC 29072

Robert M. Dudek, Chief Appellate Defender
P.O. Box 11589
Columbia, SC 29211

William Arthur Kelly
Broad River Correctional Institution, South Carolina Department of Corrections

ELEVENTH CIRCUIT PUBLIC DEFENDER

LEXINGTON, SALUDA, EDGEFIELD & MCCORMICK COUNTIES

LEXINGTON

202 EAST MAIN STREET
LEXINGTON, SC 29072
(803) 785-8873

SARAH H. MAULDIN
CIRCUIT PUBLIC DEFENDER

SALUDA • EDGEFIELD • MCCORMICK

POST OFFICE BOX 1852
MCCORMICK, SC 29835
(864) 852-9555

JASON S. CHEHOSKI
CHIEF PUBLIC DEFENDER

July 2, 2024

Mr. William Arthur Kelly- 00250459
Broad River Correctional Institution
4460 Broad River Rd.
Columbia, SC 29210

RECEIVED

JUL 10 2024
SC Court of Appeals

Re: State vs. William Arthur Kelly

Dear William,

Please find enclosed a copy of the appeal that was filed on your behalf.
With my warm personal regards, I remain.

Sarah H. Mauldin
Assistant Public Defender

cc: Jenny A. Kitchings, Clerk of Court of Appeals
Robert M. Dudek, Chief Appellate
S. R. Hubbard, III. Solicitor

ELEVENTH CIRCUIT
PUBLIC DEFENDERS OFFICE
202 EAST MAIN STREET
LEXINGTON, SC 29072



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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court for Court of Appeals
P. O. Box 11629
Columbia, SC 29211