

STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

---

Appeal from Spartanburg County

J. Derham Cole, Circuit Court Judge

---

RAYMOND KELLY,

PETITIONER,

V.

STATE OF SOUTH CAROLINA,

RESPONDENT

APPELLATE CASE NO. 2012-212409

---

SUPPLEMENTAL APPENDIX

---

KATHRINE H. HUDGINS  
Appellate Defender

ALAN WILSON  
Attorney General

South Carolina Commission on Indigent  
Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589

SUZANNE H. WHITE  
Assistant Attorney General  
P. O. Box 11549  
Columbia, SC 29211

ATTORNEY FOR PETITIONER

ATTORNEYS FOR RESPONDENT

**RECEIVED**

MAR 17 2014

**SC Court of Appeals**

INDEX

INDEX.....i  
TRIAL TRANSCRIPT PAGES 239-240 .....1

1        didn't take into consideration -- I knew people  
2        in Kentucky that could give me a job. I could  
3        not get a job here in South Carolina by coming  
4        and doing all that time I put out on the  
5        application. I assume that people I put  
6        application to, as soon as they see that I did  
7        all of that time, they just throw it away.

8                I didn't know nobody. In Kentucky, I knew  
9        people that knew I was a good worker. They would  
10       hire me and put me to work. I just did not take  
11       into consideration when I come down there. Of  
12       course, I wanted to see my kids. They wanted me  
13       down here. After doing all that time, I just  
14       didn't even think about it. I made a mistake.  
15       I'm sure sorry of it.

16                **THE COURT:** Anything further?

17                **MR. WHELCHER:** No, sir.

18                **THE COURT:** The sentence of the Court is you  
19       be committed to the South Carolina Department of  
20       Corrections for life.

21        (WHEREUPON, the Defendant exits the courtroom.)

22                **THE COURT:** Ladies and Gentlemen, I don't know  
23       if you were able to pick up on everything that we  
24       were just discussing. But because he had  
25       convictions for armed robbery, two of them from

1           the State of Kentucky, those convictions qualify  
2           as most serious. It is a phrase that is used in  
3           our Two Strikes and Three Strikes law, most  
4           serious prior convictions.

5           Upon the conviction of this armed robbery  
6           with the State having served on him the notice of  
7           their intent to seek a mandatory life sentence,  
8           under state law, it is required that he get a  
9           life sentence. Even if it hadn't been for that,  
10          he would have faced a minimum of 10 years and a  
11          maximum of 30 years. So I think that -- we'll  
12          just -- I'll let that be the explanation.  
13          Perhaps later in the week, I will get a chance to  
14          talk to y'all further if you have any further  
15          questions.

16          I'm going to ask you to step back into jury  
17          room for just a few minutes. Then we might be  
18          about to start another trial. I am going to -- I  
19          will have you directed somewhere else from there.

20          (WHEREUPON, the jury exit at approximately  
21          1:46 p.m.)

22  
23  
24  
25

**END OF PROCEEDING**

