



South Carolina Law Enforcement Division

P.O. Box 21398
Columbia, South Carolina
29221-1398

Henry D. McMaster, Governor
Mark A. Keel, Chief

Tel: (803) 737-9000

FOR IMMEDIATE RELEASE
June 20, 2024

Renée Wunderlich
Director of Public Information
rwunderlich@sled.sc.gov

SLED CHARGES FORMER MARION COUNTY SHERIFF'S DEPUTY WITH ASSAULT & BATTERY 3RD DEGREE AND MISCONDUCT IN OFFICE

The South Carolina Law Enforcement Division (SLED) charged Kyle Michael Kelly, 37, with Assault & Battery 3rd degree, and Misconduct in Office on Thursday, June 20, 2024.

Details can be found in the attached warrants.

Kelly was booked into the Marion County Detention Center.

The case will be prosecuted by the 12th Circuit Solicitor's Office.

SLED was requested by Marion County Sheriff J. Brian Wallace to investigate.

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2024A3310100202

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

THE STATE

33-24-0048

against

Kyle Michael Kelly

Address:

Dillon, SC 29536-2651

Phone: SSN: [REDACTED]

Sex: M Race: W Height: 5 8 Weight: 225

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] 1986 Agency ORI #: SCLED0000

Prosecuting Agency: State Law Enforcement Division

Prosecuting Officer: Joseph K. Starkey - S00673

Offense: Assault / Assault & Battery 3rd degree

Offense Code: 3414

Code/Ordinance Sec: 16-03-0600(E)(1)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be

dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Kyle Michael Kellyon 06/20/2024

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Marion County Summary Court

2715 E Highway 76 Suite B

Mullins, SC 29574

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ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

Personally appeared before me the affiant Joseph K. Starkey whobeing duly sworn deposes and says that defendant Kyle Michael Kellydid within this county and state on or about 4/11/2024 violate the criminal laws of theState of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Marion)

in the following particulars:

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 3rd degree

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On April 11, 2024, Kyle Kelly did, within the county of Marion, commit the offense of Assault and Battery - 3rd Degree, to wit: Kyle Kelly, while acting in the capacity of a Deputy with the Marion County Sheriff's Office (MCSO), delivered [REDACTED] to the Marion County Detention Center (2715 East Highway 76, Mullins) after [REDACTED] was arrested by MCSO for Public Intoxication. As [REDACTED] was escorted inside the Detention Center, [REDACTED] attempted to pull away from Kelly. Kelly grabbed [REDACTED] by the throat and pushed him against the wall. [REDACTED] then kned Kelly in the groin area. Kelly struck [REDACTED] twice in the face with a closed fist, while [REDACTED] was handcuffed behind his back. The above stated facts are supported by audio/video recordings. This Affiant believes there is probable cause to believe that Kelly committed the offense of Assault & Battery-3rd Degree, a violation of South Carolina Code of Laws, 16-3-600 (E)(1).

Signature of Affiant

S/A Joseph Starkey

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

Affiant's Address P. O. Box 21398Columbia, SC 29221-Affiant's Telephone (843)662-6245

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 4/11/2024 defendant Kyle Michael Kelly

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Marion) as set forth below:

DESCRIPTION OF OFFENSE: Assault / Assault & Battery 3rd degree

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 6/18/2024

Signature of Issuing Judge (L.S.)

Kathy Byrd Tiller

Judge Code: 7464Judge's Address Central Traffic CourtMullins, SC 29574-Judge's Telephone (843)423-8210Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit

2024A3310100203

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

THE STATE

33-24-0048

against

Kyle Michael Kelly

Address:

Dillon, SC 29536-2651

Phone: SSN: [REDACTED]

Sex: M Race: W Height: 5 8 Weight: 225

DL State: SC DL #: [REDACTED]

DOB: [REDACTED] 1986 Agency ORI #: SCLED0000

Prosecuting Agency: State Law Enforcement Division

Prosecuting Officer: Joseph K Starkey - S00673

Offense: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

Offense Code: 0819

Code/Ordinance Sec: 17-25-0030

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused is to be arrested and brought before me to be dealt with according to the law.

(L.S.)

Signature of Judge

Date:

RETURN

A copy of this arrest warrant was delivered to

defendant Kyle Michael Kellyon 06/20/2024

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

General Sessions
103 N. Main Street
PO Box 295
Marion, SC 29571

ORIGINAL

ORIGINAL

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ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

Personally appeared before me the affiant Joseph K Starkey who being duly sworn deposes and says that defendant Kyle Michael Kelly did within this county and state on or about 4/11/2024 violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Marion) in the following particulars:

DESCRIPTION OF OFFENSE: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

On April 12, 2024, Kyle Kelly did, within the county of Marion, commit the offense of Misconduct in Office, to wit: Kyle Kelly, while acting in the capacity of a Deputy with the Marion County Sheriff's Office (MCSO), delivered [REDACTED] to the Marion County Detention Center (2715 East Highway 76, Mullins) after [REDACTED] was arrested by MCSO for Public Intoxication. As [REDACTED] was escorted inside the Detention Center, [REDACTED] attempted to pull away from Kelly. Kelly grabbed [REDACTED] by the throat and pushed him against the wall. [REDACTED] then kned Kelly in the groin area. Kelly struck [REDACTED] twice in the face with a closed fist, while [REDACTED] was handcuffed behind his back. The above stated facts are supported by audio/video recordings. This Affiant believes there is probable cause to believe that Kelly committed the offense of Misconduct in Office, a violation of South Common Law §C/L 17-25-0030 - (CDR CODE 0819).

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Marion

Affiant's Address P. O. Box 21398
Columbia, SC 29221-
Affiant's Telephone (843)662-6245

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 4/11/2024 defendant Kyle Michael Kelly did violate the criminal laws of the State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of Marion) as set forth below:

DESCRIPTION OF OFFENSE: Misconduct / Misconduct in office, malfeasance, misfeasance, or nonfeasance

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 6/18/2024

Kathy Byrd Tiller (L.S.)
Signature of Issuing Judge

Kathy Byrd Tiller

Judge Code: 7464

Judge's Address Central Traffic Court
Mullins, SC 29574-

Judge's Telephone (843)423-8210Issuing Court: ☒ Magistrate ☐ Municipal ☐ Circuit