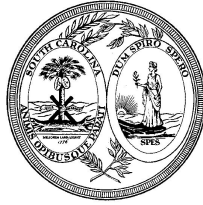


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News Release

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Man Claiming Sovereign Citizenship Sentenced to Four Years in Prison for Gun Charges

Kyrief Kelly, a 29-year old Charleston man, self-identified as a Moorish American, argued he was immune from prosecution based on a 1786 treaty between the United States and Morocco. Kelly and other self-identified Moorish Americans have continuously used this as a tactic to avoid and delay prosecution, asserting that the United States Constitution and laws do not apply to them. Kelly had been charged by Charleston Police Department with Unlawful Carrying of a Pistol and Possession of Stolen Handgun. He exercised his constitutional right to represent himself, despite the Court's caution. The Court appointed standby counsel, Assistant Public Defender Nicholas Smit, to assist in representation. Solicitor Wilson stated, "Yesterday, Kelly learned the hard way that he was not immune to prosecution and that he was not above being held accountable for illegally carrying a gun. Hopefully Kelly's removal from our streets for a bit will send a message to Kelly and other self-proclaimed "sovereign citizens" as well as those who thumb their noses at our gun laws."

The facts leading to the conviction are as follows: On August 28, 2015 on Nassau Street, Kelly was apprehended after fleeing from a traffic stop. As officers chased Kelly, a concerned citizen called 911 to alert officers that the

individual they were chasing threw a handgun into a yard on Nassau St. A fully loaded SARMS 9mm handgun was located on the property. Once placed in the patrol car, Kelly confessed to possessing the weapon and knowing the weapon was stolen. He explained to the officer that it was needed for protection. Kelly denied making these statements in trial, claiming that he threw drugs in a trash can. In conversations with his brother, Kelly admitted throwing something in the yard near a trashcan and wiping it off before continuing down Nassau St., further corroborating the 911 caller. Assistant Solicitor Ginsburg praised the caller for being willing to help the police. She stated, "Too often police and prosecutors do not have the help of eyewitnesses. The 911 caller was key to our getting this repeat offender off the streets for a while.."

A Charleston County jury found Kelly guilty of both weapons charges. The Honorable Thomas L. Hughston, Jr. sentenced Kelly to 4 years in prison with 2 years probation to follow for both charges, taking into consideration his prior record that included, Possession of Cocaine, Possession of Meth or Crack, Possession of Marijuana, Receiving Stolen Goods, Entry on Another's Land, and a federal gun charge in 2008.

The case was investigated by the Charleston Police Department. Assistant Solicitors Alexandra Ginsburg and David Osborne prosecuted the case for the Ninth Circuit Solicitor's Office with assistance from Investigator Ray Haupt. Kelly has two additional pending charges of Unlawful Carrying of a Pistol.

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