

Glenn E. Kelley dies; retired justice of the state Supreme Court

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Glenn E. Kelley, 70, of Woodbury, a retired associate justice of the Minnesota Supreme Court, died Saturday of lung cancer.

"I knew him when I was in Congress and he was in Austin and Winona," said former Gov. Al Quie. "When I appointed him to the Supreme Court in 1981, I used a merit selection process. He came up the highest quality candidate. His sense of fairness and justice in everything he did made him a highly respected member of the community."

Kelley was born in St. Edward, Neb., and graduated from high school in Aberdeen, S.D. He attended the former Northern State College in Aberdeen.

During World War II, Kelley served with the Army Air Corps in England. He was shot down twice and received the Purple Heart and Air Medal with Oak Leaf Clusters.

In 1946, Kelley married his wife, Margaret, in Ann Arbor, Mich., and two years later he received his law degree from the University of Michigan. That year, they moved to Austin, Minn., where Kelley ran his private practice for 22 years.

Kelley was appointed to the bench in the Third Judicial District by former Gov. Harold LeVander in 1968. With his

office was in Winona, Kelley was the chief judge of that district.

Perhaps the most celebrated case he adjudicated then was the 1978 murder trial of Donald Howard, a Winona businessman convicted of arranging to have his wife killed.

While Howard was in jail awaiting trial, Nancy Brown, a former bookkeeper from Winona, helped Howard escape. They were arrested in Louisiana. Kelley sentenced Howard to life imprisonment for his part in the murder and sentenced Brown to three years in prison for helping Howard escape.

When Quie appointed Kelley to the state's high court in December 1981, Kelley received a warm and chilly reception from his new colleagues. After a day of receiving congratulations from the other justices, he learned they had that very day released a decision reversing a decision he'd made as a district court judge.

While on the Supreme Court, Kelley was a member of the Minnesota sentencing guidelines commission. In 1983 he proposed reducing sentences by weighing a prior record of crimes against property less heavily in determining sentences that violent crimes.

He served on the Supreme Court until 1990, when he took a disability retirement because of the effects of cancer.

Besides his wife, Kelley is survived by his sons Glenn of St. Paul and David of Woodbury, and daughter Anne Lindell Kelley, of St. Paul, and one granddaughter. Services will be at 12:30 p.m. Wednesday at House of Hope Presbyterian Church, 797 Summit Av., St. Paul.