

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 15 2022

SC Court of Appeals

APPEAL FROM COLLETON COUNTY
In the Court of Common Pleas

The Honorable Bently Price, Circuit Court Judge

Case No.: 2019-CP-15-0949
Appellate Case No.: 2022-000141

Jacob Murdaugh, ... Appellant

v.

Walmart Stores East, LP, Jan Lunsford, and John Doe, Defendants,

Of whom Walmart Stores East, LP and Jan Lunsford are the Respondents

**APPELLANT'S RESPONSE TO RESPONDENTS' MOTION TO STRIKE MATTERS
FROM APPELLANT'S DESIGNATION OF MATTER
AND
MOTION FOR LIMITED REMAND TO ALLOW THE LOWER COURT TO HEAR
APPELLANT'S MOTION FOR RELIEF FROM JUDGMENT AND/OR
CLARIFICATION**

Appellant, by and through undersigned counsel, responds to Respondents' Motion to Strike Matters from Appellant's Designation of Matter as follows, and Appellant also moves this Court for a limited remand to allow the lower court to hear Appellant's motion for relief for judgment and/or clarification as described below.

BACKGROUND

This case stems from allegations that Respondent Walmart informed law enforcement that Appellant committed the offense of shoplifting in the Walmart store in Walterboro, South

Carolina. The reality was that a different individual pushed a shopping cart full of unpurchased items out of the store. Based on Respondents' representations, and perhaps even instigation, to law enforcement, Sgt. Keith Belanger of the Waltherboro Police Department obtained an arrest warrant for Plaintiff. Approximately two months later, Appellant was stopped for a traffic offense and arrested for the shoplifting charge. A municipal judge dismissed the shoplifting charge after the Sgt. Belanger conceded at a court hearing that the person caught on surveillance pushing the shopping cart out of the store was not Appellant.

On July 8, 2021, Respondents filed a motion for summary judgment. On September 14, 2021, Respondents filed a memorandum in support of their motion for summary judgment. The motion for summary judgment was originally scheduled for September 21, 2021 but was continued by agreement of the parties for the sole purpose of deposing Sgt. Belanger.

After these filings, on October 14, 2021, the attorneys deposed Sgt. Belanger, the law enforcement officer who arrived at the Walmart on the night of the shoplifting incident, investigated Respondents' complaint, and subsequently obtained the arrest warrant for Appellant. See Deposition Transcript attached as **Exhibit A**.

The lower court heard Respondents' motion for summary judgment on November 3, 2021 and issued an order on December 3, 2021 granting Respondents' motion on all causes of action, effectively ending the case. Appellant served a motion for reconsideration on December 13, 2021, and this motion was accepted by the Court and filed on December 14, 2021. The lower court denied Appellant's motion for reconsideration by Order dated January 11, 2022. Appellant served and filed his Notice of Appeal on February 9, 2022.

Appellant served his initial brief and designation of matter on May 23, 2022. Among other thing, the designation of matter requested that the Deposition of Sgt. Keith Belanger be

included in the Record on Appeal. After consulting with Appellant's counsel initially on May 26, 2022, Respondents filed a Motion to Strike Matters from Appellant's Designation of Matter on June 3, 2022. In this motion, Respondents took the position that Sgt. Belanger's deposition transcript was not a part of the record at the summary judgment hearing.

The procedural posture and Appellant's attorney's explanations are set forth in the affidavit attached hereto as **Exhibit B**.

ARGUMENT

I. Sgt. Belanger's Deposition.

Sgt. Belanger is a key witness whose testimony is vital to Appellant's case. Appellant believes the issue of Sgt. Belanger's deposition could most easily be cleared up by the lower court. Accordingly, on this same day as the service of this response and motion, Appellant is simultaneously serving a Motion for Relief for Judgment and/or for Clarification in the lower court. See **Exhibit C**.

This motion requests two things. Appellant first wishes to ask the lower to clarify whether this deposition was part of its record at this hearing. If the lower court states so in the affirmative, then such should clear up this issue for this Court, and Appellant would then request this Court allow Sgt. Belanger's deposition to be included in the record on appeal. If not, Appellant requests that the lower be allowed to hear the Rule 60(b) motion and allow for a rehearing of the summary judgment motion while considering the deposition of Sgt. Belanger if it so chooses.

II. Depositions of Appellant and of Respondent Jan Lunsford.

Counsel for Appellant concedes that he did not appear for the summary judgment hearing with complete copies of the depositions of Appellant and of Respondent Jan Lunsford.

Accordingly, Appellant consents to filing an amended Designation of Matter to only include the portions of these depositions that were included with Respondents' memorandum in support of summary judgment.

III. Amended Initial Brief.

Because Appellant agrees to strike the depositions of Appellant of Respondent Jan Lunsford from the record (except for the portions that were included with Respondents' memorandum), Appellant requests this Court allow him to submit an amended brief so that he can restate the facts and argument while only considering the limited portions of Appellant's and Respondent Jan Lunsford's depositions, and the deposition of Sgt. Belanger.

IV. Conclusion.

Appellant is requesting this Court remand this case to the lower court on a limited basis for the sole purpose of hearing Appellant/Plaintiff's Motion for Relief for Judgment and/or For Clarification. Such a remand would allow this Court to state whether it found the deposition of Sgt. Keith Belanger to be a part of the record when it considered the summary judgment motion. In the event the lower court believes that the deposition was not part of the initial record, then the limited remand should also allow the lower court to hear Appellant/Plaintiff's Motion for Relief From Judgment, which if granted, could also ultimately result the Court to rehearing the summary judgment motion.

Attorney Signature on Following Page.

FUTERAL AND NELSON, LLC

A handwritten signature in black ink, appearing to read 'T. C. Nelson', written over a horizontal line.

Thomas C. Nelson, Esquire

S.C. Bar ID 71178

1004 Anna Knapp Blvd. Suite 3

Mt. Pleasant, South Carolina 29464

Telephone (843) 284-5500

Facsimile (843) 284-5501

Email to: tnelson@charlestonlaw.net

Attorney for Appellant

Dated: June 13, 2022

EXHIBIT A



Deposition of:
Keith Belanger

October 14, 2021

In the Matter of:
**Murdaugh, Jacob Vs. Wal-Mart Stores
East LP**

Veritext Legal Solutions
800.743.DEPO (3376) | Calendar-carolinas@veritext.com |
www.veritext.com

1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF COLLETON

3 JACOB MURDAUGH,

4 Plaintiff,

5 vs.

CASE NO. 2019-CP-15-00949

6 WAL-MART STORES EAST, LP,

JAN LUNSFORD, and JOHN

7 DOE,

8 Defendants.

9
10 DEPOSITION OF: KEITH BELANGER

11 DATE: October 14, 2021

12 TIME: 9:52 a.m.

13 LOCATION: Harvin Law Firm

125 South Walter Street

14 Walterboro, SC 29488

15 TAKEN BY: Counsel for the Plaintiff

16 REPORTED BY: TRISHA M. THOMAS

Page 2 1 APPEARANCES OF COUNSEL: 2 ATTORNEYS FOR THE PLAINTIFF 3 JACOB MURDAUGH: 4 5 FUTERAL & NELSON, LLC 6 BY: THOMAS C. NELSON 7 1004 Anna Knapp Boulevard, Suite 3 8 Mount Pleasant, SC 29464 9 (843) 284-5500 10 TNelson@charlestonlaw.net 11 ATTORNEYS FOR THE DEFENDANTS 12 WAL-MART STORES EAST, LP and JAN 13 LUNSFORD: 14 GAFFNEY LEWIS, LLC 15 BY: ROBERT C. BLAIN 16 171 Church Street, Suite 160 17 Charleston, SC 29401 18 (803) 790-8838 19 RBlain@gaffneylewis.com 20 21 22 23 24 25 (INDEX AT REAR OF TRANSCRIPT)	Page 3 1 KEITH BELANGER 2 being first duly sworn, testified as follows: 3 EXAMINATION 4 BY MR. NELSON: 5 Q. Sergeant Belanger, my name is Tom 6 Nelson. We met just before this deposition here. 7 Have you ever given a deposition before? 8 A. Yes. 9 Q. Okay. Just the basic ground rules I'm 10 going to give you. If you don't understand the 11 question, please just ask me to rephrase it. I'd 12 rather that than you try to answer a question that 13 you did not understand. If you answer the 14 question, we're going to -- we're going to assume 15 that you understood it. Is that okay? 16 A. That's fine. 17 Q. Okay. And if you need a break at any 18 time, just let us know. I doubt we'll even go an 19 hour, but, I mean, we'll -- 20 A. That's fine. 21 Q. -- we'll see. And please remember the 22 court reporter is taking all of this down, so try 23 to avoid nonverbal responses or uh-huhs and 24 huh-uhs. 25 A. Understood.	Page 4 1 Q. Then, finally -- and I still do this 2 after doing this for 17 years. I'm going to try to 3 let you finish your answer before I ask the next 4 question; and, likewise, even if you anticipate 5 what my question is, let me finish the question 6 before you start to answer it so the court reporter 7 can take it down cleanly. 8 A. Understood. 9 Q. All right. And please state your name 10 again for the record. 11 A. My name is Keith Belanger. 12 Q. Okay. And you are currently an 13 employee of the Walterboro Police Department? 14 A. Yes, sir. Been employed since 2013. 15 Q. Okay. What did you do before that? 16 A. I worked down in Georgia at a place 17 called -- excuse me -- yeah -- Youth Challenge. 18 It's run by National Guard, sponsored by Georgia 19 State down off of a campus on Fort Stewart. 20 Q. What is the role there? What is the 21 purpose? 22 A. I was a cadre down there. It's a 23 five-and-a-half-month program for youths age 14 to 24 17 that have already had some type of an issue with 25 law enforcement, some type of a background. I'd	Page 5 1 say a quarter of the students that are down there 2 are usually court ordered to attend. 3 It's not necessarily rehabilitation. 4 It's almost like a second chance. They can go 5 through that program, or they can go through the 6 juvenile program, but ours is a little bit 7 different 'cause it also offers them the 8 opportunity to get their GED. 9 Q. Good. What's your highest level of 10 education? 11 A. Two years of college. 12 Q. And you went to the Criminal Justice 13 Academy? 14 A. Yes. 15 Q. How long do you go to that for? 16 A. That was a 15-week program at that 17 point. I went through the holiday season. 18 Q. And your rank is sergeant? 19 A. Yes. 20 Q. How long have you been a sergeant? 21 A. Six years. 22 Q. And what does that require, for you to 23 become sergeant? 24 A. Usually the department will put on some 25 type of a law enforcement experience in the number
--	---	--	--

Page 6

1 of years, five years, ten years, depends upon which
2 department you're -- you're applying for. I
3 believe this one had, at that time, ten years'
4 experience before they would accept your
5 application or your letter of interest.
6 Q. Okay.
7 A. I have ten years of experience down in
8 Savannah. That's what afforded me the opportunity
9 to go ahead and put my letter of interest in.
10 Q. Okay. What did you do before the youth
11 college -- or the Youth Challenge. I'm sorry.
12 A. I did ten years with Savannah PD.
13 Q. Okay. And is there a CJA, Criminal
14 Justice Academy, equivalent in Georgia?
15 A. Yes. But it's not centralized as South
16 Carolina. It's more regional academies. They'll
17 have five or six different counties that will --
18 lack of a better term, they will go in conjunction
19 with each other and develop their own regional, but
20 there's requirements put up by Georgia POST that
21 they have to follow.
22 Q. Okay.
23 MR. BLAIN: Thanks.
24 (PLF. EXHIBIT 1, Arrest Warrant and
25 Affidavit, was marked for identification.)

Page 7

1 MR. NELSON: Thank you.
2 BY MR. NELSON:
3 Q. I'm handing you a document marked
4 Plaintiff's Exhibit 1. Do you recognize this
5 document?
6 A. Yes, sir.
7 Q. Can you tell me what it is?
8 A. Yes, sir. It's an arrest warrant that
9 I had issued and signed by the judge.
10 Q. Okay. And there's a little narrative
11 there about a third of the way down on the right.
12 It says: On July 24, 2018.
13 A. Yes, sir.
14 Q. Did you fill in that narrative?
15 A. Yes, sir. I submitted an affidavit to
16 the clerk of court so she could complete the
17 warrant.
18 Q. Okay. So the clerk of court actually
19 typed these into this warrant?
20 A. Yes. When I submit an affidavit, she
21 takes the information off of there word for word,
22 letter by letter, and will put it in the -- the
23 warrant program.
24 Q. Okay. So you essentially wrote that
25 narrative?

Page 8

1 A. Yes, sir.
2 Q. Okay. And do you remember this case?
3 A. Yes, sir. I do.
4 Q. Can you tell me basically what happened
5 when you first became involved that evening and
6 what led to this warrant being taken?
7 A. Yes, sir. I can't remember the exact
8 date. I believe it's August 12th of 2018. That's
9 what I have up here on mine.
10 Q. I see July 24.
11 A. Am I looking at the right one?
12 Okay. July 24, yes, sir. This was a
13 different one. Wrong case.
14 Q. Got you.
15 A. Yes, sir. I was actually -- responded
16 to 2110 Bells Highway, which is Walmart here in the
17 town of Walterboro, City of Walterboro, reference
18 to a possible shoplifting incident. Upon my
19 arrival, I spoke with Ms. Jan Lunsford who happened
20 to be the nighttime manager at that point in time.
21 And she told me she was informed by contract
22 workers which were doing electrical work in a
23 portion of the business that a couple individuals
24 tried to push a shopping cart out through the
25 garden area, that they had words back and forth,

Page 9

1 and the individuals apparently left the shopping
2 cart in place just outside the gate and left the
3 business property.
4 When I spoke with Ms. Lunsford, she was
5 able to provide me access to their video camera
6 system. I watched the video. You could see two
7 males push a shopping cart out and, you know, spoke
8 -- you can't hear anything on the video, but they
9 appeared to hesitate or speak back and forth a few
10 -- a few moments, and they did leave the shopping
11 cart there.
12 When I spoke again with Ms. Lunsford,
13 she was able to provide still pictures, but she
14 couldn't copy the video. She didn't know how to
15 copy that video. Excuse me.
16 She believed there may have been an
17 individual by the name -- last name of Murdaugh.
18 We've had problems with an individual by that same
19 last name. I gave her a possible name that I
20 believed the suspect may have been, which would
21 have been Stacy Murdaugh, and she said directly:
22 No, it was not him. I believe it's this other
23 individual.
24 Q. So she produced the name Jacob Murdaugh
25 to you?

Page 10 1 A. Yes, sir. 2 Q. And did she say how she knew Jacob 3 Murdaugh? 4 A. No, sir. She didn't. 5 Q. But she said she had personal knowledge 6 of someone named Jacob Murdaugh that fit the 7 description? 8 A. She said it looks like Mr. Jacob 9 Murdaugh, yes, sir. 10 Q. Okay. And what did you do from there? 11 A. I collected the evidence she was able 12 to give me, which were the still photos, the 13 information about Mr. Murdaugh that we could find 14 in our -- in our system, and anything else from 15 her, completed a report, went to the office, 16 completed an affidavit, e-mailed the affidavit to 17 the clerk so she could complete the warrant. 18 Q. Okay. And you took it out on Jacob 19 Murdaugh solely based upon the information provided 20 to you by Jan Lunsford? 21 A. Yes, sir. 22 Q. And do you have a working relationship 23 with Jan Lunsford? 24 A. I'm not going to say it was a very 25 strong working relationship. It seems as though	Page 12 1 Walterboro Police Department that asked for, say, 2 three years' worth of calls, would it -- could I 3 ask for it by Jan Lunsford's name, or would I just 4 have to go by the address? 5 A. You may be able to go just by her name 6 'cause I can go into our report system, put her 7 name in there, and it'll pull everything up that's 8 got her association with it. 9 Q. Okay. Who would be the person in the 10 Walterboro Police Department I should call before 11 sending in a FOIA request to make sure that I've 12 got -- I'm spelling it out correctly? 13 A. That would probably be our 14 administrative assistant, Miss Joni. You spoke 15 with her earlier, I believe. 16 Q. Got it. Okay. Now, after this warrant 17 was taken, did you have further involvement in this 18 case? Did you go to court or anything like that? 19 A. No, sir. 20 Q. Okay. Let's see. I'm actually -- I've 21 got a two-minute recording from the transcript of 22 the court hearing. I'm going to play it for you -- 23 A. Okay. 24 Q. -- and see if it refreshes anything. 25 A. Okay.
Page 11 1 every time I went to Walmart -- specifically when I 2 was working nights, they were open 24 hours at that 3 time, so it was easier for me to get some of my 4 personal items -- she would approach me and say: 5 We have this person here. We want him trespassed. 6 We have another person we want to have trespassed. 7 Or she would bring me into the asset 8 protection where the video system -- located and 9 say: We had a shoplifting incident a couple hours 10 ago. Can you do something for me? 11 And I would get the information, 12 provide any kind of assistance I could at that 13 point. 14 Q. Okay. And would a lot of these 15 incidents have an incident report associated with 16 them? 17 A. Yes, sir. 18 Q. Okay. 19 A. If it's a trespass, it would usually 20 have what we call a call number, which was just a 21 CAD reference number instead of a report number. 22 Q. I'm sorry. It's called a call number, 23 C-A-L-L? 24 A. Yeah. Yes, sir. 25 Q. So if I sent a FOIA request to the	Page 13 1 (Off-the-record conference.) 2 BY MR. NELSON: 3 Q. I'm just going to play the whole thing 4 in its entirety. 5 A. Okay. 6 Q. I'm not going to interrupt or stop it 7 or anything, and I'll ask you do the same. If you 8 want me to replay any portion of this afterwards, 9 that's fine, but let's just listen to it one time 10 through and we'll go from there. Is that okay? 11 A. Personally, yeah. Sure. 12 Q. Can you hear? 13 A. Yes. 14 Q. All right. And we just listened to -- 15 or to an audio recording. Does that refresh any 16 recollection or ring any bells? 17 A. Honestly, no, it doesn't. 18 Q. Okay. But did you hear your name on 19 that video? 20 A. Yes, I did. Yes. 21 Q. Now, do you believe that was you on 22 that -- on that recording? 23 A. Yeah. I do. 24 Q. Do you know who Mr. Davis is from 25 Walmart?

Page 14 1 A. Not off the top of my head, no, sir. 2 Q. Okay. Did you hear the judge just now 3 say who is here from Walmart, and somebody said 4 Mr. Davis? 5 A. I heard something like that. I didn't 6 hear the normal asset protection or Ms. Lunsford's 7 name -- 8 Q. Okay. 9 A. -- being called. 10 Q. All right. So the last recollection 11 you have pertaining to -- I'm sorry. Go ahead. 12 A. Referencing back to your first 13 question, I do remember Mr. Davis would be Jamarcus 14 Davis. He would have been the asset protection at 15 that time. 16 Q. Okay. Did you recognize the judge's 17 name in that audio? 18 A. Morrison Payne. 19 Q. Sorry? 20 A. Morrison Payne. 21 Q. Okay. So your last recollection of 22 anything to do with Jacob Murdaugh was after you 23 took this warrant out? 24 A. Took that warrant, yes. And, like I 25 said, apparently it did go to court. I just don't	Page 16 1 and letting me know if anything in there is 2 different from your memory? 3 MR. NELSON: That's going to be 3. 4 (PLF. EXHIBIT 3, Supplemental Report, 5 was marked for identification.) 6 THE WITNESS: Yes, sir. Those are my 7 words. That's what I typed in. 8 BY MR. NELSON: 9 Q. Okay. Handing you a document marked 10 Plaintiff's Exhibit 3. Do you recognize this 11 report? 12 A. Yes, sir. I do. 13 Q. Are those your words? 14 A. Yes, they are. 15 Q. And, like the last one, could you just 16 read it and tell me if your memory is any different 17 from what's in there? 18 MR. NELSON: This will be 4 and 5. 19 (PLF. EXHIBIT 4, Digital Video 20 Snapshot, was marked for identification.) 21 (PLF. EXHIBIT 5, Digital Video 22 Snapshot, was marked for identification.) 23 THE WITNESS: That's as I remember it. 24 BY MR. NELSON: 25 Q. Okay. Why did you do a report and then
Page 15 1 remember the particular court session. 2 Q. Okay. All right. 3 MR. BLAIN: I've got a copy. Thank 4 you. 5 (PLF. EXHIBIT 2, Incident report, was 6 marked for identification.) 7 BY MR. NELSON: 8 Q. I'm handing you a document marked -- 9 A. Thank you, sir. 10 Q. -- Exhibit 2. Do you recognize this? 11 A. Yes, sir. I do. 12 Q. Okay. And it doesn't appear to be 13 signed, so I'm going to ask if you would verify. 14 Are those your words that were written for this 15 case? 16 A. Yes, they are. 17 Q. Okay. And you actually asked me about 18 the report before this deposition started and had a 19 moment to review this document, correct? 20 A. Uh-huh. Yes, I did, sir. 21 Q. Okay. Now, did you read it in full 22 just now? 23 A. I scanned it for -- occasionally. 24 Q. Would you mind reading this? It'll 25 take you a minute, but would you mind reading it	Page 17 1 later did a supplemental report? 2 A. It's just a matter of practice for me. 3 Q. Okay. 4 A. 'Cause if she doesn't have all the 5 information available at that time or -- or any 6 kind of a complainant doesn't have the information 7 or the complete information available, then I'll go 8 back and do a supplement. 9 MR. NELSON: Okay. Would you mark 10 these as 6 and 7, please? 11 (PLF. EXHIBIT 6, Digital Video 12 Snapshot, was marked for identification.) 13 (PLF. EXHIBIT 7, Digital Video 14 Snapshot, was marked for identification.) 15 MR. NELSON: Thank you. 16 BY MR. NELSON: 17 Q. I'm going to hand you four 18 photographs -- 19 A. Okay. 20 Q. -- marked Plaintiff's Exhibits 4, 5, 6, 21 and 7. Do you remember seeing these photographs at 22 any point during the case? 23 A. Number 7, I remember seeing. 24 Q. Okay. 25 A. I can't say anything about 4, 5, and 6.

Page 18	Page 20
1 Q. Okay. To this day, do you -- do any of 2 those look like Jacob Murdaugh to you? 3 A. No. 4 Q. Okay. If I represented to you that 5 Number 5 is Jacob Murdaugh, would you have any 6 reason to believe or disbelieve me? 7 A. No, sir. I wouldn't. 8 Q. Okay. Do you think that Number 7 was 9 the actual shoplifter that night? 10 A. That night, yes, sir. I do. 11 MR. NELSON: Okay. Mark this as 8, 12 please. 13 (PLF. EXHIBIT 8, Digital Video 14 Snapshot, was marked for identification.) 15 MR. NELSON: About 3 percent of 16 witnesses organize the documents for us. 17 MR. BLAIN: I'm impressed. 18 THE WITNESS: Sorry. 19 MR. BLAIN: I was just going to say. 20 BY MR. NELSON: 21 Q. This is the last photo. I've marked it 22 Plaintiff's Exhibit 8. Same question as the last 23 ones: Do you recognize those individuals or that 24 photograph? 25 A. The back one, immediately, that's	1 Jacob Murdaugh? 2 A. Yes. 3 Q. Who provided the information that's in 4 this report? 5 A. Ms. Lunsford. And to further that, 6 that's why I went back for a second supplement, 7 because she gave me a list of properties after she 8 scanned them through their system. 9 Q. Okay. Now, when you say -- did she 10 provide it to you and then you put it in the 11 Walterboro computer? 12 A. Yes. 13 Q. And she gave you Teresa Fletcher's 14 name? 15 A. No. I knew that was Teresa Fletcher. 16 Q. Okay. And, actually, I skipped one. 17 If you look at the bottom of page 1, there's Ariel 18 Avant? 19 A. Yes, sir. 20 Q. Did you provide the name Ariel Avant or 21 did Ms. Lunsford? 22 A. Honestly, I can't remember that one. 23 Q. Okay. 24 A. The only thing I can remember about 25 that is is per the report we received notification
Page 19	Page 21
1 Mr. Harrison, Hayward Harrison. 2 Q. Okay. How do you know Mr. Harrison? 3 A. I've had several encounters with him. 4 Q. Okay. 5 A. And I believe the first one, again, 6 looks like Ms. Teresa Fletcher, who's -- I'm not 7 going to say she's a known associate of Mr. -- Mr. 8 Harrison, but we've had a number of encounters with 9 her, the same thing. 10 Q. Okay. Do you know of any association 11 between them and Jacob Murdaugh? 12 A. No. Not off the top of my head. 13 MR. NELSON: Okay. We on 9? 14 (PLF. EXHIBIT 9, Incident report, was 15 marked for identification.) 16 BY MR. NELSON: 17 Q. I'm handing you a document -- I'm not 18 sure exactly what to call it -- Plaintiff's Exhibit 19 9. Do you recognize it or at least the type of 20 report? 21 A. Yes, sir. 22 Q. What do you call that? 23 A. It's an incident report. 24 Q. And would you agree that this is the 25 incident report that pertains to the arrest of	1 that they had left the scene and other officers 2 were able to find them at 1539 Bells Highway, which 3 was the Enmark at that time. 4 Q. Okay. 5 A. And we approached and spoke with them 6 then, and they both admitted that they had been on 7 scene. 8 Q. Okay. Where did you get the 9 identifying information like weight 220? 10 A. That's in our system. 11 Q. Okay. 12 A. Sometimes it needs to be updated 13 because people change. If we can't get it from 14 there, then we'll get it from DMV online. 15 Q. Okay. So you're not sure where exactly 16 that information was initially put in? 17 A. If it was in the system, a lot of 18 people don't go through and change it. 19 Q. Okay. And if you look on page 2, at 20 the bottom it's got Jacob Seal Murdaugh? 21 A. Yes. 22 Q. Do you remember where you got the 23 information about Jacob Murdaugh, the identifying 24 information? Or was it already in there? 25 A. Not entirely, no, sir. I couldn't --

Page 22 1 if I did something like that, then it would have 2 had to have been through the DMV online. If he's 3 -- if an individual's not in the system, then we'll 4 try to get as much information about that 5 individual, either through CAD dispatch -- they may 6 be able to provide that to us. If we can't get 7 that, then we go through the member services on 8 DMV. 9 Q. Okay. And at page 3, in the middle it 10 actually has Jan Lunsford's name -- 11 A. Yes, sir. 12 Q. -- as the complainant. 13 A. Uh-huh. 14 Q. Do you know where her information came 15 from? 16 A. She was already in our report system. 17 Q. Okay. 18 A. And usually, as a matter of courtesy, 19 if it's a manager or an employee of a business, we 20 won't use their home address but use their business 21 address. 22 Q. Okay. And then the next few pages look 23 like it's the items. Were those the items in that 24 shopping cart? 25 A. Yes, sir. They're actually, from what	Page 24 1 registers, where they even open at that time? 2 A. No. The closest registers would have 3 been in the front of the store. 4 Q. Okay. Was the cart pushed -- did it 5 still have a roof over it where the cart ended up? 6 A. No. 7 (PLF EXHIBIT 10, Booking report, was 8 marked for identification.) 9 BY MR. NELSON: 10 Q. Handing you a document marked Exhibit 11 10. 12 A. Yes, sir. 13 Q. This is the booking report. Would this 14 have been done when Jacob was actually arrested? 15 A. Yes, sir. 16 Q. Do you know how much time passed from 17 the time the warrant was signed until Jacob was 18 arrested? 19 A. Apparently, he was arrested October 8 20 at about 2:20 in the afternoon, and I believe the 21 warrant was completed somewhere in July. 22 Q. Okay. 23 A. Somewhere in July, beginning of August. 24 I -- honestly, I can't remember that at all. 25 Q. And it's actually right here if you
Page 23 1 she was saying and on the video, you can see that 2 black plastic tub that takes up the entirety or 3 most of the entirety of the shopping cart. These 4 are the items that were inside that black plastic 5 container. 6 Q. Okay. Do you know if any item -- any 7 property actually left the Walmart premises? 8 A. I think she recovered it all. 9 Q. Okay. But the cart was pushed outside 10 of the building, past -- 11 A. Yeah. It was -- it was pushed past all 12 areas where you can run your payment for the items 13 that were inside of it. 14 Q. Okay. Was it on the front sidewalk? 15 A. No, sir. It was off to the -- as 16 you're looking at the business, it will be on your 17 right-hand side, on the side garden exit. They 18 have -- it's almost like a caged-in area where they 19 keep a lot of their lawn mowers, bicycles, and 20 things like that that were used for outdoor items. 21 Q. Okay. 22 A. And, apparently, the contractors 23 weren't locking that gate when they were coming in 24 and out. 25 Q. Okay. And would you know, the closest	Page 25 1 want to -- 2 A. Is it? 3 Q. I think it's the first one, if that 4 will help. 5 A. The only date on the warrant is the 6 actual date of the incident. 7 Q. Okay. 8 A. Okay. Usually, if it's that -- I'd say 9 it was probably completed within a week of that 10 incident. 11 Q. Okay. Now, this booking report, you 12 didn't have anything to do with filling this out? 13 A. No. 14 Q. Okay. Did you have anything to do with 15 the arrest of Jacob Murdaugh? 16 A. No. 17 Q. Do you have any personal knowledge of 18 the arrest of Jacob Murdaugh? 19 A. No. 20 Q. Do you know whether they sent people 21 looking for him or whether it was a traffic stop or 22 what? 23 A. I have no idea the circumstances 24 surrounding the -- the arrest of him. 25 MR. NELSON: Okay. At 11.

Page 26	Page 28
1 (PLF. EXHIBIT 11, Walterboro Municipal 2 Court Case History for Case 2018A1520300340, was 3 marked for identification.) 4 BY MR. NELSON: 5 Q. And I'm handing you a document marked 6 Plaintiff's 11. Do you recognize this type of 7 document? 8 A. I've seen a couple of them, yes, sir. 9 Q. Okay. Do you know what it is? 10 A. Not right off the top of my head, no. 11 Q. Okay. Then don't worry about it. I 12 won't ask you any more about that one. 13 A. Okay. 14 Q. All right. If not for Jan Lunsford 15 telling you that Jacob Murdaugh was the fella that 16 pushed the cart out of the building, would you have 17 arrested -- or would you have taken a warrant out 18 on Jacob Murdaugh? 19 A. No. 20 Q. And then did you -- after she told you 21 it was Jacob Murdaugh, did you do anything to 22 verify her -- the accuracy of her statement, or did 23 you just trust what she told you? 24 A. I trusted what she told me. 25 Q. Okay. And do you remember why she --	1 offense they've committed in Walmart. 2 Q. Uh-huh. 3 A. If the manager is fairly certain they 4 know who that individual is, then we'll still do a 5 warrant. 6 Q. Okay. 7 A. Because ultimately Walmart are the ones 8 that have to prosecute the shoplifting cases from 9 their store. We provide them the avenues and the 10 ability to go through as far as the arrest warrants 11 and the capability to arrest an individual. 12 Q. Okay. 13 A. But once it gets to court, Walmart 14 asset protection or the managers need to show up at 15 that particular court so they can provide their 16 testimony. 17 Q. Okay. And, in hindsight, do you have 18 any evidence that Jacob Murdaugh committed 19 shoplifting at Walmart that day? 20 A. Other than what Ms. Lunsford told me, 21 no, sir. 22 Q. Okay. Do you have any evidence that 23 Jacob Murdaugh has ever committed shoplifting at 24 any time whatsoever? 25 A. I've never -- I never even run a
Page 27	Page 29
1 what knowledge she had of Jacob Murdaugh -- 2 A. I -- 3 Q. -- that allowed her to identify him by 4 name? 5 A. I didn't try to get too much into her 6 personal knowledge of him other than she seemed 7 fairly certain that that's who it was. 8 Q. Okay. And did you tell her, okay, 9 we're going to take an arrest warrant out for him? 10 A. Yes, I did. 11 Q. And she agreed with that? 12 A. Uh-huh. Yes, sir. She did. 13 Q. Did she ask you to do it, or do you 14 remember how the conversation went that led to the 15 decision to take the warrant? 16 A. I don't remember exactly how it went. 17 I can only surmise and kind of go with what I've 18 done in the past with Walmart. If Walmart 19 positively identifies, as far as they're concerned, 20 an individual, I'm -- when I'm talking Walmart, I'm 21 talking their asset protection people. If their 22 asset protection people can verify the identity 23 through the cameras or through their pictures and 24 we're familiar with that individual, then we will 25 not have an issue issuing a warrant for whatever	1 criminal history on him. 2 MR. NELSON: Okay. That's all I have. 3 EXAMINATION 4 BY MR. BLAIN: 5 Q. Great. Well, I'm up then. Officer 6 Belanger, I'm Robert Blain. I'm representing 7 Walmart in this case. 8 A. Yes, sir. 9 Q. It's nice to meet your acquaintance. 10 A. Same here. 11 Q. Have you ever had a chance to talk with 12 Mr. Nelson before the deposition today? 13 A. No. And I explained to Mr. Nelson why. 14 He's tried to contact me through a number -- you 15 know, of phone calls and a few other things, and we 16 met probably 15 minutes before this, and I 17 explained, you know, those reasons why. 18 Q. What are those reasons why? 19 A. I've done this for 18 years, ten years 20 in Savannah, eight years up here. I've met with 21 attorneys prior to a court case, week, couple days, 22 even the morning of, and we've come to conclusions 23 as far as the settlement of the case and a few 24 other things, and once the case is called up in 25 front of the judge, either the attorney's had a

Page 30	Page 32
1 change of heart or their clients have had a change 2 of heart and, for lack of a better term, everything 3 I've said has been disregarded, thrown under the 4 bus, and other things. And that's why I don't 5 return calls or make it a practice not to return 6 calls. It's not that I won't meet with you. It's 7 just -- very gun shy. 8 Q. Understood. Let's talk about the 9 incident that happened on July 24, 2018. I think 10 the best way to do that is to look at your 11 narrative reports and the incident report. 12 A. Uh-huh. 13 Q. I think those are marked as the 14 Plaintiff's Exhibit No. 2 and 3. So if you would 15 pull those. 16 A. Two and 3, yes, sir. 17 Q. I believe you testified that you 18 drafted this narrative on Exhibit 2; is that 19 correct? 20 A. Yes, sir. 21 Q. And you had drafted that pretty close 22 in time to the events described therein, right? 23 A. Yes. 24 Q. And is this report prepared in the 25 ordinary course of business for Waltherboro Police?	1 A. Yes, sir. 2 Q. Looking at Exhibit 2 -- 3 A. Uh-huh. 4 Q. So I think you testified that Jan 5 Lunsford reported the possible shoplifting incident 6 at Walmart; is that correct? 7 A. Yes. Yes, she did. 8 Q. Okay. And you spoke with Ms. Lunsford 9 when you arrived at the store about 2:25 a.m.? 10 A. Sounds about right. I couldn't 11 honestly tell you exactly what time I got there. 12 Q. Do you know if you spoke with any other 13 Walmart employees? 14 A. I spoke with her. 15 Q. Okay. Do you recall if anyone else 16 overheard your conversation with Ms. Lunsford? 17 A. I don't believe they did. 18 Q. Or any -- 19 A. I don't think anybody was close enough 20 to hear that conversation. 21 Q. Were any other officers present at the 22 store with you and Ms. Lunsford? 23 A. I honestly can't say that. 24 Q. The second sentence of your narrative, 25 it says: Upon arrival and speaking with the
Page 31	Page 33
1 A. We -- we're required to complete all 2 our reports and paperwork before we leave at the 3 end of the shift. 4 Q. At the end of the shift? 5 A. Yes. Usually, what'll happen, my -- my 6 practice, once I'm finished with a particular 7 incident, I can either do it in my car -- I have 8 the capability now, but at this point in time I 9 didn't. I would come back to the office, complete 10 the report, and usually at the end of the shift is 11 when I would finish the affidavit, e-mail it to the 12 clerk. 13 Q. Do you know what your shift would have 14 been back in July 2018? 15 A. As far as the times? 16 Q. Yes, sir. 17 A. 7:00 p.m. to 7:00 a.m. 18 Q. Okay. So you think this narrative 19 report in Exhibit 2 was likely completed before 20 7:00 a.m. on July 24, 2018? 21 A. Yes. 22 Q. And then the narrative on Exhibit 23 No. 3, do you think that supplemental narrative 24 would -- supplemental report would also have been 25 completed before 7:00 a.m. on July 24?	1 complainant, Lunsford -- 2 A. Uh-huh. 3 Q. -- it was discovered that four unknown 4 suspects entered the business, selected numerous 5 items, placed them in a shopping cart, and 6 attempted to leave the business without rendering 7 payment for the items. 8 Do you see that? 9 A. Yes, sir. 10 Q. Would that be shoplifting? 11 A. Yes. As soon as you pass all points 12 where payment can be rendered, cash registers or 13 anything else like that, and actually out the door, 14 be it a side door, front door, it's shoplifting. 15 And even if you try to conceal the item before you 16 pass those points where you can render payment, 17 it's still shoplifting. 18 Q. Four unknown suspects, does that 19 suggest to you that Ms. Lunsford did not know the 20 identities of the suspects at the time when you 21 spoke with her at Walmart? 22 A. Correct. At the time she spoke to me, 23 she didn't know who it was. 24 Q. Okay. Did Ms. Lunsford have a 25 reasonable suspicion that four unknown suspects

Page 34

1 were possibly shoplifting from Walmart?
2 A. She was notified by one of the contract
3 electrical workers that was replacing the -- the
4 lights up in the ceiling.
5 Q. Would that information from the
6 contract worker amount to a reasonable suspicion?
7 A. If he's seen an individual push a
8 shopping cart out through the lawn and garden, yes,
9 sir.
10 Q. So would it be reasonable for
11 Ms. Lunsford or Walmart in general to notify the
12 police if they saw that information, saw that --
13 saw those individuals behaving that way?
14 A. Yes, sir.
15 Q. The next sentence in your report
16 says -- it describes an outside gate that the
17 contract maintenance workers were using. Do you
18 see that?
19 A. Yes, sir.
20 Q. Do you have any reason to believe those
21 contract maintenance workers were employees of
22 Walmart, or were they a separate business?
23 A. I was led to believe that they were a
24 separate business altogether.
25 Q. Okay. Further down in your report, it

Page 35

1 mentions an unknown maintenance worker who
2 confronted the offenders?
3 A. Uh-huh. Yes, sir.
4 Q. Ms. Lunsford didn't know the identity
5 of that maintenance worker at the time you spoke
6 with her?
7 A. She didn't provide it to me, no, sir.
8 Q. Okay. Did you do anything to identify
9 that maintenance worker?
10 A. I couldn't locate which individual she
11 was referring to.
12 Q. Did you speak with any maintenance
13 workers that day?
14 A. No, sir.
15 Q. The next sentence down in your report,
16 it says: The offenders were seen leaving the
17 business in a neon green Ford Focus.
18 Do you see that?
19 A. Yes, sir.
20 Q. Do you know whether the maintenance
21 worker, Ms. Lunsford, you personally -- do you know
22 who saw that neon green Ford Focus?
23 A. I can't remember who provided that
24 information to me.
25 Q. Okay. The next sentence describes the

Page 36

1 vehicles were seen -- was seen by responding
2 officers at the EZ Shop, and contact was made with
3 the offenders. Do you see that?
4 A. Yes, sir.
5 Q. I think you testified earlier that --
6 well, let me ask this way. Were you at the EZ
7 Shop?
8 A. I left Walmart and went down to EZ
9 Shop, yes, sir.
10 Q. Okay. And do you know what other
11 officers were at the EZ Shop for that stop?
12 A. Yes. There are two others. I can't
13 remember who was with me that night.
14 Q. Okay. And Teresa Fletcher and Ariel
15 Avant were in that green Ford Focus; is that right?
16 A. Yes.
17 Q. And looking at your narrative, it says:
18 Both Fletcher and Avant admitted to being on the
19 business's property but not inside the business.
20 A. Correct.
21 Q. Did they tell that to you? They
22 admitted that?
23 A. Yes, they did.
24 Q. Ms. Lunsford identified four unknown
25 suspects and then you questioned Ms. Fletcher and

Page 37

1 Ms. Avant in the green vehicle at the EZ Shop?
2 A. Yes.
3 Q. Do you think questioning Ms. Fletcher
4 and Ms. Avant is how you identified the two of them
5 as two of the four unknown suspects?
6 A. Yes.
7 Q. Okay. And I think you testified
8 earlier that Ms. Fletcher was known to you from
9 other incidents in the community?
10 A. Yes, sir. She is.
11 Q. Your report also indicates that -- it
12 says: They also stated the third offender,
13 Harrison, was with them at the time of this
14 incident but were unaware of his current location.
15 Do you see that?
16 A. Correct.
17 Q. Do you think that questioning Fletcher
18 and Avant at the EZ Shop in the green vehicle was
19 how you identified Harrison as the -- as the third
20 of the four unknown suspects?
21 A. Yes, sir. And then to add on to that,
22 going back and looking at the video and the still
23 pictures Ms. Lunsford was able to obtain from the
24 system.
25 Q. Okay. We'll get back to that in just a

Page 38

1 second.
2 A. Okay.
3 Q. So Fletcher and Avant identified
4 Harrison as also being on the Walmart property.
5 A. Yes.
6 Q. Is this fair?
7 Do you think it would have been routine
8 for you to question Fletcher and Avant who the
9 fourth suspect was?
10 A. It would have been, but, again, I can't
11 recall if anybody or any of the other officers
12 asked who that fourth person may have been.
13 Q. Okay. So you identified Fletcher and
14 Avant. They told you Harrison was with them. Did
15 they tell you who -- did they tell you that Jacob
16 Murdaugh was with them?
17 A. They didn't tell me who else was with
18 them that I can recall. We knew there was a fourth
19 person, but none of those -- neither Ms. Avant or
20 Ms. Fletcher could provide a name for the fourth
21 person.
22 Q. They couldn't identify who --
23 A. No, sir.
24 Q. -- the fourth person was?
25 A. No, sir.

Page 39

1 Q. How do you remember that?
2 A. I -- I'm beginning to remember bits and
3 pieces coming back --
4 Q. Sure.
5 A. -- as to who else was with me that
6 evening on that particular stop. Another one was
7 Corporal Thomas Herring. He no longer works for
8 the department. He's no longer in law enforcement.
9 MR. NELSON: Can you spell that last
10 name?
11 THE WITNESS: Just like the fish.
12 MR. NELSON: Okay.
13 THE WITNESS: H-E-R-R-I-N-G. And once
14 we've spoken with a particular individual in
15 person, before I follow through with any kind of a
16 warrant procedure or arrest procedure, I still like
17 to back it up with either photographic evidence or
18 the video evidence.
19 BY MR. BLAIN:
20 Q. Certainly. So Fletcher and Avant
21 identified Harrison. Do you think it's possible
22 that they also identified Murdaugh?
23 MR. NELSON: Object to the form.
24 BY MR. BLAIN:
25 Q. You can go ahead and answer.

Page 40

1 A. It could be possible. I can't
2 remember.
3 Q. Even though it's not noted in your
4 narrative, do you think it's possible that police
5 identified Jacob Murdaugh by questioning Fletcher
6 and Avant at the EZ Shop?
7 A. I honestly cannot answer that one yes
8 or no.
9 Q. When you were at the EZ Shop --
10 A. Uh-huh.
11 Q. Well, let's -- let me point out
12 something else here. Down here at the bottom of
13 your narrative, in the fourth to last line, it
14 says: Lunsford was unable to access the security
15 camera footage and was not sure of the monetary
16 value of the items taken and recovered at the time
17 of this report.
18 A. The particular initial incident report,
19 yes, sir. That's why there's also a supplement,
20 because I did go back once she was able to access
21 the video system.
22 Q. So Ms. Lunsford was not able to access
23 the security camera footage at the time you spoke
24 with her at Walmart on your -- when you first
25 responded?

Page 41

1 A. Correct.
2 Q. And then you left that conversation
3 with Ms. Lunsford and went to the EZ Shop where you
4 questioned Ms. Fletcher and Ms. Avant; is that
5 correct?
6 A. Correct, correct.
7 Q. So at the time that you questioned
8 Ms. Fletcher and Avant, you had not seen any
9 security camera footage?
10 A. No.
11 Q. Okay. Just before that, at that
12 sentence in your narrative, it says: All three
13 offenders are currently trespassed from 2110 Bells
14 Highway.
15 A. Correct.
16 Q. Do you see that?
17 What does trespassed mean in this
18 context?
19 A. That means they have done something
20 either on store property, which is the complete
21 entire curtilage of 2110 Bells Highway, wherein
22 management does not want them to return for
23 business or -- or any other -- any other reason.
24 Q. From reading this, do you know or do
25 you recall whether they had been trespassed from

Page 42 1 Walmart previously, or were they trespassed as a 2 result of that night? 3 A. I have personal knowledge of Brian 4 Harrison being trespassed three separate times from 5 Walmart. 6 Q. Okay. 7 A. I have done two of them myself. 8 Q. Okay. I'll get to that in a moment. 9 I'm sorry. Please go ahead. 10 A. And usually what we will do is we will 11 ask our dispatch. We'll give the person's name and 12 date of birth, and ask if they are on trespass from 13 a particular business. And we did the same thing 14 this particular night. Even though we know they 15 are still trespassed, we still have to verify it 16 through our dispatch. 17 Q. Okay. Do you think it's possible that 18 once you identified Fletcher and Avant and Harrison 19 at the EZ Shop you called dispatch and learned that 20 all three of them were trespassed from Walmart? 21 A. Yes, sir. Again, we have to verify 22 that. 23 Q. Okay. And if those offenders had been 24 put on trespass notice from Walmart, would it have 25 been a crime for them to simply be on the property?	Page 44 1 A. Yes. 2 Q. And you still needed additional 3 evidence to confirm that the three offenders were 4 indeed on the property to move forward with the 5 trespass prosecution? 6 A. Yes. 7 Q. Okay. And to get that additional 8 evidence, did you go back to Walmart to get video 9 and photos? 10 A. As much video and photos as I could 11 obtain, yes, sir. 12 Q. When you went back to Walmart, did 13 Walmart cooperate with that trespass investigation? 14 A. Yes. 15 Q. Do you know who you spoke to at Walmart 16 to get the security camera footage and photos? 17 A. Ms. Lunsford. 18 Q. Was there anyone else -- was there 19 anyone else that helped with that process? 20 A. No. 21 Q. Okay. Ms. Lunsford wasn't able to get 22 the security cameras' footage earlier. How was she 23 able to get it the second time? 24 A. I'm not sure what was going on at that 25 -- in the store as far as business-wise that
Page 43 1 A. Yes. 2 Q. And they could be prosecuted for 3 trespassing? 4 A. Yes, sir. 5 Q. Okay. We'll circle back to that, to 6 that issue, but what happened at the EZ Shop? How 7 did that stop get resolved? 8 A. We -- I won't say we verified their 9 presence on Walmart, but we -- again, as the report 10 states, they stated that they were there at Walmart 11 with Harrison. They had no idea where he was. At 12 the conclusion of that stop, I couldn't 13 particularly verify if they were still on the 14 property other than by their words, so I went back 15 and verified that they were still there -- or had 16 been on their property when they walked into the 17 business doors, as shown by the photographic stills 18 that were taken here. Because of that, I didn't 19 arrest them that particular night. Warrants for 20 trespass were completed on those three. 21 Q. Okay. So at that point, once you 22 learned that the three of them were trespassed from 23 Walmart, you're -- is it fair to say that you're 24 investigating two crimes, a trespass and a 25 shoplifting?	Page 45 1 particular time. She kept telling me she wasn't 2 able to get into the asset protection room to get 3 those, the photos and the -- and the evidence. 4 That's why I returned later on. And by that time 5 she was able to provide me with a list and the 6 price of the items that were left in the shopping 7 cart as well. 8 Q. Okay. Does Walmart security camera 9 footage have any way to identify the customers or 10 the people that are pictured on there? There's no 11 facial recognition, is there? 12 A. No, there's not facial recognition. 13 Q. Okay. When you went back to Walmart 14 the second time, did you ask Jan Lunsford for 15 anything in particular? 16 A. I asked if she had video evidence, if 17 she had -- and to print up the still photos for me. 18 Q. Okay. Did you say do you have video 19 evidence of Teresa Fletcher or Hayward Harrison on 20 the premises? 21 A. I asked to watch the cameras, and she 22 was able to pull up the video. 23 Q. When you watched the cameras, did you 24 personally identify Teresa Fletcher or Hayward 25 Harrison on the camera?

Page 46 1 A. Teresa and Hayward, yes. 2 Q. Okay. Did you identify anyone else 3 that was with them in the store? 4 A. Not when they were coming in the store. 5 Q. Okay. If you would have saw -- let me 6 ask it this way. Ms. Lunsford reported four 7 unknown suspects were possibly involved in 8 shoplifting. By this point you had identified 9 Ariel Avant, Teresa Fletcher, and Hayward Harrison 10 as three of the four. When you were watching 11 surveillance video in Walmart after the stop at EZ 12 Shop, were you looking for the fourth unknown 13 suspect? 14 A. Yes. 15 Q. Okay. So you would have been 16 interested in any -- in the identity of any 17 accomplice that was with -- or any companion that 18 was with Ms. Fletcher and Ms. Harrison -- I'm 19 sorry. Ms. Fletcher and Mr. Harrison at the time? 20 A. Correct. 21 Q. Okay. And if Jacob Murdaugh was with 22 Ms. Fletcher and Mr. Harrison, would that have been 23 noteworthy to you? 24 A. Of course it would have been. 25 Q. Okay. Would that have led to a	Page 48 1 rewind, fast-forward, stop the video as you're 2 watching it? 3 A. Correct. Just like that. If she 4 notices something, she'll back it up. If I notice 5 something, I'll ask her to back it up and play it 6 forward or expand it, try to get a little bit more 7 detail. 8 Q. Did you ask her to print the digital 9 video snapshots shown in the Plaintiff's 10 Exhibits -- 11 MR. NELSON: Three through 7. 12 BY MR. BLAIN: 13 Q. -- 3 through 7 -- 3 through 8? I'm 14 sorry. Four through 8? 15 A. Four through -- 16 MR. NELSON: Oh, sorry. 17 MR. BLAIN: No problem. 18 THE WITNESS: I believe I did, but I 19 can't answer with too much certainty 'cause I know 20 she was able to provide me photographs. 21 BY MR. BLAIN: 22 Q. Okay. 23 A. They appear to be the same ones that 24 they -- she was able to give me. 25 Q. Okay. So to the best of your
Page 47 1 reasonable suspicion that he was one of the four 2 unknown suspects? 3 A. Yes, sir. 4 Q. Do you know whether Teresa Fletcher or 5 Hayward Harrison identified Jacob Murdaugh? 6 A. No, they didn't. 7 Q. Okay. Are you aware that Walterboro PD 8 often posts still shots, photos from Walmart 9 security camera footage on Facebook to ask the 10 general public for help identifying shoplifting 11 suspects? 12 A. Yes. I'm aware of that, yes, sir. 13 Q. Have you ever personally done that? 14 A. No. I don't have access to the 15 Walterboro Facebook page. That's done by our PIO. 16 Q. Okay. Do you know if any photos of any 17 of the suspects involved in this case -- do you 18 know if those were posted to Facebook to ask the 19 general public for help identifying them? 20 A. I -- I have no idea. 21 Q. When you were watching video at 22 Walmart, who was with you? 23 A. Ms. Lunsford. 24 Q. And did she -- what's that relationship 25 like? I mean, are you telling her to, you know,	Page 49 1 recollection, it's most likely that you asked 2 Ms. Lunsford to print out -- 3 A. Yes. 4 Q. -- these exhibits? 5 A. Yes. 6 Q. The photos of these exhibits, I should 7 say. 8 And would you consider that collecting 9 these -- these photos, is that part of your 10 personal investigation into the crimes of 11 trespassing and shoplifting? 12 A. Yes. 13 Q. And private citizens or businesses 14 can't force the police to arrest somebody, right? 15 A. Can't force how, sir? It's... 16 Q. Well, if I say -- forgive me. If I say 17 Mr. Nelson is a criminal, he should be arrested, 18 Officer Belanger, arrest this man, you're not going 19 to follow my -- my say-so; is that fair? 20 A. Correct. The first thing I will ask 21 you is what crime has he committed and what proof 22 do you have of that particular crime. 23 Q. You would do your own investigation? 24 A. Yes, sir. 25 Q. Okay. And once you do your

Page 50	Page 52
1 investigation, you make the decision whether to 2 arrest on your own based on your investigation and 3 what -- your determination of probable cause; is 4 that fair? 5 A. If there's been a crime clearly 6 committed, yes. If it takes a little bit more time 7 to gather that information, gather that evidence -- 8 and that occurs, actually, quite often, especially 9 with a shoplifting incident. Doesn't matter if 10 it's Walmart or if it's Rite Aid or if it's 11 Walgreens or CVS. We'll go ahead and, as mentioned 12 before, we'll facilitate the arrest and the 13 paperwork and the prosecution; however, it's 14 dependent upon that store or the store manager, 15 someone from that business, to appear in court. 16 We will more -- be more than happy to 17 follow through with prosecution and present the 18 case to the judge, but the actual testimony and 19 prosecution has to be completed by the business. 20 Q. Sure. I understand Walmart has to 21 appear in court, but simply by providing you with 22 the photos and video shown in these exhibits, 23 Walmart hasn't done anything to force you or compel 24 you to arrest any of these offenders? 25 A. Other than provide me the evidence,	1 individual. 2 Q. Okay. 3 MR. NELSON: Excuse me. Is that sound 4 messing with your -- 5 THE REPORTER: No. It's fine. 6 MR. NELSON: Okay. 7 BY MR. BLAIN: 8 Q. Okay. Let's circle back to the 9 trespassing notice that we touched on earlier. 10 A. Okay. 11 Q. We mentioned that your narrative report 12 indicates that three offenders, Harrison, Fletcher, 13 and Avant, had been trespassed from Walmart. 14 A. Yes. 15 Q. Is that correct? 16 In general, how do you determine if a 17 person is on trespass notice? Is that a call into 18 dispatch? 19 A. Yes. As I've stated before, once we 20 encounter an individual or see that individual's 21 been on the premises, either through photographic 22 video evidence or we personally see that individual 23 walking through the parking lot or through the 24 business, we'll ask dispatch, again, name and date 25 of birth, is that person trespassed from whatever
Page 51	Page 53
1 that's all, sir. 2 Q. Okay. And once you have the evidence, 3 you do your own investigation and make your own 4 decision based on probable cause of the crime? 5 A. Correct. 6 Q. Have you ever heard the Walterboro 7 Police Department use the slogan see something, say 8 something? 9 A. I can't recall that one. 10 Q. Do you know what see something, say 11 something means? 12 A. I can make conjectures about what it 13 means. 14 Q. Does it suggest that, you know, the 15 police encourage people to report their suspicions 16 of criminal activity to law enforcement? 17 A. Exactly. 18 Q. Do the police punish people if they 19 report a suspicion of a crime in good faith but it 20 turns out to be incorrect or a mistake? 21 A. Not that I'm aware of. I don't recall 22 any kind of incidents where an individual's 23 reported a suspected crime, followed through with 24 the investigation and there's nothing there, I 25 can't recall any kind of retribution towards that	1 address, whatever business. 2 It takes a few seconds because they 3 have to pull everything up in their records, and 4 they'll either say, yes, that person's still on 5 trespass or, no, the trespass has been lifted. 6 Q. So if you stopped Fletcher and Avant in 7 their green vehicle at the EZ Shop and collected 8 their IDs, you could call up dispatch and say 9 here's their name, date of birth, are they 10 trespassed from Walmart, and within a few minutes 11 dispatch would say yes and -- 12 A. Yes or no, yeah. Correct. 13 Q. Okay. And we also talked about how 14 Fletcher and Avant identified that Harrison was 15 with them on the property. Would they have to give 16 you Harrison's name and date of birth to contact 17 dispatch? 18 A. With as much contact as we've had with 19 Mr. Harrison, we know his name and date of birth. 20 Q. Okay. Let's talk about Mr. Harrison. 21 A. Okay. 22 Q. Bear with me one moment here. Give you 23 these as I get organized. 24 A. Okay. 25 Q. And I'll mark these in a second.

Page 54	Page 56
1 MR. BLAIN: I'm going to mark this 2 packet as Defendant's Exhibit No. 1. 3 MR. NELSON: That's all -- all of 4 them -- 5 MR. BLAIN: Yeah, all together. 6 MR. NELSON: Okay. 7 (DFT. EXHIBIT 1, Five incident reports 8 from Walterboro Police Department, was marked for 9 identification.) 10 BY MR. BLAIN: 11 Q. Officer Belanger, you've just been 12 handed Defendant's Exhibit No. 1, which is a packet 13 of a selection of pages Bates stamped pages 40 14 through 74 in that bottom right corner. It's not a 15 -- it's a selection of pages from that range. 16 A. Okay. 17 Q. Do you recognize -- are these incident 18 reports from the Walterboro Police Department? 19 A. They're portions of incident reports, 20 yes, sir. 21 Q. And I'll represent to you that they've 22 printed in a kind of odd fashion. 23 A. Yes. 24 Q. But are these documents prepared in the 25 ordinary course of business by the Walterboro	1 particular Walmart. There was supposed to have 2 been an unknown white female standing out front, 3 and I tried to make contact with her, and when I 4 entered the -- the parking lot area, I could see 5 Mr. Harrison running across the parking lot towards 6 Murphy's Oil, which was on the left side of the 7 parking lot. 8 Q. As a result of this incident, was 9 Mr. Harrison trespassed from Walmart? 10 A. He had been previously trespassed. 11 Q. Okay. 12 A. So that trespass was still in effect. 13 Q. Okay. Was a warrant issued for 14 Mr. Harrison due to his violation of that trespass 15 notice? 16 A. Yes. 17 Q. Did Mr. Harrison commit a crime that 18 day? 19 A. Yes. 20 Q. Okay. Let's move on to the next one, 21 page 43. This is Case No. 1800753, dated April 6, 22 2018. On page 2 do you see that Hayward Harrison 23 and Teresa Fletcher were charged with the offense 24 of petty larceny and defrauding an innkeeper? 25 A. Yes.
Page 55	Page 57
1 Police Department? 2 A. Yes, sir. 3 Q. Let's look at the first page. It's 4 Case No. 1800204, with a location at 2110 Bells 5 Highway dated January 27, 2018. Do you see that? 6 A. Yes, sir. 7 Q. Is that location at the Walterboro 8 Walmart? 9 A. Yes, it is. 10 Q. On the second page, in the narrative, 11 it -- is this your narrative? 12 A. Yes, it is. 13 Q. And do you see that Hayward Harrison is 14 one of the offenders in this case? 15 A. Yes, sir. 16 Q. I'll let you read this narrative, and 17 I'll just give you a moment to do that. 18 A. Okay. I remember that incident. 19 Q. Okay. What do you remember about that 20 incident? 21 A. I responded up to Walmart. Apparently 22 two customers were at customer service attempting 23 to return an item. That return was refused. They 24 went out through the grocery door, which would have 25 been the left side of the building at that -- this	1 Q. On the next page, in the narrative -- 2 I'll let you read the narrative, but I'd like to 3 just focus on the third to last line where it says 4 officers made contact with the suspects at Walmart, 5 but I'll let you read the narrative. 6 A. I remember a portion of that incident. 7 Q. Yeah. Well, let me ask you about this 8 next one and then we'll circle back -- 9 A. Okay. 10 Q. -- because I think they're related. 11 A. Okay. 12 Q. Looking at the next incident report 13 that starts on page 46, this is Case No. 1800754, 14 the very next case number. 15 A. Correct. 16 Q. The location is 2110 Bells Highway, at 17 Walmart, and I'd ask that you please read that 18 narrative on the third page. 19 A. Okay. 20 Q. Thank you. So looking at these last 21 two cases, 754 and 753, did you arrest Hayward 22 Harrison at Walmart for a petty larceny and 23 trespassing charge? 24 A. I only charged him with trespassing 25 that night.

Page 58	Page 60
1 Q. Okay. 2 A. Because I believe the first portion 753 3 was Officer Shipps. He was investigating that with 4 Corporal Ballard. 5 Q. Okay. And so you arrested Mr. Harrison 6 for trespassing and took him to the Colleton County 7 Detention Center? 8 A. Yes, sir. 9 Q. And was Teresa Fletcher involved in 10 that -- in that petty larceny charge? 11 A. From the Baymont Inn? 12 Q. Yes, sir. 13 A. I believe she was, but I didn't have 14 any contact with her that night. 15 Q. Okay. Let's look at this -- this next 16 incident report, Case No. 1801171, location 17 2110 Bells Highway, dated May 26 of 2018. Do you 18 see that? 19 A. Yes, sir. 20 Q. And on page 2 is Teresa Fletcher noted 21 as the offender? 22 A. Yes, she is. 23 Q. And her offenses were shoplifting and 24 possession of amphetamines? 25 A. I'm not sure about the amphetamines.	1 there's one that goes from the inside lawn and 2 garden area to the outside lawn and garden area 3 that's fenced in that may -- or that contains lawn 4 mowers, bicycles, assorted, you know, lawn and 5 garden goods, soil, fertilizers, things like that. 6 Q. Do you know which of those lawn and 7 garden exits Ms. Fletcher attempted to shoplift 8 through? 9 A. I couldn't honestly tell you, sir. I 10 don't know. 11 Q. Okay. So you don't know if it was the 12 same one that... 13 A. I couldn't tell you. Honestly, I -- no 14 idea. 15 Q. All right. Let's look at this last 16 incident report. 17 A. Okay. 18 Q. It's Case No. 1801792, location at 19 2110 Bells Highway, dated August 9th of 2018. Do 20 you see that? 21 A. Yes, sir. 22 Q. And on page 2 is Teresa Fletcher the 23 offender, one of two offenders? 24 A. One of two offenders. 25 Q. And her offenses were trespassing after
Page 59	Page 61
1 Q. Okay. Let's look at -- 2 A. Okay. 3 Q. -- the narrative here on page 3. 4 A. All right, sir. 5 Q. Thank you. Did Walterboro Officer 6 O'Quinn arrest Ms. Fletcher for shoplifting of -- 7 and possession of meth, shoplifting from Walmart? 8 A. According to this report, yes, he did. 9 Q. And that happened on May 26, 2018, just 10 two months prior to the incident we've been talking 11 about. 12 A. Yes. 13 Q. And Ms. Fletcher was placed on trespass 14 notice, arrested, and transported to jail? 15 A. Yes. 16 Q. And the shoplifting, she tried to exit 17 through the lawn and garden department. Do you see 18 that? 19 A. Correct, yes. 20 Q. And that's the -- the same part of the 21 store, the same exit, that the shoplifter attempted 22 to exit through on the night of July 24, 2018? 23 A. Lawn and garden has two entrances and 24 exits -- actually two exits, the one lawn and 25 garden exit at the front of the business and	1 notice, driving under suspension, and possession of 2 narcotic equipment? 3 A. Yes, sir. 4 Q. And this would have been about two 5 weeks or so after the Walmart incident we've been 6 talking about? 7 A. Yes, sir. 8 Q. Looking at the narrative on page 3, is 9 it fair to say that Ms. Fletcher was back on 10 Walmart property in violation of her trespass 11 notice just a few weeks after you investigated her? 12 A. Yes. And according to the narrative, 13 it appears that she had two active warrants. 14 Q. So she had two active warrants and was 15 in violation of her trespass notice again? 16 A. Yes. 17 Q. And she was in possession of 18 paraphernalia associated with smoking 19 methamphetamines; is that correct? 20 A. Yes. 21 Q. We've just gone through a number of 22 incident reports that were marked as Defendant's 23 Exhibit 1. Is it fair to summarize those in saying 24 that Mr. Harrison and Ms. Fletcher had been causing 25 a lot of problems at Walmart throughout the course

Page 62 1 of 2018? 2 A. Yes. And 2019 and up until very 3 recently, last week. 4 Q. What do you know about that? 5 A. She -- referring to Ms. Fletcher, she 6 uses her father as an excuse to get into Walmart 7 because he is disabled, and every time we've 8 encountered her since then, her father is with her. 9 I'm not saying that he will shop in the store with 10 her. He waits up front of the registers. And loss 11 prevention calls us about her being on the 12 property. 13 Sergeant Hance got up there first, 14 wanted to know where she was. Apparently she 15 spotted Sergeant Hance before he was able to view 16 her, and she ducked down behind an aisle, tried to 17 hide. But she is still on trespass. However, the 18 jail being the jail, and COVID being COVID, we're 19 allowed a little bit of discretion as to who we 20 take to jail and who we release on a courtesy 21 summons, and she was released on another courtesy 22 summons for trespass. 23 Q. And that incident happened very 24 recently? 25 A. Yes.	Page 64 1 A. Yes, sir. It would have been. 2 Q. Is it fair to say that you've 3 investigated Ms. Fletcher and Mr. Harrison 4 extensively? 5 A. Yes, it would be. 6 Q. Would you be interested -- and when you 7 were looking at video at Walmart with Ms. Lunsford, 8 were you able to identify the two of them on video 9 yourself? 10 A. Yes. 11 Q. And you would have been interested in 12 any -- any people that were with them at the time 13 they were inside the store -- 14 A. Yes, sir. 15 Q. -- as part of your shoplifting and 16 trespassing investigation? 17 A. As part -- as part of the 18 investigation, yes, sir. 19 Q. And is the fact that someone was with 20 them inside Walmart at the time they were 21 trespassing arise to the level of reasonable 22 suspicion that one of their accomplices may have 23 been doing something criminal or nefarious? 24 A. Yes, sir. It would. 25 Q. Mr. Nelson played for you some audio
Page 63 1 Q. Do you know when? 2 A. I would say earlier this week, Monday 3 or Tuesday of this week. 4 Q. Oh, really? Okay. We've talked about 5 a number of 2018 incidents involving Mr. Harrison 6 and Ms. Fletcher. You mentioned the incident 7 earlier this week. Are you aware of any other 8 incidents we've talked about -- that we have not 9 talked about regarding these individuals and 10 Walmart? 11 A. Without going through police central, 12 which is our reporting system, I honestly 13 couldn't... 14 Q. We know, based on the information in 15 your narrative, the Plaintiff's Exhibit No. 2 -- 16 A. Uh-huh. 17 Q. -- that Ariel Avant was also on 18 trespass notice -- 19 A. Yes. 20 Q. -- from Walmart. Do you know the 21 circumstances of why she was on trespass notice? 22 A. Not on top of my head, no, sir. 23 Q. Okay. If she had been arrested for 24 shoplifting at Walmart, would that have been a 25 valid reason to put her on trespass notice?	Page 65 1 from the court hearing, and I believe a Mr. Davis 2 from Walmart was present as well. Do you remember 3 that? 4 A. Yes, sir. 5 Q. To your recollection, was Walmart 6 cooperative with you and the judge at that hearing? 7 A. There is not much that I can remember 8 about that particular court appearance. I do 9 remember working with Mr. Davis. We've done quite 10 a few shopliftings or supported him in the 11 prosecution of those cases. He's always been very 12 reasonable. 13 Q. Do you think -- well, based on what you 14 heard, did Mr. Davis allow the charge against 15 Mr. Murdaugh to be dismissed without a prosecution? 16 A. From what I heard, yes, sir. 17 Q. Mr. Davis or Walmart did not prosecute 18 Mr. -- Mr. Murdaugh that day, did they? 19 A. No. 20 Q. Do you think Walmart did anything wrong 21 by reporting a possible shoplifting to Waltherboro 22 PD? 23 A. No. 24 Q. Did Walmart do anything wrong by 25 providing you with video and these digital video

Page 66 1 snapshots? 2 A. No. 3 Q. Would you expect Walmart to cooperate 4 and give you that evidence to assist with your 5 investigation? 6 A. I would hope they would, yes, sir. 7 Q. In your opinion, as someone with a 8 number of years working at Waltherboro PD and then 9 Savannah PD beforehand, do businesses like -- like 10 Walmart have any obligation or requirement to 11 identify who is shown on surveillance video before 12 they hand that video over to police? 13 A. No. 14 Q. Would you agree that's the job of the 15 police to investigate the crime, review the video 16 and the evidence to determine the identity of the 17 offenders? 18 A. I agree. 19 Q. I think I'm just about done here. Just 20 bear with me a couple moments while I review my 21 notes here. 22 Based on your personal knowledge, did 23 Walmart do anything malicious to Mr. Murdaugh? 24 A. No, sir. 25 Q. After Ms. Lunsford provided you with	Page 68 1 Q. Okay. Would Officer Dubois have the 2 ability to look at the video or the photographs? 3 A. No, sir. 4 Q. Okay. After -- well, let me say this. 5 Let me ask it this way. Would there have been -- 6 would there have been any way for you or anyone at 7 Waltherboro PD to compare Mr. Murdaugh in person at 8 the time of his arrest or shortly afterwards to the 9 photographs or the video that you had taken, you 10 know, months earlier from Walmart? 11 A. If an individual officer feels 12 compelled that something may be wrong or something 13 may be amiss, they can try to have the items moved 14 from evidence and compare them to him. 15 Q. Okay. So to your recollection, no one 16 from Waltherboro PD compared the photographs taken 17 from Walmart to Mr. Murdaugh himself? 18 A. Not that I'm aware of. 19 Q. I believe you told Mr. Nelson that it's 20 your recollection that Jan Lunsford identified 21 Jacob Murdaugh; is that correct? 22 A. Correct. 23 Q. I think you also said that you asked 24 her if it could have been Stacy Murdaugh; is 25 that --
Page 67 1 the video and photographs, was there any further 2 involvement from Walmart prior to Jacob Murdaugh's 3 arrest? 4 A. Other than returning later on that 5 night to receive the items that were placed in the 6 black plastic container and their cost and the 7 recovery of those items, no, sir. 8 Q. Looking at Exhibit No. 3, the 9 supplemental narrative, do you -- do you think that 10 you received the list of the items that were in the 11 tote at the same time that you got the video and 12 photographs? 13 A. I would say so. 14 Q. Okay. And that would have been at the 15 second visit back to Walmart after the stop at the 16 EZ Shop? 17 A. Yes, sir. 18 Q. You weren't involved in arresting Jacob 19 Murdaugh, were you? 20 A. No, sir. I believe that arrest was 21 done by Officer Dubois. 22 Q. Would Officer Dubois have access to the 23 evidence, you know, at the time -- around the time 24 of the arrest? 25 A. No, sir.	Page 69 1 A. Yes, sir. 2 Q. Who is Stacy Murdaugh? 3 A. He is an individual that stays in close 4 circles with individuals like Mr. Harrison, 5 Ms. Fletcher, Ms. Avant, another individual by the 6 name of Amber Stubbs. Every town has issues with 7 drugs, drug paraphernalia, things among that 8 nature, and we come in close contact, frequent 9 close contact, with these people. 10 Both Ms. Stubbs and Mr. Stacy Murdaugh 11 have been trespassed from Walmart because that's 12 another incident where Ms. Lunsford cornered me 13 when I was in there for -- for personal business 14 and asked to trespass these two individuals, so I 15 did so. It was her request. 16 And that's why I asked that particular 17 night if it could have been Stacy Murdaugh, because 18 I could not get a clear -- clear indication, clear 19 picture of that person. 20 Q. If someone is -- every town has its, 21 you know, cast of characters -- 22 A. Yes. 23 Q. -- that creates some trouble; is that 24 fair? 25 A. That's fair.

Page 70 1 Q. If someone is affiliated with or 2 hanging around with that cast of characters, is it 3 -- could it potentially create trouble for them as 4 well? 5 A. It could create trouble. It also 6 raises the level of suspicion a little bit more. 7 Q. Okay. The conversation with 8 Ms. Lunsford when she identified Jacob Murdaugh, 9 where did that happen? 10 A. In the asset protection room: 11 Q. Was that around the time that you were 12 gathering surveillance video? 13 A. Yes. 14 Q. Any other details you remember about 15 that conversation? 16 A. Not very many, sir, no. 17 Q. Did she identify him based on who she 18 saw in the video or -- or based on who she saw in 19 the store? Do you remember? 20 A. She was looking at the video when she 21 identified him. 22 Q. Okay. Do you know if she was looking 23 at any of these particular -- particular -- 24 A. I think that one there. 25 Q. Okay. And you're referring to the	Page 71 1 Plaintiff's Exhibit No. 7? 2 A. Yes, sir. 3 Q. And you were looking at the same video 4 when she identified him? 5 A. Yes. 6 Q. And in your opinion, you thought it 7 could have been Stacy Murdaugh? 8 A. The other Murdaugh, yes, sir. 9 Q. So you weren't sure who the identity 10 was at that time? 11 A. No, sir. 12 Q. Did you have some doubt about who the 13 gentleman shown in Plaintiff's Exhibit No. 7 was? 14 A. I couldn't recognize him by face, so I 15 had no idea who he was. 16 Q. So despite the fact you didn't know who 17 that gentleman was, you went ahead and got an 18 arrest warrant for that gentleman? 19 A. I relied on what Ms. Lunsford told me. 20 Q. Okay. Okay. 21 A. Because I was under the belief that she 22 was a little bit more familiar with -- I'm not 23 going to say Walmart customers but frequent 24 customers, especially that come in at two or three 25 o'clock in the morning.	Page 72 1 Q. Did she explain any basis for her 2 belief that it could have been Jacob Murdaugh shown 3 in that photo? 4 A. Not that I can remember. 5 Q. Okay. So without explaining the basis, 6 that was -- that was enough for you to move 7 forward? 8 A. Yes, sir. 9 MR. BLAIN: Okay. I think that's all 10 the questions I have. Thank you very much for your 11 time. I appreciate it, Officer Belanger. 12 EXAMINATION 13 BY MR. NELSON: 14 Q. I've just got a couple more. And we've 15 gone over an hour. Would you like a break, or do 16 you just want to -- 17 A. I'm fine. 18 Q. When I had questioned you earlier, 19 you -- and my notes reflect that you said that 20 Ms. Lunsford was pretty certain that the individual 21 in photograph Exhibit 7 was Jacob Murdaugh. 22 A. Yes, sir. 23 Q. But then when Mr. Blain was just asking 24 you some questions, he had asked if it was possible 25 you got Jacob Murdaugh's identity from Ms. Avant	Page 73 1 and/or Mrs. Fletcher, and you said it's possible. 2 Can you reconcile that for me? Are you positive 3 that Ms. Lunsford gave you that information? 4 A. I'm positive Ms. Lunsford gave me that 5 information. 6 Q. Okay. And she identified the gentleman 7 in Exhibit 7 as Jacob Murdaugh? 8 A. Yes, sir. 9 Q. And Ms. Fletcher nor Ms. Avant ever saw 10 these photographs or this video, correct? 11 A. Correct. 12 Q. Okay. And you wouldn't have arrested 13 Jacob Murdaugh for being in the store with 14 Ms. Avant? 15 A. No. 16 Q. You wouldn't have arrested him for 17 being in the store with Mr. Harrison? 18 A. No. The only thing we may have done 19 would probably be a warrants check or trespass 20 check. 21 Q. Okay. 22 A. As I said, by name and date of birth. 23 Q. Okay. 24 A. And -- and if he was clear, he would 25 have been free to go about his business.
--	---	--	---

Page 74

1 Q. Okay. And you wouldn't have arrested
2 him for being with Ms. Fletcher?
3 A. No.
4 Q. Okay. He was arrested because
5 Ms. Lunsford told you that he pushed a shopping
6 cart out of the store?
7 A. Yeah.
8 MR. NELSON: That's all I have.
9 EXAMINATION
10 BY MR. BLAIN:
11 Q. One quick follow-up. You just
12 testified that you're positive Ms. Lunsford
13 identified Mr. Murdaugh. Is it still possible that
14 Ms. Fletcher and Ms. Avant also identified
15 Mr. Murdaugh as someone who was with them that
16 night? It doesn't -- they're not mutually
17 exclusive, I --
18 A. No, no, no, no. No, they're not. We
19 tried to find out, from what I can recall, who else
20 may have been in the store with Ms. Avant,
21 Ms. Fletcher, and Mr. Harrison. They may have
22 mentioned Murdaugh. I heard that name, and that's
23 the only thing I can say.
24 MR. BLAIN: Thank you. That's all the
25 questions I have. Appreciate it.

Page 75

1 MR. NELSON: That's all.
2 MR. BLAIN: All right.
3 MR. NELSON: Thank you very much for
4 your time.
5 (The witness, after having been advised
6 of his right to read and sign this transcript,
7 waives that right.)
8 (The deposition was concluded at
9 11:23 a.m.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Page 76

1 CERTIFICATE OF REPORTER
2
3 I, Trisha M. Thomas, Court Reporter and
4 Notary Public for the State of South Carolina at
5 Large, do hereby certify that the foregoing
6 transcript is a true, accurate, and complete
7 record.
8 I further certify that I am neither
9 related to nor counsel for any party to the cause
10 pending or interested in the events thereof.
11 Witness my hand, I have hereunto
12 affixed my official seal this 27th day of October,
13 2021, at Hardeeville, Jasper County, South
14 Carolina.
15
16
17
18
19
20
21
22
23
24
25


TThomasco

Trisha M. Thomas,
Court Reporter
My Commission expires
December 2027

Page 77

1 INDEX
2 Page/Line
3 WITNESS/EXAMINATION
4 KEITH BELANGER 3 1
5 EXAMINATION 3 3
6 BY MR. NELSON
7 EXAMINATION 29 3
8 BY MR. BLAIN
9 EXAMINATION 72 12
10 BY MR. NELSON
11 EXAMINATION 74 9
12 BY MR. BLAIN
13 CERTIFICATE OF REPORTER 76 1
14
15
16 REQUESTED INFORMATION INDEX
17
18 (No Information Requested)
19
20
21 EXHIBITS
22 Page/Line
23 EXHIBIT 1, Arrest Warrant 6 24
24 and Affidavit
25 EXHIBIT 2, Incident 15 5

		Page 78	
1	report		
2	EXHIBIT 3, Supplemental	16	4
3	Report		
4	EXHIBIT 4, Digital Video	16	19
5	Snapshot		
6	EXHIBIT 5, Digital Video	16	21
7	Snapshot		
8	EXHIBIT 6, Digital Video	17	11
9	Snapshot		
10	EXHIBIT 7, Digital Video	17	13
11	Snapshot		
12	EXHIBIT 8, Digital Video	18	13
13	Snapshot		
14	EXHIBIT 9, Incident	19	14
15	report		
16	EXHIBIT 10, Booking	24	7
17	report		
18	EXHIBIT 11, Walterboro	26	1
19	Municipal Court Case History		
20	for Case 2018A1520300340		
21	DFT. EXHIBIT 1, Five incident	54	7
22	reports from Walterboro Police		
23	Department		
24			
25			

&	56:22 58:17 59:9	40 54:13	ability 28:10 68:2
& 2:3	59:22 60:19 62:1	43 56:21	able 9:5,13 10:11
1	63:5	46 57:13	12:5 21:2 22:6
1 6:24 7:4 20:17	2018a1520300340	5	37:23 40:20,22
54:2,7,12 61:23	26:2 78:20	5 16:18,21 17:20	44:21,23 45:2,5,22
77:4,13,23 78:18	2019 1:5 62:2	17:25 18:5 77:25	48:20,24 62:15
78:21	2021 1:11 76:13	78:6	64:8
10 24:7,11 78:16	2027 76:25	54 78:21	academies 6:16
1004 2:4	21 78:6	6	academy 5:13
11 25:25 26:1,6	2110 8:16 41:13,21	6 17:10,11,20,25	6:14
78:8,18	55:4 57:16 58:17	56:21 77:23 78:8	accept 6:4
11:23 75:9	60:19	7	access 9:5 40:14
12 77:9	21908 76:21	7 17:10,13,21,23	40:20,22 47:14
125 1:13	220 21:9	18:8 48:11,13	67:22
12th 8:8	24 7:12 8:10,12	71:1,13 72:21	accomplice 46:17
13 78:10,12	11:2 30:9 31:20	73:7 78:10,16,21	accomplices 64:22
14 1:11 4:23 78:14	31:25 59:22 77:23	72 77:9	accuracy 26:22
15 5:16 29:16	78:16	74 54:14 77:11	accurate 76:6
77:25	26 58:17 59:9	753 57:21 58:2	acquaintance 29:9
15-00949 1:5	78:18	754 57:21	active 61:13,14
1539 21:2	27 55:5	76 77:13	activity 51:16
16 78:2,4,6	27th 76:12	790-8838 2:11	actual 18:9 25:6
160 2:10	284-5500 2:5	7:00 31:17,17,20	50:18
17 4:2,24 78:8,10	29 77:7	31:25 -	add 37:21
171 2:10	29401 2:10	8	additional 44:2,7
18 29:19 78:12	29464 2:5	8 18:11,13,22	address 12:4
1800204 55:4	29488 1:14	24:19 48:13,14	22:20,21 53:1
1800753 56:21	2:20 24:20	78:12	administrative
1800754 57:13	2:25 32:9	803 2:11	12:14
1801171 58:16	3	843 2:5	admitted 21:6
1801792 60:18	3 2:4 16:3,4,10	9	36:18,22
19 78:4,14	18:15 22:9 30:14	9 19:13,14,19	advised 75:5
2	30:16 31:23 48:13	77:11 78:14	affidavit 6:25 7:15
2 15:5,10 21:19	48:13 59:3 61:8	9:52 1:12	7:20 10:16,16
30:14,18 31:19	67:8 77:4,5,5,7	9th 60:19	31:11 77:24
32:2 56:22 58:20	78:2	a	affiliated 70:1
60:22 63:15 77:25	4	a.m. 1:12 31:17,20	affixed 76:12
2013 4:14	4 16:18,19 17:20	31:25 32:9 75:9	afforded 6:8
2018 7:12 8:8 30:9	17:25 78:2,4		afternoon 24:20
31:14,20 55:5			age 4:23

ago 11:10 agree 19:24 66:14 66:18 agreed 27:11 ahead 6:9 14:11 39:25 42:9 50:11 71:17 aid 50:10 aisle 62:16 allow 65:14 allowed 27:3 62:19 altogether 34:24 amber 69:6 amiss 68:13 amount 34:6 amphetamines 58:24,25 anna 2:4 answer 3:12,13 4:3,6 39:25 40:7 48:19 anticipate 4:4 anybody 32:19 38:11 apparently 9:1 14:25 23:22 24:19 55:21 62:14 appear 15:12 48:23 50:15,21 appearance 65:8 appearances 2:1 appeared 9:9 appears 61:13 application 6:5 applying 6:2 appreciate 72:11 74:25 approach 11:4 approached 21:5	april 56:21 area 8:25 23:18 56:4 60:2,2 areas 23:12 ariel 20:17,20 36:14 46:9 63:17 arrest 6:24 7:8 19:25 25:15,18,24 27:9 28:10,11 39:16 43:19 49:14 49:18 50:2,12,24 57:21 59:6 67:3 67:20,24 68:8 71:18 77:23 arrested 24:14,18 24:19 26:17 49:17 58:5 59:14 63:23 73:12,16 74:1,4 arresting 67:18 arrival 8:19 32:25 arrived 32:9 asked 12:1 15:17 38:12 45:16,21 49:1 68:23 69:14 69:16 72:24 asking 72:23 asset 11:7 14:6,14 27:21,22 28:14 45:2 70:10 assist 66:4 assistance 11:12 assistant 12:14 associate 19:7 associated 11:15 61:18 association 12:8 19:10 assorted 60:4 assume 3:14 attempted 33:6 59:21 60:7	attempting 55:22 attend 5:2 attorney's 29:25 attorneys 2:2,7 29:21 audio 13:15 14:17 64:25 august 8:8 24:23 60:19 available 17:5,7 avant 20:18,20 36:15,18 37:1,4,18 38:3,8,14,19 39:20 40:6 41:4,8 42:18 46:9 52:13 53:6 53:14 63:17 69:5 72:25 73:9,14 74:14,20 avenues 28:9 avoid 3:23 aware 47:7,12 51:21 63:7 68:18 b b 77:21 back 8:25 9:9 14:12 17:8 18:25 20:6 31:9,14 37:22,25 39:3,17 40:20 43:5,14 44:8,12 45:13 48:4,5 52:8 57:8 61:9 67:15 background 4:25 ballard 58:4 based 10:19 50:2 51:4 63:14 65:13 66:22 70:17,18 basic 3:9 basically 8:4 basis 72:1,5	bates 54:13 baymont 58:11 bear 53:22 66:20 beginning 24:23 39:2 behaving 34:13 belanger 1:10 3:1 3:5 4:11 29:6 49:18 54:11 72:11 77:4 belief 71:21 72:2 believe 6:3 8:8 9:22 12:15 13:21 18:6 19:5 24:20 30:17 32:17 34:20 34:23 48:18 58:2 58:13 65:1 67:20 68:19 believed 9:16,20 bells 8:16 13:16 21:2 41:13,21 55:4 57:16 58:17 60:19 best 30:10 48:25 better 6:18 30:2 bicycles 23:19 60:4 birth 42:12 52:25 53:9,16,19 73:22 bit 5:6 48:6 50:6 62:19 70:6 71:22 bits 39:2 black 23:2,4 67:6 blain 2:9 6:23 15:3 18:17,19 29:4,6 39:19,24 48:12,17 48:21 52:7 54:1,5 54:10 72:9,23 74:10,24 75:2 77:8,12
---	--	---	--

booking 24:7,13 25:11 78:16 bottom 20:17 21:20 40:12 54:14 boulevard 2:4 break 3:17 72:15 brian 42:3 bring 11:7 building 23:10 26:16 55:25 bus 30:4 business 8:23 9:3 22:19,20 23:16 30:25 33:4,6 34:22,24 35:17 36:19 41:23 42:13 43:17 44:25 50:15 50:19 52:24 53:1 54:25 59:25 69:13 73:25 business's 36:19 businesses 49:13 66:9	campus 4:19 capability 28:11 31:8 car 31:7 carolina 1:1 6:16 76:4,14 cart 8:24 9:2,7,11 22:24 23:3,9 24:4 24:5 26:16 33:5 34:8 45:7 74:6 case 1:5 8:2,13 12:18 15:15 17:22 26:2,2 29:7,21,23 29:24 47:17 50:18 55:4,14 56:21 57:13,14 58:16 60:18 78:19,20 cases 28:8 57:21 65:11 cash 33:12 cast 69:21 70:2 cause 5:7 12:6 17:4 48:19 50:3 51:4 76:9 causing 61:24 ceiling 34:4 center 58:7 central 63:11 centralized 6:15 certain 27:7 28:3 72:20 certainly 39:20 certainty 48:19 certificate 76:1 77:13 certify 76:5,8 challenge 4:17 6:11 chance 5:4 29:11 change 21:13,18 30:1,1	characters 69:21 70:2 charge 57:23 58:10 65:14 charged 56:23 57:24 charleston 2:10 charlestonlaw.net 2:6 check 73:19,20 church 2:10 circle 43:5 52:8 57:8 circles 69:4 circumstances 25:23 63:21 citizens 49:13 city 8:17 cja 6:13 cleanly 4:7 clear 69:18,18,18 73:24 clearly 50:5 clerk 7:16,18 10:17 31:12 clients 30:1 close 30:21 32:19 69:3,8,9 closest 23:25 24:2 collected 10:11 53:7 collecting 49:8 college 5:11 6:11 colleton 1:2 58:6 come 29:22 31:9 69:8 71:24 coming 23:23 39:3 46:4 commission 76:24 commit 56:17	committed 28:1 28:18,23 49:21 50:6 common 1:1 community 37:9 companion 46:17 compare 68:7,14 compared 68:16 compel 50:23 compelled 68:12 complainant 17:6 22:12 33:1 complete 7:16 10:17 17:7 31:1,9 41:20 76:6 completed 10:15 10:16 24:21 25:9 31:19,25 43:20 50:19 computer 20:11 conceal 33:15 concerned 27:19 concluded 75:8 conclusion 43:12 conclusions 29:22 conference 13:1 confirm 44:3 confronted 35:2 conjectures 51:12 conjunction 6:18 consider 49:8 contact 29:14 36:2 53:16,18 56:3 57:4 58:14 69:8,9 container 23:5 67:6 contains 60:3 context 41:18 contract 8:21 34:2 34:6,17,21
c 2:4,9 11:23 cad 11:21 22:5 cadre 4:22 caged 23:18 call 11:20,20,22 12:10 19:18,22 52:17 53:8 called 4:17 11:22 14:9 29:24 42:19 calls 12:2 29:15 30:5,6 62:11 camera 9:5 40:15 40:23 41:9 44:16 45:8,25 47:9 cameras 27:23 44:22 45:21,23			

contractors 23:22 conversation 27:14 32:16,20 41:2 70:7,15 cooperate 44:13 66:3 cooperative 65:6 copy 9:14,15 15:3 corner 54:14 cornered 69:12 corporal 39:7 58:4 correct 15:19 30:19 32:6 33:22 36:20 37:16 41:1 41:5,6,15 46:20 48:3 49:20 51:5 52:15 53:12 57:15 59:19 61:19 68:21 68:22 73:10,11 correctly 12:12 cost 67:6 counsel 1:15 2:1 76:9 counties 6:17 county 1:2 58:6 76:13 couple 8:23 11:9 26:8 29:21 66:20 72:14 course 30:25 46:24 54:25 61:25 court 1:1 3:22 4:6 5:2 7:16,18 12:18 12:22 14:25 15:1 26:2 28:13,15 29:21 50:15,21 65:1,8 76:3,24 78:19 courtesy 22:18 62:20,21	covid 62:18,18 cp 1:5 create 70:3,5 creates 69:23 crime 42:25 49:21 49:22 50:5 51:4 51:19,23 56:17 66:15 crimes 43:24 49:10 criminal 5:12 6:13 29:1 49:17 51:16 64:23 current 37:14 currently 4:12 41:13 curtilage 41:21 customer 55:22 customers 45:9 55:22 71:23,24 cvs 50:11	defendants 1:8 2:7 defrauding 56:24 department 4:13 5:24 6:2 12:1,10 39:8 51:7 54:8,18 55:1 59:17 78:23 dependent 50:14 depends 6:1 deposition 1:10 3:6,7 15:18 29:12 75:8 described 30:22 describes 34:16 35:25 description 10:7 despite 71:16 detail 48:7 details 70:14 detention 58:7 determination 50:3 determine 52:16 66:16 develop 6:19 dft 54:7 78:21 different 5:7 6:17 8:13 16:2,16 digital 16:19,21 17:11,13 18:13 48:8 65:25 78:4,6 78:8,10,12 directly 9:21 disabled 62:7 disbelieve 18:6 discovered 33:3 discretion 62:19 dismissed 65:15 dispatch 22:5 42:11,16,19 52:18 52:24 53:8,11,17	disregarded 30:3 dmv 21:14 22:2,8 document 7:3,5 15:8,19 16:9 19:17 24:10 26:5 26:7 documents 18:16 54:24 doe 1:7 doing 4:2 8:22 64:23 door 33:13,14,14 55:24 doors 43:17 doubt 3:18 71:12 drafted 30:18,21 driving 61:1 drug 69:7 drugs 69:7 dubois 67:21,22 68:1 ducked 62:16 due 56:14 duly 3:2
	d		e
	d 77:1 date 1:11 8:8 25:5 25:6 42:12 52:24 53:9,16,19 73:22 dated 55:5 56:21 58:17 60:19 davis 13:24 14:4 14:13,14 65:1,9,14 65:17 day 18:1 28:19 35:13 56:18 65:18 76:12 days 29:21 december 76:25 decision 27:15 50:1 51:4 defendant's 54:2 54:12 61:22		e 10:16 31:11 39:13 77:1,21 earlier 12:15 36:5 37:8 44:22 52:9 63:2,7 68:10 72:18 easier 11:3 east 1:6 2:7 education 5:10 effect 56:12 eight 29:20 either 22:5 29:25 31:7 39:17 41:20 52:21 53:4 electrical 8:22 34:3

employed 4:14	excuse 4:17 9:15	fact 64:19 71:16	40:5 41:4,8 42:18
employee 4:13	52:3 62:6	fair 38:6 43:23	45:19,24 46:9,18
22:19	exhibit 6:24 7:4	49:19 50:4 61:9	46:19,22 47:4
employees 32:13	15:5,10 16:4,10,19	61:23 64:2 69:24	52:12 53:6,14
34:21	16:21 17:11,13	69:25	56:23 58:9,20
encounter 52:20	18:13,22 19:14,18	fairly 27:7 28:3	59:6,13 60:7,22
encountered 62:8	24:7,10 26:1	faith 51:19	61:9,24 62:5 63:6
encounters 19:3,8	30:14,18 31:19,22	familiar 27:24	64:3 69:5 73:1,9
encourage 51:15	32:2 54:2,7,12	71:22	74:2,14,21
ended 24:5	61:23 63:15 67:8	far 27:19 28:10	fletcher's 20:13
enforcement 4:25	71:1,13 72:21	29:23 31:15 44:25	focus 35:17,22
5:25 39:8 51:16	73:7 77:23,25	fashion 54:22	36:15 57:3
enmark 21:3	78:2,4,6,8,10,12	fast 48:1	foia 11:25 12:11
entered 33:4 56:4	78:14,16,18,21	father 62:6,8	follow 6:21 39:15
entire 41:21	exhibits 17:20	feels 68:11	49:19 50:17 74:11
entirely 21:25	48:10 49:4,6	fella 26:15	followed 51:23
entirety 13:4 23:2	50:22	female 56:2	follows 3:2
23:3	exit 23:17 59:16	fenced 60:3	footage 40:15,23
entrances 59:23	59:21,22,25	fertilizers 60:5	41:9 44:16,22
equipment 61:2	exits 59:24,24 60:7	fill 7:14	45:9 47:9
equivalent 6:14	expand 48:6	filling 25:12	force 49:14,15
especially 50:8	expect 66:3	finally 4:1	50:23
71:24	experience 5:25	find 10:13 21:2	ford 35:17,22
essentially 7:24	6:4,7	74:19	36:15
evening 8:5 39:6	expires 76:24	fine 3:16,20 13:9	foregoing 76:5
events 30:22 76:10	explain 72:1	52:5 72:17	forgive 49:16
evidence 10:11	explained 29:13	finish 4:3,5 31:11	form 39:23
28:18,22 39:17,18	29:17	finished 31:6	fort 4:19
44:3,8 45:3,16,19	explaining 72:5	firm 1:13	forth 8:25 9:9
50:7,25 51:2	extensively 64:4	first 3:2 8:5 14:12	forward 44:4 48:1
52:22 66:4,16	ez 36:2,6,8,11 37:1	19:5 25:3 40:24	48:6 72:7
67:23 68:14	37:18 40:6,9 41:3	49:20 55:3 58:2	four 17:17 33:3,18
exact 8:7	42:19 43:6 46:11	62:13	33:25 36:24 37:5
exactly 19:18	53:7 67:16	fish 39:11	37:20 46:6,10
21:15 27:16 32:11	f	fit 10:6	47:1 48:14,15
51:17	face 71:14	five 4:23 6:1,17	fourth 38:9,12,18
examination 3:3	facebook 47:9,15	54:7 78:21	38:20,24 40:13
29:3 72:12 74:9	47:18	fletcher 19:6	46:12
77:3,5,7,9,11	facial 45:11,12	20:15 36:14,18,25	free 73:25
exclusive 74:17	facilitate 50:12	37:3,8,17 38:3,8	frequent 69:8
		38:13,20 39:20	71:23

front 23:14 24:3 29:25 33:14 56:2 59:25 62:10 full 15:21 further 12:17 20:5 34:25 67:1 76:8 futeral 2:3	17:17 18:19 19:7 27:9 37:22 44:24 49:18 54:1 63:11 71:23 good 5:9 51:19 goods 60:5 great 29:5 green 35:17,22 36:15 37:1,18 53:7 grocery 55:24 ground 3:9 guard 4:18 gun 30:7	69:4 73:17 74:21 harrison's 53:16 harvin 1:13 hayward 19:1 45:19,24 46:1,9 47:5 55:13 56:22 57:21 head 14:1 19:12 26:10 63:22 hear 9:8 13:12,18 14:2,6 32:20 heard 14:5 51:6 65:14,16 74:22 hearing 12:22 65:1,6 heart 30:1,2 help 25:4 47:10,19 helped 44:19 hereunto 76:11 herring 39:7 hesitate 9:9 hide 62:17 highest 5:9 highway 8:16 21:2 41:14,21 55:5 57:16 58:17 60:19 hindsight 28:17 history 26:2 29:1 78:19 holiday 5:17 home 22:20 honestly 13:17 20:22 24:24 32:11 32:23 40:7 60:9 60:13 63:12 hope 66:6 hour 3:19 72:15 hours 11:2,9 huh 3:24 15:20 22:13 27:12 28:2 30:12 32:3 33:2	35:3 40:10 63:16 huhs 3:23 i idea 25:23 43:11 47:20 60:14 71:15 identification 6:25 15:6 16:5,20,22 17:12,14 18:14 19:15 24:8 26:3 54:9 identified 36:24 37:4,19 38:3,13 39:21,22 40:5 42:18 46:8 47:5 53:14 68:20 70:8 70:21 71:4 73:6 74:13,14 identifies 27:19 identify 27:3 35:8 38:22 45:9,24 46:2 64:8 66:11 70:17 identifying 21:9 21:23 47:10,19 identities 33:20 identity 27:22 35:4 46:16 66:16 71:9 72:25 ids 53:8 immediately 18:25 impressed 18:17 incident 8:18 11:9 11:15 15:5 19:14 19:23,25 25:6,10 30:9,11 31:7 32:5 37:14 40:18 50:9 54:7,17,19 55:18 55:20 56:8 57:6 57:12 58:16 59:10 60:16 61:5,22 62:23 63:6 69:12
g g 39:13 gaffney 2:9 gaffneylewis.com 2:11 garden 8:25 23:17 34:8 59:17,23,25 60:2,2,5,7 gate 9:2 23:23 34:16 gather 50:7,7 gathering 70:12 ged 5:8 general 34:11 47:10,19 52:16 gentleman 71:13 71:17,18 73:6 georgia 4:16,18 6:14,20 give 3:10 10:12 42:11 48:24 53:15 53:22 55:17 66:4 given 3:7 go 3:18 5:4,5,15 6:9,18 12:4,5,6,18 13:10 14:11,25 17:7 21:18 22:7 27:17 28:10 39:25 40:20 42:9 44:8 50:11 73:25 goes 60:1 going 3:10,14,14 4:2 10:24 12:22 13:3,6 15:13 16:3	h h 39:13 77:21 half 4:23 hance 62:13,15 hand 17:17 23:17 66:12 76:11 handed 54:12 handing 7:3 15:8 16:9 19:17 24:10 26:5 hanging 70:2 happen 31:5 70:9 happened 8:4,19 30:9 43:6 59:9 62:23 happy 50:16 hardeeville 76:13 harrison 19:1,1,2 19:8 37:13,19 38:4,14 39:21 42:4,18 43:11 45:19,25 46:9,18 46:19,22 47:5 52:12 53:14,19,20 55:13 56:5,9,14,17 56:22 57:22 58:5 61:24 63:5 64:3		

77:25 78:14,21 incidents 11:15 37:9 51:22 63:5,8 incorrect 51:20 index 2:14 77:16 indicates 37:11 52:12 indication 69:18 individual 9:17,18 9:23 22:5 27:20 27:24 28:4,11 34:7 35:10 39:14 52:1,20,22 68:11 69:3,5 72:20 individual's 22:3 51:22 52:20 individuals 8:23 9:1 18:23 34:13 63:9 69:4,14 information 7:21 10:13,19 11:11 17:5,6,7 20:3 21:9 21:16,23,24 22:4 22:14 34:5,12 35:24 50:7 63:14 73:3,5 77:16,18 informed 8:21 initial 40:18 initially 21:16 inn 58:11 innkeeper 56:24 inside 23:4,13 36:19 60:1 64:13 64:20 interest 6:5,9 interested 46:16 64:6,11 76:10 interrupt 13:6 investigate 66:15 investigated 61:11 64:3	investigating 43:24 58:3 investigation 44:13 49:10,23 50:1,2 51:3,24 64:16,18 66:5 involved 8:5 46:7 47:17 58:9 67:18 involvement 12:17 67:2 involving 63:5 issue 4:24 27:25 43:6 issued 7:9 56:13 issues 69:6 issuing 27:25 it'll 12:7 15:24 item 23:6 33:15 55:23 items 11:4 22:23 22:23 23:4,12,20 33:5,7 40:16 45:6 67:5,7,10 68:13 j jacob 1:3 2:2 9:24 10:2,6,8,18 14:22 18:2,5 19:11 20:1 21:20,23 24:14,17 25:15,18 26:15,18 26:21 27:1 28:18 28:23 38:15 40:5 46:21 47:5 67:2 67:18 68:21 70:8 72:2,21,25 73:7,13 jail 59:14 62:18,18 62:20 jamarcus 14:13 jan 1:6 2:7 8:19 10:20,23 12:3 22:10 26:14 32:4 45:14 68:20	january 55:5 jasper 76:13 job 66:14 john 1:6 joni 12:14 judge 7:9 14:2 29:25 50:18 65:6 judge's 14:16 july 7:12 8:10,12 24:21,23 30:9 31:14,20,25 59:22 justice 5:12 6:14 juvenile 5:6 k keep 23:19 keith 1:10 3:1 4:11 77:4 kept 45:1 kind 11:12 17:6 27:17 39:15 51:22 51:25 54:22 knapp 2:4 knew 10:2 20:15 38:18 know 3:18 9:7,14 13:24 16:1 19:2 19:10 22:14 23:6 23:25 24:16 25:20 26:9 28:4 29:15 29:17 31:13 32:12 33:19,23 35:4,20 35:21 36:10 41:24 42:14 44:15 47:4 47:16,18,25 48:19 51:10,14 53:19 60:4,6,10,11 62:4 62:14 63:1,14,20 67:23 68:10 69:21 70:22 71:16 knowledge 10:5 25:17 27:1,6 42:3	66:22 known 19:7 37:8 l l 11:23,23 lack 6:18 30:2 larceny 56:24 57:22 58:10 large 76:5 law 1:13 4:25 5:25 39:8 51:16 lawn 23:19 34:8 59:17,23,24 60:1,2 60:3,4,6 learned 42:19 43:22 leave 9:10 31:2 33:6 leaving 35:16 led 8:6 27:14 34:23 46:25 left 9:1,2 21:1 23:7 36:8 41:2 45:6 55:25 56:6 letter 6:5,9 7:22 7:22 letting 16:1 level 5:9 64:21 70:6 lewis 2:9 lifted 53:5 lights 34:4 likewise 4:4 line 40:13 57:3 77:2,22 list 20:7 45:5 67:10 listen 13:9 listened 13:14 little 5:6 7:10 48:6 50:6 62:19 70:6 71:22
--	---	---	---

llc 2:3,9 locate 35:10 located 11:8 location 1:13 37:14 55:4,7 57:16 58:16 60:18 locking 23:23 long 5:15,20 longer 39:7,8 look 18:2 20:17 21:19 22:22 30:10 55:3 58:15 59:1 60:15 68:2 looking 8:11 23:16 25:21 32:2 36:17 37:22 46:12 57:12 57:20 61:8 64:7 67:8 70:20,22 71:3 looks 10:8 19:6 loss 62:10 lot 11:14 21:17 23:19 52:23 56:4 56:5,7 61:25 lp 1:6 2:7 lunsford 1:6 2:8 8:19 9:4,12 10:20 10:23 20:5,21 26:14 28:20 32:5 32:8,16,22 33:1,19 33:24 34:11 35:4 35:21 36:24 37:23 40:14,22 41:3 44:17,21 45:14 46:6 47:23 49:2 64:7 66:25 68:20 69:12 70:8 71:19 72:20 73:3,4 74:5 74:12 lunsford's 12:3 14:6 22:10	m m 1:16 76:3,23 mail 31:11 mailed 10:16 maintenance 34:17,21 35:1,5,9 35:12,20 males 9:7 malicious 66:23 man 49:18 management 41:22 manager 8:20 22:19 28:3 50:14 managers 28:14 mark 17:9 18:11 53:25 54:1 marked 6:25 7:3 15:6,8 16:5,9,20 16:22 17:12,14,20 18:14,21 19:15 24:8,10 26:3,5 30:13 54:8 61:22 mart 1:6 2:7 matter 17:2 22:18 50:9 mean 3:19 41:17 47:25 means 41:19 51:11 51:13 meet 29:9 30:6 member 22:7 memory 16:2,16 mentioned 50:11 52:11 63:6 74:22 mentions 35:1 messing 52:4 met 3:6 29:16,20 meth 59:7 methamphetami... 61:19	middle 22:9 mind 15:24,25 mine 8:9 minute 12:21 15:25 minutes 29:16 53:10 mistake 51:20 moment 15:19 42:8 53:22 55:17 moments 9:10 66:20 monday 63:2 monetary 40:15 month 4:23 months 59:10 68:10 morning 29:22 71:25 morrison 14:18,20 mount 2:5 move 44:4 56:20 72:6 moved 68:13 mowers 23:19 60:4 municipal 26:1 78:19 murdaugh 1:3 2:2 9:17,21,24 10:3,6 10:9,13,19 14:22 18:2,5 19:11 20:1 21:20,23 25:15,18 26:15,18,21 27:1 28:18,23 38:16 39:22 40:5 46:21 47:5 65:15,18 66:23 67:19 68:7 68:17,21,24 69:2 69:10,17 70:8 71:7,8 72:2,21	73:7,13 74:13,15 74:22 murdaugh's 67:2 72:25 murphy's 56:6 mutually 74:16 n n 39:13 77:1 name 3:5 4:9,11 9:17,17,19,19,24 12:3,5,7 13:18 14:7,17 20:14,20 22:10 27:4 38:20 39:10 42:11 52:24 53:9,16,19 69:6 73:22 74:22 named 10:6 narcotic 61:2 narrative 7:10,14 7:25 30:11,18 31:18,22,23 32:24 36:17 40:4,13 41:12 52:11 55:10 55:11,16 57:1,2,5 57:18 59:3 61:8 61:12 63:15 67:9 national 4:18 nature 69:8 necessarily 5:3 need 3:17 28:14 needed 44:2 needs 21:12 nefarious 64:23 neither 38:19 76:8 nelson 2:3,4 3:4,6 7:1,2 13:2 15:7 16:3,8,18,24 17:9 17:15,16 18:11,15 18:20 19:13,16 24:9 25:25 26:4 29:2,12,13 39:9,12
---	--	---	--

39:23 48:11,16 49:17 52:3,6 54:3 54:6 64:25 68:19 72:13 74:8 75:1,3 77:6,10 neon 35:17,22 never 28:25,25 nice 29:9 night 18:9,10 36:13 42:2,14 43:19 57:25 58:14 59:22 67:5 69:17 74:16 nights 11:2 nighttime 8:20 nonverbal 3:23 normal 14:6 notary 76:4 noted 40:3 58:20 notes 66:21 72:19 noteworthy 46:23 notice 42:24 48:4 52:9,17 56:15 59:14 61:1,11,15 63:18,21,25 notices 48:4 notification 20:25 notified 34:2 notify 34:11 number 5:25 11:20,21,21,22 17:23 18:5,8 19:8 29:14 57:14 61:21 63:5 66:8 numerous 33:4	obtain 37:23 44:11 occasionally 15:23 occurs 50:8 october 1:11 24:19 76:12 odd 54:22 offender 37:12 58:21 60:23 offenders 35:2,16 36:3 41:13 42:23 44:3 50:24 52:12 55:14 60:23,24 66:17 offense 28:1 56:23 offenses 58:23 60:25 offers 5:7 office 10:15 31:9 officer 29:5 49:18 54:11 58:3 59:5 67:21,22 68:1,11 72:11 officers 21:1 32:21 36:2,11 38:11 57:4 official 76:12 oh 48:16 63:4 oil 56:6 okay 3:9,15,17 4:12,15 6:6,10,13 6:22 7:10,18,24 8:2,12 10:10,18 11:14,18 12:9,16 12:20,23,25 13:5 13:10,18 14:2,8,16 14:21 15:2,12,17 15:21 16:9,25 17:3,9,19,24 18:1 18:4,8,11 19:2,4 19:10,13 20:9,16 20:23 21:4,8,11,15	21:19 22:9,17,22 23:6,9,14,21,25 24:4,22 25:7,8,11 25:14,25 26:9,11 26:13,25 27:8,8 28:6,12,17,22 29:2 31:18 32:8,15 33:24 34:25 35:8 35:25 36:10,14 37:7,25 38:2,13 39:12 41:11 42:6 42:8,17,23 43:5,21 44:7,21 45:8,13,18 46:2,5,15,21,25 47:7,16 48:22,25 49:25 51:2 52:2,6 52:8,10 53:13,20 53:21,24 54:6,16 55:18,19 56:11,13 56:20 57:9,11,19 58:1,5,15 59:1,2 60:11,17 63:4,23 67:14 68:1,4,15 70:7,22,25 71:20 71:20 72:5,9 73:6 73:12,21,23 74:1,4 once 28:13 29:24 31:6 39:13 40:20 42:18 43:21 49:25 51:2 52:19 ones 18:23 28:7 48:23 online 21:14 22:2 open 11:2 24:1 opinion 66:7 71:6 opportunity 5:8 6:8 ordered 5:2 ordinary 30:25 54:25	organize 18:16 organized 53:23 outdoor 23:20 outside 9:2 23:9 34:16 60:2 overheard 32:16 p p.m. 31:17 packet 54:2,12 page 20:17 21:19 22:9 47:15 55:3 55:10 56:21,22 57:1,13,18 58:20 59:3 60:22 61:8 77:2,22 pages 22:22 54:13 54:13,15 paperwork 31:2 50:13 paraphernalia 61:18 69:7 parking 52:23 56:4,5,7 part 49:9 59:20 64:15,17,17 particular 15:1 28:15 31:6 39:6 39:14 40:18 42:13 42:14 43:19 45:1 45:15 49:22 56:1 65:8 69:16 70:23 70:23 particularly 43:13 party 76:9 pass 33:11,16 passed 24:16 payment 23:12 33:7,12,16 payne 14:18,20 pd 6:12 47:7 65:22 66:8,9 68:7,16
o			
o'clock 71:25 o'quinn 59:6 object 39:23 obligation 66:10			

pending 76:10 people 21:13,18 25:20 27:21,22 45:10 51:15,18 64:12 69:9 percent 18:15 person 11:5,6 12:9 38:12,19,21,24 39:15 52:17,25 68:7 69:19 person's 42:11 53:4 personal 10:5 11:4 25:17 27:6 42:3 49:10 66:22 69:13 personally 13:11 35:21 45:24 47:13 52:22 pertaining 14:11 pertains 19:25 petty 56:24 57:22 58:10 phone 29:15 photo 18:21 72:3 photograph 18:24 72:21 photographic 39:17 43:17 52:21 photographs 17:18,21 48:20 67:1,12 68:2,9,16 73:10 photos 10:12 44:9 44:10,16 45:3,17 47:8,16 49:6,9 50:22 picture 69:19 pictured 45:10 pictures 9:13 27:23 37:23	pieces 39:3 pio 47:15 place 4:16 9:2 placed 33:5 59:13 67:5 plaintiff 1:4,15 2:2 plaintiff's 7:4 16:10 17:20 18:22 19:18 26:6 30:14 48:9 63:15 71:1 71:13 plastic 23:2,4 67:6 play 12:22 13:3 48:5 played 64:25 pleas 1:1 pleasant 2:5 please 3:11,21 4:9 17:10 18:12 42:9 57:17 plf 6:24 15:5 16:4 16:19,21 17:11,13 18:13 19:14 24:7 26:1 point 5:17 8:20 11:13 17:22 31:8 40:11 43:21 46:8 points 33:11,16 police 4:13 12:1,10 30:25 34:12 40:4 49:14 51:7,15,18 54:8,18 55:1 63:11 66:12,15 78:22 portion 8:23 13:8 57:6 58:2 portions 54:19 positive 73:2,4 74:12 positively 27:19	possession 58:24 59:7 61:1,17 possible 8:18 9:19 32:5 39:21 40:1,4 42:17 65:21 72:24 73:1 74:13 possibly 34:1 46:7 post 6:20 posted 47:18 posts 47:8 potentially 70:3 practice 17:2 30:5 31:6 premises 23:7 45:20 52:21 prepared 30:24 54:24 presence 43:9 present 32:21 50:17 65:2 pretty 30:21 72:20 prevention 62:11 previously 42:1 56:10 price 45:6 print 45:17 48:8 49:2 printed 54:22 prior 29:21 59:10 67:2 private 49:13 probable 50:3 51:4 probably 12:13 25:9 29:16 73:19 problem 48:17 problems 9:18 61:25 procedure 39:16 39:16	process 44:19 produced 9:24 program 4:23 5:5 5:6,16 7:23 proof 49:21 properties 20:7 property 9:3 23:7 36:19 38:4 41:20 42:25 43:14,16 44:4 53:15 61:10 62:12 prosecute 28:8 65:17 prosecuted 43:2 prosecution 44:5 50:13,17,19 65:11 65:15 protection 11:8 14:6,14 27:21,22 28:14 45:2 70:10 provide 9:5,13 11:12 20:10,20 22:6 28:9,15 35:7 38:20 45:5 48:20 50:25 provided 10:19 20:3 35:23 66:25 providing 50:21 65:25 public 47:10,19 76:4 pull 12:7 30:15 45:22 53:3 punish 51:18 purpose 4:21 push 8:24 9:7 34:7 pushed 23:9,11 24:4 26:16 74:5 put 5:24 6:9,20 7:22 12:6 20:10 21:16 42:24 63:25
--	--	---	---

q	recognize 7:4 14:16 15:10 16:10 18:23 19:19 26:6 54:17 71:14 recollection 13:16 14:10,21 49:1 65:5 68:15,20 reconcile 73:2 record 4:10 13:1 76:7 recording 12:21 13:15,22 records 53:3 recovered 23:8 40:16 recovery 67:7 reference 8:17 11:21 referencing 14:12 referring 35:11 62:5 70:25 reflect 72:19 refresh 13:15 refreshes 12:24 refused 55:23 regarding 63:9 regional 6:16,19 registers 24:1,2 33:12 62:10 rehabilitation 5:3 related 57:10 76:9 relationship 10:22 10:25 47:24 release 62:20 released 62:21 relied 71:19 remember 3:21 8:2,7 14:13 15:1 16:23 17:21,23 20:22,24 21:22 24:24 26:25 27:14	27:16 35:23 36:13 39:1,2 40:2 55:18 55:19 57:6 65:2,7 65:9 70:14,19 72:4 render 33:16 rendered 33:12 rendering 33:6 rephrase 3:11 replacing 34:3 replay 13:8 report 10:15 11:15 11:21 12:6 15:5 15:18 16:4,11,25 17:1 19:14,20,23 19:25 20:4,25 22:16 24:7,13 25:11 30:11,24 31:10,19,24 34:15 34:25 35:15 37:11 40:17,18 43:9 51:15,19 52:11 57:12 58:16 59:8 60:16 78:1,3,15,17 reported 1:16 32:5 46:6 51:23 reporter 3:22 4:6 52:5 76:1,3,24 77:13 reporting 63:12 65:21 reports 30:11 31:2 54:7,18,19 61:22 78:22 represent 54:21 represented 18:4 representing 29:6 request 11:25 12:11 69:15 requested 77:16 77:18	require 5:22 required 31:1 requirement 66:10 requirements 6:20 resolved 43:7 responded 8:15 40:25 55:21 responding 36:1 responses 3:23 result 42:2 56:8 retribution 51:25 return 30:5,5 41:22 55:23,23 returned 45:4 returning 67:4 review 15:19 66:15,20 rewind 48:1 right 4:9 7:11 8:11 13:14 14:10 15:2 23:17 24:25 26:10 26:14 30:22 32:10 36:15 49:14 54:14 59:4 60:15 75:2,6 75:7 ring 13:16 rite 50:10 robert 2:9 29:6 role 4:20 roof 24:5 room 45:2 70:10 routine 38:7 rules 3:9 run 4:18 23:12 28:25 running 56:5
r		s	
r 39:13,13 raises 70:6 range 54:15 rank 5:18 rblain 2:11 read 15:21 16:16 55:16 57:2,5,17 75:6 reading 15:24,25 41:24 really 63:4 rear 2:14 reason 18:6 34:20 41:23 63:25 reasonable 33:25 34:6,10 47:1 64:21 65:12 reasons 29:17,18 recall 32:15 38:11 38:18 41:25 51:9 51:21,25 74:19 receive 67:5 received 20:25 67:10 recognition 45:11 45:12		s 77:21 savannah 6:8,12 29:20 66:9	

saw 34:12,12,13 35:22 46:5 70:18 70:18 73:9 saying 23:1 61:23 62:9 says 7:12 32:25 34:16 35:16 36:17 37:12 40:14 41:12 57:3 sc 1:14 2:5,10 scanned 15:23 20:8 scene 21:1,7 seal 21:20 76:12 season 5:17 second 5:4 20:6 32:24 38:1 44:23 45:14 53:25 55:10 67:15 seconds 53:2 security 40:14,23 41:9 44:16,22 45:8 47:9 see 3:21 8:10 9:6 12:20,24 23:1 33:8 34:18 35:18 36:3 37:15 41:16 51:7,10 52:20,22 55:5,13 56:4,22 58:18 59:17 60:20 seeing 17:21,23 seen 26:8 34:7 35:16 36:1,1 41:8 selected 33:4 selection 54:13,15 sending 12:11 sent 11:25 25:20 sentence 32:24 34:15 35:15,25 41:12	separate 34:22,24 42:4 sergeant 3:5 5:18 5:20,23 62:13,15 service 55:22 services 22:7 session 15:1 settlement 29:23 she'll 48:4 shift 31:3,4,10,13 shipp 58:3 shop 36:2,7,9,11 37:1,18 40:6,9 41:3 42:19 43:6 46:12 53:7 62:9 67:16 shoplift 60:7 shoplifter 18:9 59:21 shoplifting 8:18 11:9 28:8,19,23 32:5 33:10,14,17 34:1 43:25 46:8 47:10 49:11 50:9 58:23 59:6,7,16 63:24 64:15 65:21 shopliftings 65:10 shopping 8:24 9:1 9:7,10 22:24 23:3 33:5 34:8 45:6 74:5 shortly 68:8 shots 47:8 show 28:14 shown 43:17 48:9 50:22 66:11 71:13 72:2 shy 30:7 side 23:17,17 33:14 55:25 56:6	sidewalk 23:14 sign 75:6 signature 76:21 signed 7:9 15:13 24:17 simply 42:25 50:21 sir 4:14 7:6,8,13 7:15 8:1,3,7,12,15 10:1,4,9,21 11:17 11:24 12:19 14:1 15:9,11,20 16:6,12 18:7,10 19:21 20:19 21:25 22:11 22:25 23:15 24:12 24:15 26:8 27:12 28:21 29:8 30:16 30:20 31:16 32:1 33:9 34:9,14,19 35:3,7,14,19 36:4 36:9 37:10,21 38:23,25 40:19 42:21 43:4 44:11 47:3,12 49:15,24 51:1 54:20 55:2,6 55:15 58:8,12,19 59:4 60:9,21 61:3 61:7 63:22 64:1 64:14,18,24 65:4 65:16 66:6,24 67:7,17,20,25 68:3 69:1 70:16 71:2,8 71:11 72:8,22 73:8 six 5:21 6:17 skipped 20:16 slogan 51:7 smoking 61:18 snapshot 16:20,22 17:12,14 18:14 78:5,7,9,11,13	snapshots 48:9 66:1 soil 60:5 solely 10:19 somebody 14:3 49:14 soon 33:11 sorry 6:11 11:22 14:11,19 18:18 42:9 46:19 48:14 48:16 sound 52:3 sounds 32:10 south 1:1,13 6:15 76:4,13 speak 9:9 35:12 speaking 32:25 specifically 11:1 spell 39:9 spelling 12:12 spoke 8:19 9:4,7 9:12 12:14 21:5 32:8,12,14 33:21 33:22 35:5 40:23 44:15 spoken 39:14 sponsored 4:18 spotted 62:15 stacy 9:21 68:24 69:2,10,17 71:7 stamped 54:13 standing 56:2 start 4:6 started 15:18 starts 57:13 state 1:1 4:9,19 76:4 stated 37:12 43:10 52:19 statement 26:22
--	---	--	--

states 43:10 stays 69:3 stewart 4:19 stills 43:17 stop 13:6 25:21 36:11 39:6 43:7 43:12 46:11 48:1 67:15 stopped 53:6 store 24:3 28:9 32:9,22 41:20 44:25 46:3,4 50:14,14 59:21 62:9 64:13 70:19 73:13,17 74:6,20 stores 1:6 2:7 street 1:13 2:10 strong 10:25 stubbs 69:6,10 students 5:1 submit 7:20 submitted 7:15 suggest 33:19 51:14 suite 2:4,10 summarize 61:23 summons 62:21 62:22 supplement 17:8 20:6 40:19 supplemental 16:4 17:1 31:23,24 67:9 78:2 supported 65:10 supposed 56:1 sure 12:11 13:11 19:18 21:15 39:4 40:15 44:24 50:20 58:25 71:9 surmise 27:17	surrounding 25:24 surveillance 46:11 66:11 70:12 suspect 9:20 38:9 46:13 suspected 51:23 suspects 33:4,18 33:20,25 36:25 37:5,20 46:7 47:2 47:11,17 57:4 suspension 61:1 suspicion 33:25 34:6 47:1 51:19 64:22 70:6 suspicions 51:15 sworn 3:2 system 9:6 10:14 11:8 12:6 20:8 21:10,17 22:3,16 37:24 40:21 63:12	telling 26:15 45:1 47:25 ten 6:1,3,7,12 29:19 teresa 19:6 20:13 20:15 36:14 45:19 45:24 46:1,9 47:4 56:23 58:9,20 60:22 term 6:18 30:2 testified 3:2 30:17 32:4 36:5 37:7 74:12 testimony 28:16 50:18 thank 7:1 15:3,9 17:15 57:20 59:5 72:10 74:24 75:3 thanks 6:23 thereof 76:10 thing 13:3 19:9 20:24 42:13 49:20 73:18 74:23 things 23:20 29:15 29:24 30:4 60:5 69:7 think 18:8 23:8 25:3 30:9,13 31:18,23 32:4,19 36:5 37:3,7,17 38:7 39:21 40:4 42:17 57:10 65:13 65:20 66:19 67:9 68:23 70:24 72:9 third 7:11 37:12 37:19 57:3,18 thomas 1:16 2:4 39:7 76:3,23 thought 71:6 three 12:2 41:12 42:4,20 43:20,22	44:3 46:10 48:11 52:12 71:24 thrown 30:3 time 1:12 3:18 6:3 8:20 11:1,3 13:9 14:15 17:5 21:3 24:1,16,17 28:24 30:22 31:8 32:11 33:20,22 35:5 37:13 40:16,23 41:7 44:23 45:1,4 45:14 46:19 50:6 62:7 64:12,20 67:11,23,23 68:8 70:11 71:10 72:11 75:4 times 31:15 42:4 tnelson 2:6 today 29:12 told 8:21 26:20,23 26:24 28:20 38:14 68:19 71:19 74:5 tom 3:5 top 14:1 19:12 26:10 63:22 tote 67:11 touched 52:9 town 8:17 69:6,20 traffic 25:21 transcript 2:14 12:21 75:6 76:6 transported 59:14 trespass 11:19 42:12,24 43:20,24 44:5,13 52:17 53:5,5 56:12,14 59:13 61:10,15 62:17,22 63:18,21 63:25 69:14 73:19 trespassed 11:5,6 41:13,17,25 42:1,4
	t t 77:21 take 4:7 15:25 27:9,15 62:20 taken 1:15 8:6 12:17 26:17 40:16 43:18 68:9,16 takes 7:21 23:2 50:6 53:2 talk 29:11 30:8 53:20 talked 53:13 63:4 63:8,9 talking 27:20,21 59:10 61:6 tell 7:7 8:4 16:16 27:8 32:11 36:21 38:15,15,17 60:9 60:13		

42:15,20 43:22 52:13,25 53:10 56:9,10 69:11 trespassing 43:3 49:11 52:9 57:23 57:24 58:6 60:25 64:16,21 tried 8:24 29:14 56:3 59:16 62:16 74:19 trisha 1:16 76:3,23 trouble 69:23 70:3 70:5 true 76:6 trust 26:23 trusted 26:24 try 3:12,22 4:2 22:4 27:5 33:15 48:6 68:13 tub 23:2 tuesday 63:3 turns 51:20 two 5:11 9:6 12:21 30:16 36:12 37:4 37:5 42:7 43:24 55:22 57:21 59:10 59:23,24 60:23,24 61:4,13,14 64:8 69:14 71:24 type 4:24,25 5:25 19:19 26:6 typed 7:19 16:7	unaware 37:14 understand 3:10 3:13 50:20 understood 3:15 3:25 4:8 30:8 unknown 33:3,18 33:25 35:1 36:24 37:5,20 46:7,12 47:2 56:2 updated 21:12 use 22:20,20 51:7 uses 62:6 usually 5:2,24 11:19 22:18 25:8 31:5,10 42:10	violation 56:14 61:10,15 visit 67:15 vs 1:5	want 11:5,6 13:8 25:1 41:22 72:16 wanted 62:14 warrant 6:24 7:8 7:17,19,23 8:6 10:17 12:16 14:23 14:24 24:17,21 25:5 26:17 27:9 27:15,25 28:5 39:16 56:13 71:18 77:23 warrants 28:10 43:19 61:13,14 73:19 watch 45:21 watched 9:6 45:23 watching 46:10 47:21 48:2 way 7:11 30:10 34:13 36:6 45:9 46:6 68:5,6 we've 9:18 19:8 29:22 39:14 53:18 59:10 61:5,21 62:7 63:4,8 65:9 72:14 week 5:16 25:9 29:21 62:3 63:2,3 63:7 weeks 61:5,11 weight 21:9 went 5:12,17 10:15 11:1 20:6 27:14,16 36:8 41:3 43:14 44:12 45:13 55:24 71:17 whatsoever 28:24 white 56:2 wise 44:25 witness 16:6,23 18:18 39:11,13
		w	
		waits 62:10 waives 75:7 wal 1:6 2:7 walgreens 50:11 walked 43:16 walking 52:23 walmart 8:16 11:1 13:25 14:3 23:7 27:18,18,20 28:1,7 28:13,19 29:7 32:6,13 33:21 34:1,11,22 36:8 38:4 40:24 42:1,5 42:20,24 43:9,10 43:23 44:8,12,13 44:15 45:8,13 46:11 47:8,22 50:10,20,23 52:13 53:10 55:8,21 56:1,9 57:4,17,22 59:7 61:5,10,25 62:6 63:10,20,24 64:7,20 65:2,5,17 65:20,24 66:3,10 66:23 67:2,15 68:10,17 69:11 71:23 walter 1:13 walterboro 1:14 4:13 8:17,17 12:1 12:10 20:11 26:1 30:25 47:7,15 51:6 54:8,18,25 55:7 59:5 65:21 66:8 68:7,16 78:18,22	
	v		
	valid 63:25 value 40:16 vehicle 37:1,18 53:7 vehicles 36:1 verified 43:8,15 verify 15:13 26:22 27:22 42:15,21 43:13 video 9:5,6,8,14,15 11:8 13:19 16:19 16:21 17:11,13 18:13 23:1 37:22 39:18 40:21 44:8 44:10 45:16,18,22 46:11 47:21 48:1 48:9 50:22 52:22 64:7,8 65:25,25 66:11,12,15 67:1 67:11 68:2,9 70:12,18,20 71:3 73:10 78:4,6,8,10 78:12 view 62:15		
u			
uh 3:23 15:20 22:13 27:12 28:2 30:12 32:3 33:2 35:3 40:10 63:16 uhs 3:24 ultimately 28:7 unable 40:14			

[witness - youths]

Page 15

48:18 75:5 76:11 77:3 witnesses 18:16 word 7:21,21 words 8:25 15:14 16:7,13 43:14 work 8:22 worked 4:16 worker 34:6 35:1 35:5,9,21 workers 8:22 34:3 34:17,21 35:13 working 10:22,25 11:2 65:9 66:8 works 39:7 worry 26:11 worth 12:2 written 15:14 wrong 8:13 65:20 65:24 68:12 wrote 7:24
x
x 77:1,21
y
yeah 4:17 11:24 13:11,23 23:11 53:12 54:5 57:7 74:7 years 4:2 5:11,21 6:1,1,1,3,7,12 12:2 29:19,19,20 66:8 youth 4:17 6:10,11 youths 4:23

South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.

ARREST WARRANT

2018A1520300340

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

THE STATE

against

1801556

Jacob Seal Murdaugh

Address: 202 Sierra Ln

Walterboro, SC 29488-5005

Phone:

SSN: 248-63-0013

Sex: M Race: W Height: 5 9 Weight: 150

DL State: SC DL #: 011161303

DOB: 6/17/1983 Agency ORI #: SC0150100

Prosecuting Agency: Walterboro Police Department

Prosecuting Officer: Keith L Belanger - S00010

Offense: Shoplifting / Shoplifting, value \$2,000 or less

Offense Code: 0528

Code/Ordinance Sec: 16-13-0110(A)

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 on

Jacob Seal Murdaugh 15W
10-8-18

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Walterboro Municipal Court
300 Hampton Street
Walterboro, SC 29488

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

Personally appeared before me the affiant Keith L Belanger

being duly sworn, deposes and says that defendant Jacob Seal Murdaugh

did within this county and state on or about 7/24/2018

State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of

Walterboro

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 July 24th, 2018, at or about 0145 Hrs. the Defendant (Jacob Seal Murdaugh) was captured by security camera footage from 2110 Bell's Hwy (Walmart) selecting and placing merchandise items in a shopping cart then exit the business with the cart and items through an open outside Garden Center gate and passing all points where payment could be rendered for the merchandise items. The Defendant's actions were perpetrated to deprive the business of the total cost to the goods.

Signature of Affiant

Keith L Belanger

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

Affiant's Address 242 Hampton Street

Walterboro, SC 29488

Affiant's Telephone

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 7/24/2018

did violate the criminal laws of the State of South Carolina defendant Jacob Seal Murdaugh

☐ County/ ☒ Municipality of

Walterboro

as set forth below:

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 7/25/2018

Signature of Issuing Judge

Deborah Bridget Kane O'Quinn

Judge Code: 8098

Judge's Address P O Box 709

Walterboro, SC 29488

Judge's Telephone (843)782-1057

Issuing Court:

☐ Magistrate☒ Municipal☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

AFFIDAVIT

18-P.D. 074
ORIGINALForm Approved by
S.C. Attorney General
April 21, 2003
SCCA 516

P. 002

FAX No.

AUG/30/2019/FRI 11:10 AM

Property Item

Property Type: Merchandise
Value: \$64.00
NIC #: Description: HI BOX
Recovered?: True Date of Theft: 7/24/2018
Date of Recovery: 7/24/2018
Recovery Value: \$64.00
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Narrative

I, SGT BELANGER, RESPONDED TO 2110 BELL'S HWY IN REFERENCE TO A POSSIBLE SHOPLIFTING INCIDENT. UPON ARRIVAL AND SPEAKING WITH THE COMPLAINANT (LUNSFORD) IT WAS DISCOVERED THAT FOUR UNKNOWN SUSPECTS ENTERED THE BUSINESS, SELECTED NUMEROUS ITEMS, PLACED THEM IN A SHOPPING CART AND ATTEMPTED TO LEAVE THE BUSINESS WITHOUT RENDERING PAYMENT FOR THE ITEMS. LUNSFORD STATES THE OFFENDERS (FLETCHER / AVANT / HARRISON / MURDAUGH ATTEMPTED TO WALK OUT OF THE LAWN AND GARDEN AREA OF THE BUSINESS, PASSING ALL POINTS WHERE PAYMENT COULD BE RENDERED, AND THRU AN OUTSIDE GATE THAT CONTRACT MAINTENANCE WORKERS WERE USING. AN UNKNOWN MAINTENANCE WORKER CONFRONTED THE OFFENDERS WHO LEFT THE SHOPPING CART FULL OF ITEMS. THE OFFENDERS WERE SEEN LEAVING THE BUSINESS IN A NEON GREEN FORD FOCUS. THE VEHICLE WAS SEEN BY RESPONDING OFFICERS AT 1539 BELL'S HWY (EZ SHOP #15) AND CONTACT WAS MADE WITH THE OFFENDERS. BOTH FLETCHER AND AVANT ADMITTED TO BEING ON THE BUSINESS' PROPERTY, BUT NOT INSIDE THE BUSINESS. THEY ALSO STATED THE THIRD OFFENDER (HARRISON) WAS WITH THEM AT THE TIME OF THIS INCIDENT BUT WERE UNAWARE OF HIS CURRENT LOCATION. ALL THREE OFFENDERS ARE CURRENTLY TRESPASSED FROM 2110 BELL'S HWY. LUNSFORD WAS UNABLE TO ACCESS THE SECURITY CAMERA FOOTAGE, AND WAS NOT SURE OF THE MONETARY VALUE OF THE ITEMS TAKEN AND RECOVERED AT THE TIME OF THIS REPORT. ONCE THAT INFORMATION IS AVAILABLE, WARRANTS WILL BE FORTHCOMING IF NECESSARY AND THIS REPORT WILL BE AMENDED.

Signatures

Reporting Officer: BELANGER, KEITH L ☐

Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

Approving Officer: ☐

Validating Officer: ☐



7/26/2018 12:28:51 PM



WALTERBORO PUBLIC
SAFETY
WALTERBORO, SC
ORI: SC0150100



SUPPLEMENTAL REPORT

Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

Start Date: 7/24/2018 End Date: 7/24/2018 Disp Date: 7/24/2018 Time Arrived: 02:25
Start Time: 02:20 End Time: 02:45 Disp Time: 02:20

NCIC INQ? False NCIC INQ Date: NCIC ENT? False NCIC ENT Date:
Subject Identified? True Subject Located? False

Supplemental Information

Filing Date: 7/24/2018

ON TODAY'S DATE 07/24/2018, I, SGT BELANGER, WAS PROVIDED WITH STILL PHOTOS AND A COPY OF THE SECURITY CAMERA FOOTAGE OF THIS INCIDENT. THE STILL PHOTOS SHOW FLETCHER AND HARRISON ENTERING THE BUSINESS TOGETHER BUT LATER SEPARATELY INSIDE THE BUSINESS. AVANT WAS NOT SEEN ON ANY OF THE SECURITY CAMERA CLIPS OR STILL PHOTO, BUT DID ADMIT TO OFFICES SHE WAS ON THE PROPERTY WITH FLETCHER AND HARRISON. MURGAUGH IS SEEN ON SECURITY CAMERA FOOTAGE SELECTING SEVERAL ITEMS AND PLACING THEM INTO A SHOPPING CART AND A BLACK STORAGE BIN INSIDE OF THE CART. HE THEN WALKS TO AN OPEN LAWN AND GARDEN CENTER GATE, PUSHES THE CART OUTSIDE, AND PEEKS BACK INSIDE THE LAWN AND GARDEN CENTER TO APPARENTLY SEE IF ANYONE SAW HIM. HE THEN EXITS THRU THE SAME GATE. THE COST OF THE ITEMS, WHICH WERE RECOVERED WHEN MURDAUGH WAS SEEN AND CHALLENGED BY CONTRACT MAINTENANCE WORKERS REPLACING LIGHTS AND LIGHT FIXTURES AT WALMART, WAS \$1,349.00. WARRANTS WERE ISSUED FOR ALL OFFENDERS.

Signatures

Filing Officer: BELANGER, KEITH; Sergeant;

Entered By: BELANGER, KEITH; Sergeant;

7/26/2018 12:28:51 PM



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_01

7/24/2018 2:08:59 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR01S01358US

Device Serial Number: GS1215B515

Theresa



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_01

7/24/2018 2:16:13 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR01S01358US

Device Serial Number: GS1215B515



Looks like
Gary Parm?
He was dating Ariel
Avaat -
not with
quinn; no
beach

Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_04

7/24/2018 12:46:47 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR02S01358US

Device Serial Number: GS1308A742

*Not sure
who this is?
arm tat



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: GARDEN_CENTER_OVERVIEW_FRONT_TO_BACK

7/24/2018 1:45:00 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR08S01358

Device Serial Number: GS1152A067

Arm test



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY AND EXIT GROCERY_05

7/24/2018 1:51:41 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR02S01358US

Device Serial Number: GS1308A742

*Brian's
Theresa*





**WALTERBORO PUBLIC
SAFETY
WALTERBORO, SC
ORI: SC0150100**



Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

Start Date: 7/24/2018 End Date: 7/24/2018 Disp Date: 7/24/2018 Time Arrived: 02:25
Start Time: 02:20 End Time: 02:45 Disp Time: 02:20

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? True Subject Located? False
Patrol Zone: Division Assignment:
Officer Assigned:

Offenses

Offense Type: Shoplifting {23C}

Statute: SHOPLIFTING 1ST
OFFENSE \$2,000 OR
LESS {23C} CDR 528

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

Offense Type: Trespass of Real Property {90J}

Statute: TRESPASSING
AFTER NOTICE
{90J}

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

People

Offenders

OFFENDER: AVANT, ARIEL AMBERLY

Aliases:

Race: W	Sex: F	Height: 507	Weight: 220	Ethnicity: N
Hair: BLN	Eyes: BRO	Glasses: N	Complexion: FAR	Build:
Facial Hair: N	Skin:	Teeth:	Resident: State	
DOB: 2/13/1992	SSN:	610-56-4104		
SID #:	FBI #:			
Driver's License #: 100766326	License State: SC			
Place of Birth City:	Place of Birth State: CA			
Special DOB:	Age Range From:	To:		
Day Phone: 843-898-1323	Evening Phone:			

Suspected of Use 1: None

Suspected of Use 2:

Suspected of Use 3:

Type 1:

Type 2:

Type 3:

Employer:

UNEMPLOYED

Student:

False

7/26/2018 12:28:51 PM



School:
Legacy Aliases:
Drug Activity:
Maiden Name:
Drug Type:
Address Information:
Address Type: Physical
Street 1: 3826 MOUNT CARMEL RD.
City: WALTERBORO
Location Number:
Test1:
Street 2:
State: SC Zip: 29488
Country:
OFFENDER: FLETCHER, TERESA FAYE
Aliases:
Race: W Sex: F Height: 503 Weight: 100 Ethnicity: N
Hair: BLN Eyes: BRO Glasses: Complexion: Build:
Facial Hair: Skin: Teeth: Resident: State
DOB: 10/9/1977 SSN: 250-75-1379
SID #: FBI #:
Driver's License #: 007301126 License State: SC
Place of Birth City: Place of Birth State:
Special DOB: Age Range From: To:
Day Phone: 843-599-0329 Evening Phone:

Suspected of Use 1: None
Type 1:
Employer:
School:
Legacy Aliases:
Drug Activity:
Suspected of Use 2:
Type 2:
Student:
Maiden Name:
Suspected of Use 3:
Type 3:
False
Drug Type:
Address Information:

Address Type: Physical
Street 1: 148 TUPON LN
City: WALTERBORO
Location Number:
Test1:
Street 2:
State: SC Zip: 29488
Country:
OFFENDER: HARRISON, HEYWARD BRYAN
Aliases:
Race: W Sex: M Height: 508 Weight: 145 Ethnicity: N
Hair: RED Eyes: HAZ Glasses: Complexion: Build:
Facial Hair: Skin: Teeth: Resident: State
DOB: 4/4/1985 SSN:
SID #: FBI #:
Driver's License #: 11400394 License State: SC
Place of Birth City: Place of Birth State:
Special DOB: Age Range From: To:
Day Phone: Evening Phone:

Suspected of Use 1: None
Type 1:
Employer:
School:
Legacy Aliases:
Drug Activity:
Suspected of Use 2:
Type 2:
Student:
Maiden Name:
Suspected of Use 3:
Type 3:
False
Drug Type:

OFFENDER: MURDAUGH, JACOB SEAL
Aliases:
Race: W Sex: M Height: 510 Weight: 165 Ethnicity: N
Hair: BRO Eyes: BRO Glasses: N Complexion: LGT Build:
Facial Hair: Skin: Teeth: Resident: State
DOB: 6/17/1983 SSN: 248-63-0113
SID #: FBI #:
Driver's License #: 011161303 License State: SC
Place of Birth City: WALTERBORO Place of Birth State: SC
Special DOB: Age Range From: To:
Day Phone: 908-0290 Evening Phone:

Suspected of Use 1: None
Type 1:
Employer:
School:
Legacy Aliases:
Suspected of Use 2:
Type 2:
CARPENTER
Student:
Maiden Name:
Suspected of Use 3:
Type 3:
False

Drug Activity:**Drug Type:****Address Information****Address Type:** Physical**Street 1:** 202 SIERRA LANE**City:** WALTERBORO**Location Number:****Test1:****Street 2:****State:** SC **Zip:** 29488**Country:****Victims****VICTIM:** WALART**Type:** Business**Phone:** 843-539-1550**Fax:****Address****Street 1:** 2110 BELL'S HWY**City:** WALTERBORO**Street 2:****State:** SC **Zip:** 29488**VICTIM:****Type:** Society/Public**Phone:****Fax:****Address****Street 1:****City:****Street 2:****State:** **Zip:****Complainants****COMPLAINANT:** LUNSFORD, JAN MCCREA**Aliases:****Race:** W**Sex:** F**Height:** 506**Weight:** 142**Ethnicity:** N**Hair:** BRO**Eyes:** BRO**Glasses:** N**Complexion:** LGT**Build:****Facial Hair:** N**Skin:****Teeth:****Resident:****DOB:** 2/13/1978**SSN:****SID #:****FBI #:****Driver's License #:** 011471736**License State:** SC**Place of Birth City:****Place of Birth State:****Special DOB:****Age Range From:****To:****Day Phone:** 843-539-1550**Evening Phone:****Suspected of Use 1:** None**Suspected of Use 2:****Suspected of Use 3:****Type 1:****Type 2:****Type 3:****Employer:****Student:****School:****Maiden Name:****Legacy Aliases:****Address Information****Address Type:** Physical**Street 1:** 2110 BELLS HWY**City:** WALTERBORO**Location Number:****Test1:****Street 2:** WALMART**State:** SC **Zip:** 29488**Country:****Witnesses***There are no Witnesses associated with this report.***Property****Property Item****Property** Merchandise**Loss Type:** Stolen/Etc.**Quantity:** 1**Type:****Value:** \$20.98**Description:** PLASTIC TOTE**NIC #:****Recovered?:** True **Date of Theft:** 7/24/2018**Date of** 7/24/2018**Theft**

SC0150100Recovery

SC0150100

Recovery:**Jurisdiction:****Jurisdiction:****Recovery** \$20.98**Descriptive Marks:****Customizable Field:****Customizable Field2:****Customizable Field3:****Property Item****Property** Household Goods**Loss Type:** Stolen/Etc.**Quantity:** 1**Type:****Value:** \$398.00**Description:** PORTABLE SPA

7/26/2018 12:28:51 PM

NIC #: Recovered? Due Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$398.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Tools Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$398.00 Description: CX PILEBRIVER
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$398.00
Manufacturer: Model: Serial Number:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$3.34 Description: SWEET ROLLS
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$4.47 Description: FOOD ITEM
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$4.12 Description: BUD ICE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$4.12
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$80.00 Description: BB-9E DROID
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$80.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$29.98 Description: VR HEADSET
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018

Theft SC0150100Recovery SC0150100 Recovered Value: \$29.98
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$49.72 Description: ROAV AD DAS
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$49.72

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$39.94 Description: MONTEC 1006
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$39.94

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$49.72 Description: ROAV AD DAS
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$49.72

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:

Customizable Field2:

Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$4.24 Description: CAESAR SALAD
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$12.97 Description: DOT SIGHT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$12.97
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$20.42 Description: INFLECTOR
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$20.42
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.68 Description: P3 CLST DRK
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery WSC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.58 Description: SK GS KY SW
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$0.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.58 Description: SK GS KT SW
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$0.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$19.96 Description: ULT STL BROH
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$19.96
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$2.96 Description: 3 HOOK NET
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$2.96
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$59.96 Description: SS STRATUS
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$59.96
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$16.97 Description: LASER SIGHT
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Recovery Value: \$16.97
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.00 Description: CHEF BOYARDE

NIC #: Recovered: true Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00
Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.38 Description: PL MON CHOC
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.68 Description: OMP3 DELI
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$29.94 Description: PRINT 2P HAM
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$29.94

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$2.96 Description: 3 HOOK NET
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$2.96

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$2.96 Description: 3 HOOK NET
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$2.96

Descriptive Marks: Customizable Field: Customizable Field2: Customizable Field3:

Jurisdiction: Jurisdiction
Descriptive Marks:
Customizable Field2: Customizable Field:
Customizable Field3:

Value:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Date of

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$5.42

Description: 22 BOLT

NIC #:

Recovered?: True

Date of Theft: 7/24/2018

Date of 7/24/2018

Theft

SC0150100Recovery

SC0150100

Jurisdiction:

Jurisdiction:

Recovery:

Recovery \$5.42

Value:

Descriptive Marks:

Customizable Field2:

Customizable Field:

Customizable Field3:

AGENCY I.D. SCO 150100	DATE/TIME OF 10-8-18	IT 1420
----------------------------------	--------------------------------	-------------------

BOOKING REPORT

CASE NUMBER 18011456

DEFENDANT NAME (LAST, FIRST, MIDDLE) Murphy, Jacob Seal						RACE W	SEX M	DATE OF BIRTH 6-17-83	DOCKET NUMBER
AGE 35	ETH. W	HEIGHT 5'10"	WEIGHT 150	HAIR BLK	EYES BRN	SOCIAL SECURITY NUMBER 248-63-0013		VISIBLE SCARS AND MARKS	
ADDRESS (NUMBER AND STREET) 202 Sierra Ln						CITY Waltham	STATE SC	ZIP CODE 01116	PHONE NUMBER
ALIAS				PLACE OF BIRTH		DRIVERS LICENSE NUMBER 011161303		RESIDENT JSOU	STATE SC
EMPLOYER OR OCCUPATION				NEXT OF KIN		ADDRESS (CITY AND STATE)			
BOOKING OFFICER'S NAME DUBOSE				NUMBER P-54		ARRESTING OFFICER DUBOSE		AGENCY WPD	NUMBER P-54
ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY									
JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY *J-This Jurisdiction. S-State. O-Out of State. U-Unknown.									
ADDITIONAL CASE NUMBERS									
IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C									

CHARGE I.D.	A	B	C			
CHARGE	Aggravated Assault					
STATUTE	2018A152036340					
BOND AMOUNT	\$1000					
BOND TYPE	Simple					
RET. DATE						
DISPOSITION						
SENTENCE	DAYS	AMOUNT	DAYS	AMOUNT	DAYS	AMOUNT
TIME SERVED						
GOOD TIME						
BALANCE						
PAID						
RECEIPT NUMBER						

RELEASE DATE	TIME	RELEASING OFFICER	NUMBER	AGENCY RELEASED TO
--------------	------	-------------------	--------	--------------------

SIGNATURE OF RECEIVING OFFICIAL x Cpl. Spry LIST ANY REMARKS BELOW

DEFENDANTS PERSONAL PROPERTY RECEIPT TOTAL CASH AT TIME OF ARREST → \$0

QUANTITY	ITEM	QUANTITY	ITEM



I HEREBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

x [Signature]
DEFENDANT'S SIGNATURE AT TIME OF ARREST

[Signature]
OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X

Walterboro Municipal Court

CASE HISTORY FOR CASE 2018A1520300340

The State of South Carolina VS Jacob Seal Murdaugh

FILED DATE: 10/9/2018
INDICTMENT NUMBER:

CASE TYPE: CR/Criminal - Bond
ASSIGNED JUDGE: Payne, R Morrison M
DISPOSITION JUDGE: Payne, R Morrison M

STATUS: Disposed

ARRESTING AGENCY: Walterboro Police Department

CASE PARTIES:

Defendant Murdaugh, Jacob Seal
202 Sierra Ln, Walterboro, SC 29488-5005

Officer Belanger, Keith L
242 Hampton Street, Walterboro, SC 29488-

Bond Entity Murdaugh, Jacob Seal
202 Sierra Ln, Walterboro, SC 29488-5005

Defendant Attorney Hudson-Scott, Ashley
218 Cam Street, PO Box 1038, Walterboro, SC 29488

Victim Walmart Store #1358
2110 Bells Highway, Walterboro, SC 29488

CASE HISTORY FOR CASE 2018A1520300340

Murdaugh, Jacob Seal
202 Sierra Ln

Age: 36
DL#: 011161303

DOB: 6/17/1983
SSN: 248-63-0013

Walterboro, SC 29488-5005

CHARGE	VIOL. DATE	DISPOSITION	DISP. DATE
0528 Shoplifting / Shoplifting, value \$2,000 or less	7/24/2018	Dismissed No Prosecution	11/6/2019

COST	ORIGINAL	BALANCE DUE	DISBURSED	PAY PRIORITY
Charge: Shoplifting / Shoplifting, value \$2,000 or less				
Fine to General Fund	\$0.00	\$0.00	\$0.00	999
Victim Services.Asm 38.0013% / 5.783	0.00	0.00	0.00	999
Victim Conviction Surcharge \$100 / \$2!	0.00	0.00	0.00	999
Law Enforcement Funding Surcharge \$:	0.00	0.00	0.00	999
State Assessment	0.00	0.00	0.00	999
Total:	\$0.00	\$0.00	\$0.00	

DATE	TIME	EVENT DESCRIPTION
10/9/2018	7:59 AM	Court event: Bond Hearing
10/9/2018	12:00 AM	Filing recorded: Archived Faretta Warnings
10/9/2018	12:00 AM	Filing recorded: Defendant Information Regarding Rights

Print Date: 12/20/2019
Print Time: 4:36:14PM
Requested By: C15NHARDY



CaseHistory.rpt V6.1

Certified to be True and Correct
Copy of the original document on file
with the Walterboro Municipal Court.

Keith Belanger
Clerk/Assistant Clerk of Court
Date 12.20.19

10/11/21, 1:36 PM.

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

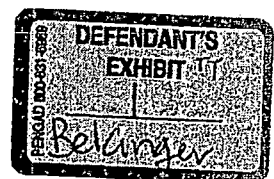
Case Number: 1800204

Case Status Date: 2/7/2018

Main Incident Information

Location: ~~2110 BELLS HWY, WALTERBORO, SC~~ 29488

Start Date: 1/27/2018	End Date: 1/27/2018	Disp Date: 1/27/2018	Time Arrived: 13:59
Start Time: 13:48	End Time: 14:30	Disp Time: 13:48	
NCIC INQ? False	NCIC INQ Date:	NCIC ENTD? False	NCIC ENTD Date:
Subject Identified?	True	Subject Located?	False



10/11/21, 1:38 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Statute: TRESPASSING
AFTER NOTICE
{90J}

Offense Type: Trespass of Real Property {90J}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: HARRISON, HEYWARD BRYAN

Age At Entry: 32

Drug Activity:

Drug Type:

City: CHARLESTON

State: SC

OFFENDER: SANDERS, TAYLOR VICTORIA

Age At Entry: 22

Drug Activity:

Drug Type:

City: WALTERBORO

State: SC

Victims

VICTIM: Society/Public

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

There is no property associated with this report.

Narrative

I, SGT BELANGER, AND OTHER OFFICERS RESPONDED TO 2110 BELL'S HWY IN REFERENCE TO AN INDIVIDUAL (SANDERS) ATTEMPTING RETURN AN ITEM WITH A RECEIPT FROM A DIFFERENT STORE. PRIOR TO ARRIVAL WE WERE INFORMED THE EXCHANGE WAS REFUSED BY THE STORE AND A SECOND INDIVIDUAL (HARRISON) WAS STANDING OUTSIDE THE BUSINESS, BY THE GENERAL MERCHANDISE EXT. UPON OFFICER ARRIVAL HARRISON WAS SEEN RUNNING THRU THE WALMART PARKING LOT TOWARD MURPHY OIL. ONCE AT MURPHY OIL, I ATTEMPTED TO MAKE CONTACT WITH HARRISON WHO FLED FROM THE OPPOSITE SIDE OF THE BUILD TOWARD THE SUPER 8 MOTEL. HARRISON WAS TRESPASSED FROM WALMART ON 09/22/2017. A WARRANT WILL BE COMPLETED.

Signatures

10/11/21, 1:36 PM

NIBRS Report

Reporting Officer: BELANGER, KEITH L [S13]

Assisting Officer: ☐

Follow-Up Officer: ☐

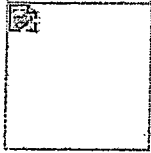
Follow-Up Assisting Officer: ☐

Approving Officer: ☐

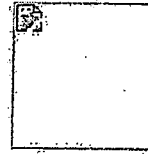
Validating Officer: ☐

10/11/21, 1:56 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1800753

Case Status Date: 4/7/2018

Main Incident Information

Location: 1286 SNIDERS HWY (BAYMONT INN) WALTERBORO, SC 29488

Start Date: 4/6/2018	End Date: 4/6/2018	Disp Date: 4/6/2018	Time Arrived: 23:46
Start Time: 22:20	End Time: 22:25	Disp Time: 23:39	
NCIC INQ? False	NCIC INQ Date:	NCIC ENTD? False	NCIC ENTD Date:
Subject Identified? True		Subject Located?	True

10/11/21, 1:56 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Statute: PETIT LARCENY
UNDER \$2,000 16-13-
0030 (A) (23H) CDR
3419

Offense Type: All Other Larceny {23H}

Location Type: Hotel/Motel/Etc.
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

Offense Type: False Pretenses / Swindle / Confidence Game {26A}

Statute: DEFRAUDING AN
INNKEEPER {26A}

Location Type: Hotel/Motel/Etc.
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

People

OFFENDER: HARRISON, HEYWARD BRYAN

Age At Entry: 33

Drug Activity:

Drug Type:

OFFENDER: FLETCHER, TERESA FAYE

Age At Entry: 40

Drug Activity:

Drug Type:

City: WALTERBORO

State: SC

Victims

VICTIM: BAYMONT INN & SUITES

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

Property Radios/TVs/VCRs

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$250.00

Description: 32 INCH LG TELEVISION

10/13/21, 1:56 PM

NIBRS Report

NIC #: Recovered?: True Date of Theft: 4/6/2018 Date of Recovery: 4/7/2018
Theft Jurisdiction: SC0150100 Recovery SC0150100 Recovery Value: \$250.00
Jurisdiction:
Manufacturer: LG Model: Serial Number: 802RMCJ195531
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Narrative

ON APRIL 6, 2018 I WAS DISPATCHED TO 1286 SNIDERS HWY, WALTERBORO, SC (BAYMONT INN & SUITES) IN REFERENCE TO A TENANT STEALING A 32 INCH LG TELEVISION FROM ROOM 243. UPON ARRIVAL I MET WITH PRERAK BHAVIAT "PK" (POINT OF CONTACT) WHO SHOWED VIDEO FOOTAGE OF HEYWARD HARRISON (OFFENDER) TAKING THE TELEVISION AND PUTTING IT INTO A BLACK DODGE 1500 TRUCK. PRERAK BHAVIAT ALSO STATED THAT ROOM 243 WAS UNDER THE NAME TERESA FLETCHER (OFFENDER) WHO INCIDENTALLY DID NOT PAY FOR THE \$80.64 FOR THE ROOM AND LEFT WITH HEYWARD HARRISON. SHORTLY AFTER OFFICERS CLEARED FROM THIS CALL, OFFICERS MADE CONTACT WITH THE SUSPECTS AT WAL-MART (SEE OCA # 1800754) RECOVERED THE PROPERTY AND TRANSPORTED OFFENDERS TO COLLETON COUNTY DETENTION CENTER. AFFIDAVITS WERE COMPLETED FOR PETTY LARCENY AND DEFRAUDING AN INN KEEPER.

Signatures

Reporting Officer: SHIPP, CHARLES [L-64]

Assisting Officer: PRUITT, WILLIAM CODY []

Follow-Up Officer: []

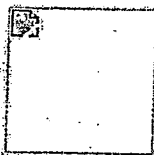
Follow-Up Assisting Officer: []

Approving Officer: []

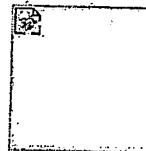
Validating Officer: []

10/11/21, 1:56 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1800754

Case Status Date: 4/7/2018

Main Incident Information

Location: 2110 BELLS HWY (WALMART) 29488

Start Date: 4/7/2018 End Date: 4/7/2018
Start Time: 00:15 End Time: 01:40

Disp Date: 4/7/2018
Disp Time: 00:20

Time Arrived: 00:20

NCIC INQ? False NCIC INQ Date:
Subject Identified? True

NCIC ENTD? False
Subject Located?

NCIC ENTD Date:
True

10/11/21, 1:58 PM

NIBRS Report

Theft Jurisdiction: SC0150100 Recovery

SC0150100

Recovery Value: \$300.00

Manufacturer: LG

Jurisdiction:

Model: 32LC5DC

Serial

802RMGJ195531

Number:

Descriptive Marks:

Customizable Field:

Customizable Field2:

Customizable Field3:

Narrative

WHILE ON PATROL, I OBSERVED THE OFFENDER AND TWO OTHER INDIVIDUALS WALKING THROUGH THE PARKING LOT TO ENTER THE BUSINESS. I ALSO OBSERVED A BLACK DODGE 1500 EXITING THE PARKING LOT THAT WAS A SUSPECT VEHICLE IN REFERENCE TO OCA# 1800753. I ADVISED ADDITIONAL UNITS OF THE SUSPECT ENTERING WALMART AND I THEN CONDUCTED A TRAFFIC STOP ON A 2003 DODGE 1500 SCTAG# DWN967 AFTER THE OFFENDER DISREGARDED THE TRAFFIC LIGHT OF UPCHURCH LN AND BELLS HWY. UPON SPEAKING WITH THE OPERATOR, I OBSERVED THE STOLEN TELEVISION LOCATED ON THE REAR SEAT. THE OPERATOR WAS DETAINED AND A SEARCH OF THE VEHICLE ALLOWED ME TO TAKE POSSESSION OF THE STOLEN PROPERTY. SGT. BELANGER MADE CONTACT WITH THE OFFENDER AT THE BUSINESS WHERE DISPATCH CONFIRMED HE WAS PREVIOUSLY TRESPASSED FROM THIS LOCATION. SGT. BELANGER ARRESTED AND TRANSPORTED HIM TO COLLETON COUNTY DETENTION CENTER FOR TRESPASSING AND A HOLD WAS PLACED FOR THE PREVIOUSLY COMMITTED LARCENY. THE OPERATOR OF THE VEHICLE WAS CITED FOR THE TRAFFIC VIOLATION AND RELEASED. THE STOLEN PROPERTY WAS RETURNED TO BAYMONT INN TO THE MANAGER ON SHIFT.

Signatures

Reporting Officer: BALLARD, WILLIAM ROBERT [S-22]

Assisting Officer: BELANGER, KEITH L [S13]

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

Approving Officer: ☐

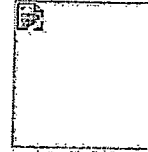
Validating Officer: ☐

10/11/21, 1:40 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1801171

Case Status Date: 5/26/2018

Main Incident Information

Location: 2110 BELLS HWY WALTERBORO, SC 29488

Start Date: 5/26/2018	End Date: 5/26/2018	Disp Date: 5/26/2018	Time Arrived: 13:42
Start Time: 13:10	End Time: 13:45	Disp Time: 13:26	
NCIC INQ? False	NCIC INQ Date:	NCIC ENTD? False	NCIC ENTD Date:
Subject Identified?	True	Subject Located?	True

10/11/21, 1:40 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Offense Type: Shoplifting {23C}

Statute: SHOPLIFTING 1ST
OFFENSE \$2,000 OR
LESS {23C} CDR 528

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Statute: POSSESSION OF
AMPHETAMINE
{35A}

Offense Type: Drug / Narcotic Violations {35A}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1: Possessing/Concealing

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: FLETCHER, TERESA FAYE

Age At Entry: 40

Drug Activity: Possessing/Concealing

Drug Type:

Amphetamine/Meth

City: WALTERBORO

State:

SC

Victims

VICTIM: Society/Public

VICTIM: WALMART

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

Property Merchandise

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$100.60

Description: MISC. MERCHANDISE

NIC #:

Recovered?: False Date of Theft:

5/26/2018 Date of Recovery:

Theft Jurisdiction:

Recovery Jurisdiction:

Recovery Value:

10/11/21, 1:40 PM

NIBRS Report

Descriptive Marks:
Customizable Field2:

Customizable Field1:
Customizable Field3:

Property Item

Property Type:	Drugs/Narcotics	Loss Type:	Seized	Quantity:	1
Value:	Description: ONE-SYRINGE WITH LIQUID SUBSTANCE				
NIC#:	Recovered?: False	Date of Theft:	Date of Recovery:		
Theft Jurisdiction:	Recovery Jurisdiction:	Recovery Value:			
Drug Type:	Amphetamine/Meit	Estimated Quantity:	2	Measure: Fluid Ounce	
Descriptive Marks:	Customizable Field:				
Customizable Field2:	Customizable Field3:				

Narrative

I, CPL O'QUINN, WAS DISPATCHED TO WALMART IN REFERENCE TO A SHOPLIFTING IN PROGRESS. UPON ARRIVAL, CONTACT WAS MADE WITH THE OFFENDER OUTSIDE THE BUSINESS NEAR LAWN AND GARDEN. THE OFFENDER IMMEDIATELY STATED THAT SHE WOULD SHOW A RECEIPT FOR THE ITEMS SHE HAD. WHILE SHE WAS DIGGING THROUGH HER PURSE LOOKING FOR SAID RECEIPT, I OBSERVED MULTIPLE PIECES OF MERCHANDISE INSIDE THE BAG. I SPOKE WITH THE COMPLAINANT WHO RELATED THAT HE OBSERVED THE OFFENDER PLACE THE ITEMS IN THE PURSE, PROCEED THROUGH THE LAWN AND GARDEN EXIT, AND FAILED TO RENDER PAYMENT FOR THE ITEMS. THE OFFENDER WAS DETAINED AND BROUGHT BACK TO THE LOSS PREVENTION OFFICE. THERE SHE RELATED THAT SHE STOLE MULTIPLE ITEMS. SHE WAS FURTHER READ HER MIRANDA RIGHTS AND SHE RELATED WHAT THE INDIVIDUAL ITEMS WERE THAT SHE STOLE. THE MERCHANDISE IS VALUED AT \$100.60. SHE WAS PLACED ON TRESPASS NOTICE, ADVISED SHE WAS UNDER ARREST AND TRANSPORTED TO THE JAIL. A THOROUGH SEARCH OF THE OFFENDER'S PURSE WAS ALSO COMPLETED AND I LOCATED A RED AND BLUE SUNGLASSES CASE. UPON REMOVING IT FROM THE PURSE, THE OFFENDER STATED THAT I DIDN'T WANT TO KNOW WHAT WAS IN THERE. ONCE OPENING THE CASE, IT WAS DETERMINED IT WAS A SYRINGE CONTAINING A CLEAR LIQUID. SUBSTANCE IN WHAT THE OFFENDER RELATED WAS "ICE." I ADVISED HER AGAIN THAT SHE WAS STILL UNDER HER MIRANDA WARNING AND SHE RELATED THAT SHE WANTED TO BE TRUTHFUL AND STATED AGAIN THAT THE SUBSTANCE WAS METHAMPHETAMINE. A HOLD WAS THEN PLACED ON THE OFFENDER, PENDING AFFIDAVIT FOR WARRANT. BEST BAG WAS ALSO COMPLETED AND TURNED INTO EVIDENCE.

Signatures

Reporting Officer: O'QUINN, JACOB [S-14]

Assisting Officer: ☐

Follow-Up Officer: ☐

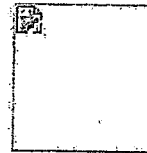
Follow-Up Assisting Officer: ☐

10/11/21, 1:39 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1801792

Case Status Date: 8/9/2018

Main Incident Information

Location: 2110 BELLS HWY WALTERBORO, SC 29488

Start Date: 8/9/2018 End Date: 8/9/2018 Disp Date: 8/9/2018 Time Arrived: 15:20
Start Time: 15:00 End Time: 15:10 Disp Time: 15:10

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? False Subject Located? False

10/11/21, 1:39 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Offense Type: Trespass of Real Property {90J}

Statute: TRESPASSING
AFTER NOTICE
{90J}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Offense Type: Non-Reportable {90T}

Statute: DUS 2ND AND
GREATER {90T}

Location Type: Parking Lot/Parking Garage

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Department/Discount Store

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Statute: POSSESSION OF
NARCOTIC
EQUIPMENT {35B}

Offense Type: Drug Equipment Violations {35B}

Location Type: Parking Lot/Parking Garage

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1: Possessing/Concealing

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Department/Discount Store

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: FLETCHER, TERESA FAYE

Age At Entry: 40

Drug Activity: Possessing/Concealing

City: WALTERBORO

Drug Type:

State: SC

Marijuana

OFFENDER: SABATINO, ANGELA SUE

Age At Entry: 35

Drug Activity:

City: WALTERBORO

Drug Type:

State: SC

Victims

VICTIM: Society/Public

10/11/21, 1:39 PM

NIBRS Report

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

Property Type:	Drug/Narcotic Equipment	Loss Type:	Seized	Quantity:	1
Value:	\$1.00	Description:	MARIJUANA PIPE AND METH PIPE		
NIC #:		Recovered?:	False	Date of Theft:	
Theft Jurisdiction:		Recovery Jurisdiction:		Date of Recovery:	
Descriptive Marks:				Recovery Value:	
Customizable Field2:		Customizable Field:		Customizable Field3:	

Narrative

I, CPL O'QUINN, WAS DISPATCHED TO WALMART IN REFERENCE TO A TERESA FLETCHER CURRENTLY ON INSIDE THE STORE THAT HAD BEEN PLACED ON TRESPASS. DISPATCH CONFIRMED THE TRESPASS NOTICE WAS ISSUED ON MAY 26, 2018. I WAS FURTHER AWARE OF TWO ACTIVE ARREST WARRANTS ON THE SUBJECT, ONE FOR LARCENY AND ONE FOR TRESPASSING. UPON ARRIVAL, THE SUBJECT WAS OBSERVED LEAVING THE PROPERTY IN A BURGUNDY MITSUBISHI ECLIPSE. A TRAFFIC STOP WAS CONDUCTED AND FLETCHER WAS REMOVED FROM THE VEHICLE AND DETAINED. THE PASSENGER, SABATINO WAS ALSO REMOVED FROM THE VEHICLE AS THE ODOR OF MARIJUANA WAS DETECTED EMITTING FROM INSIDE. A SEARCH OF THE VEHICLE REVEALED A BLUE AND GREEN BOWL PIPE COMMONLY USED FOR THAT OF SMOKING MARIJUANA WITH BURNT GREEN LEAFY RESIDUE IN THE BOWL. THERE WAS ALSO A BLUE GLASS PIPE COMMONLY USED IN THE SMOKING OF METHAMPHETAMINES LOCATED IN THE VEHICLE AS WELL. FLETCHER WAS ALSO FOUND TO BE DRIVING UNDER SUSPENSION, 2ND OFFENSE. FLETCHER WAS PLACED UNDER ARREST AND TRANSPORTED TO THE JAIL WHERE SHE WAS BOOKED FOR TRESPASSING AFTER NOTICE, DUS 2ND, ARREST WARRANT FOR TRESPASSING, AND ARREST WARRANT FOR PETIT LARCENY. SHE WAS FURTHER ISSUED A SUMMONS FOR THE PARAPHERNALIA THAT WAS LOCATED. SABATINO WAS ALSO ISSUED A SUMMONS FOR THE PARAPHERNALIA AND RELEASED ON SCENE.

Signatures

Reporting Officer: O'QUINN, JACOB [S-14]

Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

EXHIBIT B

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

APPELLATE CASE NO: 2022-00141
COMMON PLEAS CASE NO.:
19-CP-10-00949

JACOB MURDAUGH,

Appellant/Plaintiff,

vs.

WALMART STORES EAST, LP, AND
JAN LUNSFORD JOHN DOE,

Respondents/Defendants.

AFFIDAVIT OF THOMAS NELSON

PERSONALLY APPEARED BEFORE ME, Thomas C. Nelson, who after being duly sworn, deposes and says:

1. My name is Thomas Nelson, and I am the attorney for the Appellant/Plaintiff in the captioned action. I submit this affidavit as my factual account of the proceedings that have led to Respondents/Defendants filing a Motion to Strike Matters from Appellant's Designation of Matter filed for this case which is currently in the Court of Appeals.

PROCEDURAL BACKGROUND

2. This case stems from allegations that Respondent/Defendant Walmart informed law enforcement that Appellant/Plaintiff committed the offense of shoplifting in the Walmart store in Walterboro, South Carolina. The allegations are that a different individual pushed a shopping cart full of unpurchased items out of the store. Law enforcement obtained an arrest warrant for Appellant/Plaintiff. Approximately two months later, it appears that Appellant/Plaintiff was stopped for a traffic offense and arrested for the shoplifting offense. A municipal judge dismissed the shoplifting charge after the law enforcement officer conceded at a court hearing that the person caught on surveillance pushing the shopping cart out of the store was not Appellant/Plaintiff.

TAN

3. I filed a Complaint concerning these allegations on behalf of Appellant/Plaintiff in the Court of Common Pleas in Colleton County on December 4, 2019. After an initial round of paper discovery was completed and the depositions of Appellant/Plaintiff and Respondent/Defendant Jan Lunsford were taken, Respondents/Defendants filed a motion for summary judgment on July 8, 2021. On numerous occasions, counsel for Respondents/Defendants and I discussed taking the deposition of Sgt. Keith Belanger, the law enforcement officer who responded to Respondents/Defendants' shoplifting complaint and obtained the arrest warrant for Appellant/Plaintiff, but neither of us were initially able to contact Sgt. Belanger to coordinate his deposition.

4. Respondents/Defendants' summary judgment motion was initially scheduled for September 21, 2021. One week prior, on September 14, 2021, Respondents/Defendants filed a memorandum in support of their motion for summary judgment and attached portions of the depositions of Appellant/Plaintiff and of Jan Lunsford. Appellant/Plaintiff was able to notice the deposition of Sgt. Belanger for October 14, 2021, and by consent of the parties, the summary judgment motion was continued to allow for this deposition. **See Exhibits 1 and 2.** The deposition of Sgt. Belanger was taken as scheduled on October 14, 2021.

5. On November 3, 2021, this Court heard Respondents/Defendants' motion for summary judgment and, on December 3, 2021, issued an order granting Respondents/Defendants' motion on all causes of action, effectively ending the case. I served a motion for reconsideration on December 13, 2021, and this motion was accepted by the Court and filed on December 14, 2021. This Court denied the motion for reconsideration by Order dated January 11, 2022. I served and filed his Notice of Appeal on February 9, 2022.

6. I served Appellant/Plaintiff's initial brief and designation of matter on May 23, 2022. Among other things, the designation of matter requested that the Deposition of Sgt. Keith Belanger be included in the Record on Appeal. After consulting with me initially on May 26, 2022, Respondents/Defendants filed a Motion to Strike Matters from Appellant's Designation of Matter on June 3, 2022. In this motion, Respondents/Defendants took the position that Sgt. Belanger's deposition was not a part of the record at the summary judgment hearing.

RECORD CREATED AT SUMMARY JUDGMENT HEARING

7. It always was and still is my intention for this deposition to be part of the record:
- a. We continued the September 21, 2021 summary judgment hearing for the sole purpose of taking this deposition.
 - b. There were references to this deposition by both Respondents/Defendants' counsel and myself during the hearing. Respondents/Defendants' counsel first acknowledged some of Sgt. Belanger's testimony in the transcript from the hearing. [See Transcript of Hearing, attached as **Exhibit 3**, Page 6, line 22 – Page 7, line 4] Respondents/Defendants' counsel acknowledged that "things have changed" since filing of the memorandum on September 14, 2021, referencing the Deposition of Sgt. Belanger. [Page 13, lines 14-16] My opening remarks referred to this deposition. [Page 8, line 25 – Page 9, line 7]
 - c. While preparing my response to the Motion to Strike Matters from Appellant's Designation of Matter, I reviewed the hard file for this case (as opposed to utilizing the documents as saved to our server) for the first time since the summary judgment hearing and noticed that the sealed original and two copies of Sgt. Belanger's deposition were in the file. These extra copies were printed

for the summary judgment hearing, and I intended for one of these copies to be provided to the Honorable Bentley D. Price at the hearing. Normally, I would have the original plus three (3) copies for a hearing (one for the court, one for opposing counsel, and one for myself). However, it is possible that I only brought two either believing that opposing counsel would already have a copy, or believing that I could open the sealed original if needed. I cannot conclude based upon my investigation whether I brought two or three copies or whether provided one to the lower court.

8. I do not have a recollection of exactly what was handed up at the hearing by the parties. Perhaps I was of the mistaken belief that Respondents/Defendants' counsel included it in his package. Perhaps I simply failed to provide it to Judge Price because I was focused on the arguments. Regardless, I believe this deposition should have been considered by the court because there are critical facts testified to in this deposition. I could have provided one of my extra copies to the court, and if I did not, it is clearly by my mistake, inadvertence, and/or excusable neglect. I believe that it would be unfair to Appellant to have his dismissed due to such a simple technical error

MOTION AND RELIEF

9. The motions this affidavit accompanies first asks the lower to clarify whether this deposition was part of its record at this hearing. If so, I intend to include it in the record on appeal. If not, the motion asks lower to grant the Rule 60(b) motion and allow for a rehearing of the summary judgment motion while considering Sgt. Belanger's deposition.

AFFIANT SAYS NO MORE.


Thomas C. Nelson

SWORN to and subscribed before me)
this 13th day of June 2022)

Mitchell R. McManis)
NOTARY PUBLIC FOR SOUTH CAROLINA)

My commission expires: 5/1/2029)

NOTARY SEAL

EXHIBIT 1

Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Date: Wednesday, September 15, 2021 at 2:45:35 PM Eastern Daylight Time

From: Robert Blain

To: Thomas Nelson

Attachments: image009.jpg, image010.png, image011.jpg, image012.png, image013.jpg, image014.png, image015.jpg, image016.png, image017.jpg, image018.png, image019.jpg

Tom,

I am willing to consent to a continuance of the SJ motion next week. I recognize I only got my Memo filed yesterday (only a week prior to the hearing), and I don't mean to put you behind the ball with any responsive filing. Since we have a plan to depose the Walterboro officer soon, I am willing to continue the hearing in order to have time for discovery. Let me know what you think. Thanks

Robert C. Blain

GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



 Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

From: Thomas Nelson <tnelson@charlestonlaw.net>
Sent: Monday, September 13, 2021 3:20 PM

To: Robert Blain <rblain@gaffneyLewis.com>

Subject: Re: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Please block your calendar for October 14th. I am setting the depo date for 10:00 a.m. that day.

Thomas C. Nelson, Esq.

Futeral & Nelson, LLC

1004 Anna Knapp Blvd., Suite 3

Mount Pleasant, South Carolina 29464

(843) 284-5500

(fax) 284-5501

www.charlestonlaw.net



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

From: Robert Blain <rblain@gaffneyLewis.com>

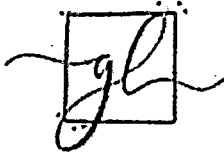
Date: Monday, September 13, 2021 at 1:02 PM

To: Thomas Nelson <tnelson@charlestonlaw.net>

Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Sounds good. I take it that there's still been no response on the Walterboro officer? After our emails about mediation, I asked my assistant to try contacting the City of Walterboro, but no response just yet.

Robert C. Blain
GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



 Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

From: Thomas Nelson <tnelson@charlestonlaw.net>
Sent: Monday, September 13, 2021 12:59 PM
To: Robert Blain <rblain@gaffneylewis.com>
Subject: Re: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

I'm not ready to make a concession like that at this time. However, if you have a case or something that says I'm a dead loser on those, I'm happy to consider it, and if you do, I'm sure it will be mentioned in your memo. I look forward to receiving it.

Thomas C. Nelson, Esq.
Futeral & Nelson, LLC
1004 Anna Knapp Blvd., Suite 3
Mount Pleasant, South Carolina 29464
(843) 284-5500
(fax) 284-5501
www.charlestonlaw.net



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.

5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

From: Robert Blain <rblain@gaffneylewis.com>
Date: Monday, September 13, 2021 at 12:51 PM
To: Thomas Nelson <tnelson@charlestonlaw.net>
Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Tom,

I can agree to continue the motion until after the officer's deposition if you consent to dismissal of the causes of action for false imprisonment, defamation/slander/libel, assault & battery, and negligence/gross negligence. That would leave malicious prosecution and vicarious liability as the remaining causes of action. I plan to file a memo in support of Defendants' MSJ later today or tomorrow. I'll be sure to email you a copy.

Robert C. Blain

GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



 Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

-----Original Message-----

From: Thomas Nelson <tnelson@charlestonlaw.net>

Sent: Monday, September 13, 2021 11:27 AM

To: Robert Blain <rblain@gaffneylewis.com>

Subject: FW: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Robert,

One of my arguments against summary judgment will be that discovery is not yet completed. I wanted to see if you would agree to continue your motion until after the officer's deposition is taken. Let me know.

Thanks,

Tom

Thomas C. Nelson, Esq.

Futeral & Nelson, LLC

1004 Anna Knapp Blvd., Suite 3

Mount Pleasant, South Carolina 29464

(843) 284-5500

(fax) 284-5501

[www.charlestonlaw.net <https://url.emailprotection.link/?a2MreUHz6t8ijhbaQG35Z6MLZ5UicfI5S8Zi0YMifvaA~>](https://url.emailprotection.link/?a2MreUHz6t8ijhbaQG35Z6MLZ5UicfI5S8Zi0YMifvaA~>)

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

On 9/10/21, 4:24 PM, "Courtmail15_DoNotReply@sccourts.org" <Courtmail15_DoNotReply@sccourts.org> wrote:

The September 21, 2021 Motion Roster is now online.

Hearings will be in person at the Colleton County Courthouse. Please do not call the Clerk's office with updates. UPDATES WILL NOT BE ACCEPTED BY PHONE. Please e-mail any updates to lweiss@colletoncounty.org and bpricelc@sccourts.org

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

## **EXHIBIT 2**

**Subject:** RE: Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster  
**Date:** Wednesday, September 15, 2021 at 3:56:05 PM Eastern Daylight Time  
**From:** Price, Bentley Law Clerk (Aimee Intagliata)  
**To:** Thomas Nelson, Robert Blain, lweiss@colletoncounty.org  
**CC:** Jamie Wilson, Caroline Lankford-Beasley, DeBerry, H. Steven Law Clerk (Caleb Thompson)  
**Attachments:** image001.png, image002.jpg, image003.png, image004.jpg

Good afternoon all,

I spoke with Judge Price and he is fine with continuing the motion to the next term of court.

Lori, will you please place this motion on the next available term of court after Judge DeBerry's term next week?

I've added Caleb Thompson, Judge DeBerry's law clerk, on this email so he is aware.

Thank you,  
Aimee

---

**From:** Thomas Nelson <tnelson@charlestonlaw.net>  
**Sent:** Wednesday, September 15, 2021 3:09 PM  
**To:** Robert Blain <rblain@gaффneylewis.com>; lweiss@colletoncounty.org; Price, Bentley Law Clerk (Aimee Intagliata) <bpricelc@sccourts.org>  
**Cc:** Jamie Wilson <JWilson@gaффneylewis.com>; Caroline Lankford-Beasley <CLankford-Beasley@gaффneylewis.com>  
**Subject:** Re: Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster

\*\*\* **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

I concur.

**Thomas C. Nelson, Esq.**  
Futeral & Nelson, LLC  
1004 Anna Knapp Blvd., Suite 3  
Mount Pleasant, South Carolina 29464  
(843) 284-5500  
(fax) 284-5501  
[www.charlestonlaw.net](http://www.charlestonlaw.net)



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the

front door of our office (not the exterior door to our building).

4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

---

**From:** Robert Blain <[rblain@gaffneylewis.com](mailto:rblain@gaffneylewis.com)>

**Date:** Wednesday, September 15, 2021 at 3:06 PM

**To:** "[lweiss@colletoncounty.org](mailto:lweiss@colletoncounty.org)" <[lweiss@colletoncounty.org](mailto:lweiss@colletoncounty.org)>, "Price, Bentley Law Clerk (Aimee Intagliata)" <[bpricelc@sccourts.org](mailto:bpricelc@sccourts.org)>

**Cc:** Thomas Nelson <[tnelson@charlestonlaw.net](mailto:tnelson@charlestonlaw.net)>, Jamie Wilson <[JWilson@gaffneylewis.com](mailto:JWilson@gaffneylewis.com)>, Caroline Lankford-Beasley <[CLankford-Beasley@gaffneylewis.com](mailto:CLankford-Beasley@gaffneylewis.com)>

**Subject:** Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster

Good afternoon Ms. Weiss and Ms. Intagliata, -

I represent Defendants in the above-referenced case. Defendants' Motion for Summary Judgment is #5 on Judge DeBerry's September Motions roster in Colleton County on Tuesday (9/21) at 9:30 AM.

The parties jointly request the Court continue this motion hearing until the next term of court. This request is to allow additional time for a discovery deposition that has been difficult to schedule and is central to the case. I have copied opposing counsel on this email. We appreciate your consideration of this request.

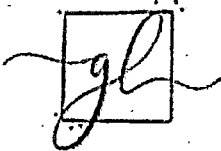
Thanks,  
Robert

**Robert C. Blain**

**GAFFNEYLEWIS LLC**

(803) 875-1920 New Phone #

[www.gaffneylewis.com](http://www.gaffneylewis.com)



**GAFFNEYLEWIS LLC**

**NAMWOLF**





*Please consider the environment before printing this email.*

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

EXHIBIT 3

STATE OF SOUTH CAROLINA
IN THE COURT OF COMMON PLEAS
COUNTY OF COLLETON

Jacob Murdaugh,
Plaintiff,

vs. Transcript of Record
2019-CP-15-00949

Walmart Stores East, LP,
Jan Lunsford, and John Doe,

Defendant.

November 03, 2021
Walterboro, South Carolina

B E F O R E:

The HONORABLE BENTLEY PRICE

A P P E A R A N C E S:

Thomas T. Nelson, Representing the plaintiff
Robert C. Blain, Representing the defendant

SHARON G. HARDOON, CSR
Official Circuit Court Reporter, III

1 THE COURT: Jacob Murdaugh vs. Walmart.

2 MR. BLAIN: Good morning, Your Honor.

3 THE COURT: Good morning, How are you?

4 MR. BLAIN: Doing well.

5 MR. NELSON: Good. We have back-to-back
6 motions before the Court this morning.

7 THE COURT: That's all right.

8 Motion for summary judgment.

9 MR. BLAIN: Yes, Your Honor. It's my
10 motion. Robert Wayne on behalf of the defendants.

11 May it please the Court?

12 THE COURT: Yes, sir.

13 MR. BLAIN: Jacob Murdaugh -- no relation to
14 the prominent legal family in this state.
15 Mr. Murdaugh is trying to hold Walmart liable for a
16 misidentification during a good faith report of a
17 shoplifting at the Walterboro Walmart store.

18 Do you mind if I take off my mask,
19 Your Honor?

20 THE COURT: Whatever you all are
21 comfortable with. It's up to you all.

22 MR. BLAIN: Mr. Murdaugh is trying to
23 hold Walmart responsible for a misidentification
24 made in a good faith report of a shoplifting
25 incident that happened at the Walterboro store --

1 a good faith report to law enforcement. The law
2 is clear. The defendants are not responsible for
3 investigating and analyzing evidence that they
4 provide in good faith to the police. They are not
5 culpable for relaying information to law
6 enforcement in verifying that information. That's
7 the job of the police to do the investigation for
8 placing the arrest. The defendants simply
9 reporting a theft to the police can't be grounds
10 for tort liability under any of the five causes of
11 action the plaintiff has alleged here.

12 A brief rundown of the facts, Your Honor.
13 Jacob Murdaugh was in Walmart around 2:00 a.m. on
14 the night in question. He was in the store for
15 about 25 minutes. Didn't make any purchases.
16 Left the store without being detained, stopped,
17 questioned, any interaction whatsoever with any
18 Walmart employee.

19 Interestingly, Mr. Murdaugh was with
20 three companions; one male, two females. And all
21 three are well known to the police and to Walmart
22 for prior shoplifting incidents at that very same
23 Walmart store. All three companions had been band
24 and trespassed from that Walmart store.

25 It is undisputed that a shoplifting

1 incident did occur at the same night at the same
2 time that Mr. Murdaugh and his three companions
3 were inside the store.

4 A third party observed an unidentified
5 white male attempting a push out of a full
6 shopping cart and stopped that gentleman. The
7 unidentified man fled into the parking lot, and
8 the third party reported that he fled in a neon
9 green vehicle. That information was related to
10 Walmart, who then contacted law enforcement to
11 report an attempted shoplifting.

12 Walterboro police stopped the neon green
13 vehicle just down the road, and the two female
14 companions -- plaintiff's two female companions
15 were inside that neon green vehicle. They were
16 charged with trespassing, a violation of the prior
17 band that they had at the Walmart store.

18 At that point, Walmart cooperated with
19 law enforcement. They provided a video
20 surveillance and still frames from that
21 surveillance showing all the folks inside the
22 store who were believed to be involved in this
23 shoplifting incident at the time. And so Walmart
24 attempted in good faith to cooperate with the
25 police investigation.

1 Based on the police investigation, the
2 Walterboro police took out an arrest warrant for
3 the plaintiff, Mr. Jacob Murdaugh, for
4 shoplifting. Two months later -- for two months
5 he's oblivious to all this going on. So two
6 months later, he's arrested in a routine traffic
7 stop. At the criminal hearing, the charges were
8 dismissed with no prosecution when the arresting
9 officer -- dismissed with no prosecution with the
10 consent of Walmart when the arresting officer and
11 the judge recognized that Mr. Murdaugh, the
12 plaintiff, was not the same gentleman shown -- the
13 white unidentified male shown on surveillance
14 video pushing out the shopping cart.

15 The Supreme Court has looked at nearly
16 identical facts. There's a case that's on all
17 four here. The Huffman v. Sunshine Recycling
18 case, which is 462 SC 262 was decided in 2019.
19 And, in that case, a woman, Miss Huffman, who was
20 mistakenly arrested on suspicion of selling metal
21 that had been stolen from the utility company.
22 The facility provided surveillance video and
23 information to identify Miss Huffman who was
24 arrested and later determined to not be the proper
25 suspect, the thief.

1 Judge Maite Murphy granted summary
2 judgment in that case. The arrestee, Miss Huffman
3 appealed, and then it made it all the way up to
4 the Supreme Court. The Supreme Court affirmed
5 summary judgment in favor of the defendants on
6 false imprisonment and malicious prosecution
7 claims. And Supreme Court was clear: The victim
8 of a crime has no duty to investigate and analyze
9 evidence in the same manner as law enforcement, no
10 duty to verify information provided in good faith
11 to law enforcement, and simply cooperate with law
12 enforcement in relaying information believed to be
13 true is not evidence the victim induced or caused
14 the arrest.

15 That's what Walmart did here. That's the
16 same facts. Walmart cooperated with law
17 enforcement. Walmart relayed information in a
18 good faith belief that they were assisting the
19 police investigation. That cooperation with law
20 enforcement is not evidence of -- that Walmart
21 somehow caused Mr. Murdaugh's arrest.

22 Now, Mr. Nelson will surely -- who's a
23 great lawyer, will surely inform the Court that
24 the arresting officer was recently deposed, and
25 that arresting officer testified that Walmart

1 identified Jacob Murdaugh as the white male
2 shoplifter.

3 Now, even assuming that is true, it
4 doesn't create a dispute of a material fact.
5 That's key. The Supreme Court in this
6 Huffman v. Sunshine Recycling case, when it
7 affirmed summary judgment, the Supreme Court was
8 clear: The victim of a crime is not liable when
9 it cooperates with law enforcement and relays
10 information believed to be true at the time.

11 Even if that information is later
12 discovered to be incorrect, just like it was in
13 the Huffman v. Sunshine Recycling case, it's still
14 not grounds to hold the victim of the crime
15 responsible for relaying it to law enforcement.

16 The Huffman case really honed in on the
17 key public policy issue here. It sought to avoid
18 any chance that they could risk chilling public
19 cooperation with a law enforcement investigation.
20 They obviously want victims to be forthcoming.
21 They want victims to relay all the information
22 that may be relevant to the case. Even if the
23 police later investigate and determine it's not
24 accurate or not relevant, they want to encourage
25 the public to be cooperative. That's why the

1 Huffman court, the Supreme Court said, the
2 defendants have no duty to verify the evidence,
3 and they cannot be held liable for simply
4 reporting the crime and cooperating with the
5 police.

6 Therefore, Walmart is respectfully
7 asking -- requesting summary judgment on all five
8 causes of action. Those five causes of action and
9 the specifics of the elements and the arguments
10 pertaining to each cause of action are laid out in
11 defendant's memo in support, which was filed in
12 September. Those causes of action, false
13 imprisonment, malicious prosecution, assault and
14 battery, defamation, and negligence.

15 There's no duty to analyze the evidence
16 and verify. To find such a duty, to deny summary
17 judgment, would be imposing what the Huffman court
18 called an unprecedented duty. It's not supporting
19 the law. And, therefore, Walmart respectfully
20 asks for summary judgment on all the causes of
21 action, and we appreciate your time.

22 Thank you.

23 THE COURT: All right. Thank you, sir.

24 All right. Mr. Nelson.

25 MR. NELSON: Thank you, judge. So, yes,

1 since Mr. Blain filed this motion, we have deposed
2 the officer, so I'm not -- as to with regard to
3 what he put in his memorandum, I think everything
4 has changed. The officer came out and said, I
5 made this arrest because the Walmart manager told
6 me that Jacob Murdaugh committed the act of
7 shoplifting.

8 I won't get into the photos. There are
9 photos two white males. That's about the extent
10 of similarities between these two guys; the actual
11 shoplifter and Mr. Murdaugh.

12 The officer that did the investigation,
13 he was called to the scene. He showed up. He
14 looked at the guy that was on the video that
15 actually had the shopping cart. He didn't know
16 who it was, but Miss Lunsford told him under his
17 deposition -- in his deposition -- in his
18 deposition he said, Miss Lunsford told him
19 unequivocally that is Jacob Murdaugh. In the
20 light most favorable to us, she made that report.

21 When you look at the Huffman case that
22 Mr. Blain was just talking about, I disagree a
23 little bit about what it says in relation to this
24 case. They rehash the point: The notion that a
25 private individual may face potential liability

1 for false imprisonment is recognized in
2 South Carolina. And then they said: It was well
3 settled that where a private person induces an
4 officer by request, direction, or command to
5 unlawfully arrest another, he is liable for false
6 imprisonment.

7 There was two defendants -- well, there's
8 three defendants in Huffman. One was the
9 Sheriff's Department. They settled, so they
10 weren't part of the appeal.

11 Now, the two private entities that were
12 involved, one summary judgment was affirmed. The
13 other one, it was reversed.

14 As to the party that Sunshine -- that
15 Mr. Blain was just talking about, they did not
16 call the cops. The cops came to them. They asked
17 questions. They asked for records. They asked
18 for receipts. They asked for video. The Sunshine
19 defendant simply just responded to all the
20 requests for information. That's why they were
21 let out.

22 The other party that was kept in, he was
23 the one that called the cops. He was the one that
24 was, kind of, taking the bull by the horns and
25 trying to push an arrest in one person's

1 direction. He was held in. This one is more like
2 that other defendant, where Walmart called the
3 cops, asked for the warrant. So I think for all
4 those reasons here, the false -- Huffman does not
5 apply.

6 As to responding to his memorandum, I did
7 not prepare a memorandum today because a lot of
8 what they put in there was based on the premise
9 that we did not know what the police were going to
10 say. We did not have this actual unequivocal
11 statement by the Walmart manager.

12 When I deposed the Walmart manager, she
13 said she doesn't even remember the incident. She
14 doesn't remember. I mean, it was literally, "I
15 don't know," "I don't know," "I don't know." It
16 was a very short deposition.

17 If Your Honor is inclined to grant this
18 motion based upon on that memorandum, I would like
19 the opportunity to file one in reply. I thought
20 we were going to have a little more argument here
21 today, but, again, the cases just don't apply that
22 he cited.

23 In the defamation case, he talks about
24 Bell vs. Abbeville, he talks about a qualified
25 privilege, but they said the burden was on him.

1 Here, clearly, a publication was made, but the
2 burden was on the party to show that the qualified
3 privilege was when the Walmart manager could
4 not -- well, she doesn't even remember the
5 incident. She can't make that allegation or that
6 affirmative defense.

7 And that's what I have.

8 THE COURT: All right. Anything in
9 response, Mr. Blain?

10 MR. BLAIN: Yes, Your Honor. Briefly to
11 discuss the Huffman v. Sunshine Recycling case,
12 you know, in some respects Mr. Nelson is quite
13 right, there are two defendants. Summary judgment
14 was affirmed on one and reversed on the other. I
15 think the facts of that case clearly show Walmart
16 is most akin to Sunshine Recycling, the company
17 where summary judgment was affirmed. And that's
18 because Sunshine was the entity that provided the
19 police with video surveillance and other
20 information to identify the suspect, to identify
21 Miss Huffman. That's what the argument is here.

22 They're saying that Mr. Murdaugh is
23 arguing that Walmart provided information to the
24 police and identified him. It's the same facts as
25 the Huffman v. Sunshine case, and that's why it's

1 so key that the Huffman court, the Supreme Court
2 said, simply cooperating with law enforcement in
3 relating information, the recycling company,
4 Sunshine believed to be true is not evidence to
5 support a claim for false imprisonment.

6 To briefly touch on the defamation
7 argument, the only publication that Walmart made,
8 was to law enforcement for the purpose of
9 prosecuting and investigating a crime. That's
10 clearly a qualified privilege. Evaluating whether
11 a publication is privilege is a matter of law for
12 Your Honor to decide. The case law is clear.
13 That's briefed in our memo.

14 Mr. Nelson is also right, things have
15 changed since we filed the memo back in September,
16 but the material facts have not changed. There is
17 a dispute as to whether Miss Lunsford identified
18 Jacob Murdaugh or not. Even assuming Walmart did
19 identify Jacob Murdaugh, there's still no claim,
20 there's still no material fact because a good
21 faith cooperation with law enforcement, providing
22 information in good faith that you believe to be
23 at the true is just simply not grounds for tort
24 liability.

25 Thank you.

1 THE COURT: All right. I'll take it
2 under advisement, but I'll give you the answer by
3 the end of the day. All right?

4 MR. NELSON: Appreciate it. Thank you.

5 MR. BLAIN: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 (The hearing was concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF REPORTER

I, SHARON G. HARDOON, Official Circuit Court Reporter, III for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of Common Pleas for Colleton County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

February 23, 2022



Sharon G. Hardoon, CSR
Official Circuit Court Reporter, III

EXHIBIT C

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

JACOB MURDAUGH,

Plaintiff,

vs.

WALMART STORES EAST, LP, JAN
LUNSFORD, AND JOHN DOE,

Defendants.

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE NO.: 19-CP-15-00949

**NOTICE OF MOTION AND MOTION
FOR RELIEF FROM JUDGMENT
AND/OR FOR CLARIFICATION**

TO THE HONORABLE BENTLEY D. PRICE and ROBERT BLAIN, ESQUIRE:

PLEASE TAKE NOTICE that Plaintiff hereby moves this Honorable Court for an Order, pursuant to Rule 60(b)(1), SCRCP, reconsidering the Order Granting Defendants' Motion for Summary Judgment because there is evidence that may have not been considered by the Court because of a mistake by Plaintiff.

Plaintiff wishes to clarify that this motion is likely initially under a stay because the Court of Appeals currently has jurisdiction of this case. However, Plaintiff is following this motion with a request to the Court of Appeals to allow this motion to be heard by this Court.

BACKGROUND

This case stems from allegations that Defendant Walmart informed law enforcement that Plaintiff committed the offense of shoplifting in the Walmart store in Walterboro, South Carolina. The reality was that a different individual pushed a shopping cart full of unpurchased items out of the store. Based on Defendants' representations, and perhaps instigation, to law enforcement, Sgt. Keith Belanger of the Walterboro Police Department obtained an arrest warrant for Plaintiff. Approximately two months later, Plaintiff was stopped for a traffic offense and arrested for the

shoplifting offense. A municipal judge dismissed the shoplifting charge after the law enforcement officer conceded at a court hearing that the person caught on surveillance pushing the shopping cart out of the store was not Plaintiff.

On July 8, 2021, Defendants filed a motion for summary judgment. On September 14, 2021, Defendants filed a memorandum in support of their motion for summary judgment. The motion for summary judgment was originally scheduled for September 21, 2021 but was continued by agreement of the parties for the sole purpose of deposing Sgt. Belanger.

After these filings, on October 14, 2021, the attorneys deposed Sgt. Belanger, the law enforcement officer who arrived at the Walmart on the night of the shoplifting incident who was erroneously informed Plaintiff shoplift, who investigated Defendants' complaint, and who subsequently obtained the arrest warrant for Plaintiff.

This Court heard Defendants' motion for summary judgment on November 3, 2021 and issued an order on December 3, 2021 granting Defendants' motion on all causes of action, effectively ending the case. Plaintiff served a motion for reconsideration on December 13, 2021, and this motion was accepted by the Court and filed on December 14, 2021. This Court denied Plaintiff's motion for reconsideration by Order dated January 11, 2022. Plaintiff served and filed his Notice of Appeal on February 9, 2022.

Plaintiff served his initial brief and designation of matter on May 23, 2022. Among other thing, the designation of matter requested that the Deposition of Sgt. Keith Belanger be included in the Record on Appeal. After consulting with Plaintiff's counsel initially on May 26, 2022, Defendants filed a Motion to Strike Matters from Appellant's Designation of Matter on June 3, 2022. **See Exhibit I.** In this motion, Defendants took the position that Sgt. Belanger's deposition transcript was not a part of the record at the summary judgment hearing.

Plaintiff now files this motion which requests two things from this Court. First, Plaintiff requests this Court to clarify whether it did consider the deposition of Sgt. Belanger at the time of the summary judgment hearing so that the deposition was part of the record. For reference, the deposition is attached here as **Exhibit II**. If this Court does not believe that the deposition was part of the record, Plaintiff prays this Court grant Plaintiff's Rule 60(b) motion, accept the deposition into the record, and rehear Defendants' summary judgment motion. These two requests are set forth in more detail below.

I. This Court should clarify whether Sgt. Belanger's deposition was part of the record considered by the Court because, while the deposition was not filed with the Clerk of Court, there are references to it in the record.

There is evidence that the Court considered the Deposition of Sgt. Keith Belanger:

1. Defendants' counsel acknowledged some of Sgt. Belanger's testimony in the transcript from the hearing. [See Transcript of Hearing, attached as **Exhibit III**, Page 6, line 22 – Page 7, line 4]
2. Defendants' counsel acknowledged that "things have changed" since filing the memorandum on September 14, 2021, referencing the Deposition of Sgt. Belanger. [Page 13, lines 14-16]
3. Plaintiff's counsel's opening remarks referred to this deposition. [Page 8, line 25 – Page 9, line 7]

Plaintiff respectfully requests this Court to issue an Order clarifying whether Sgt. Belanger's deposition was part of the record when this Court heard Defendants' motion for summary judgment on November 3, 2021.

II. If this Court does not believe the deposition was in the record, this Court should grant Plaintiff's Rule 60(b) motion, accept the deposition into the record, and rehear Defendants' summary judgment motion because it was clearly the intention of

Plaintiff for this deposition to be in the record, and any lack thereof is due to mistake, inadvertence, and/or excusable neglect.

Plaintiff's case revolves around the communications that law enforcement received from Defendants before obtaining the arrest warrant. It was clearly the intent of Plaintiff for this Court to consider this deposition. Indeed, the motion for summary judgment was originally scheduled for September 21, 2021, but was continued by agreement of the parties for the sole purpose of deposing Sgt. Belanger.

"Public policy favors the disposition of cases "on their merits rather than on technicalities. *Micronics, Inc. v. South Carolina Department of Revenue*, 345 S.C. 506, 511, 548 S.E.2d 223, 226 (Ct.App. 2001) *citing Columbia Pools, Inc. v. Galvin*, 288 S.C. 59, 339 S.E.2d 524 (Ct.App. 1986).

Rule 60(b) provides: "On motion and upon such terms as are just, the court may relieve a party or his legal representative from a final judgment, order, or proceeding, for the following reasons: (1) mistake, inadvertence, surprise, or excusable neglect." This mistake is not limited to mistakes of fact by a party. Specifically, Rule 60(b), SCRCP is substantially the same as S.C. Code Ann. § 15-27-130, repealed by 1985 Act No. 100, Section 2, eff. July 1, 1985. There are two differences. The applicable difference is that the statute provided relief from a "judgment taken against him through 'his' mistake." Rule 60(b) deletes "his" and thus there may be a motion for relief from other mistakes. See Notes to Rule 60(b), SCRCP ("Rule 60(b) deletes 'his' and thus there may be a motion for relief from other mistakes.").

Here, there is no other conclusion to make than, if the deposition was not made part of the record, that Plaintiff's counsel made a mistake by not ensuring it was provided to this Court at the hearing. Based upon the affidavit of Plaintiff's counsel, attached hereto as **Exhibit IV**, Plaintiff's counsel believed that the deposition had been provided to this Court.

Had Defendants claimed this evidence was not before the court while at the same time referencing this deposition at the summary judgment hearing, Plaintiff could have corrected the problem by providing a copy to this Court immediately. Instead, Plaintiff was led to believe that the record was complete. It violates fundamental fairness to allow Defendants' counsel to acknowledge this deposition at the hearing while the importance of this deposition was obvious, but later claim it should not be considered. Defendants' counsel's reference to this deposition were in his opening argument and not simply in response to statements made by Plaintiff's counsel.

Accordingly, Plaintiff respectfully requests this Court to clarify whether this deposition was part of the record, and if it was not, to relieve Plaintiff from the Order granting summary judgment and allow the deposition to be part of the record during a rehearing of Defendants' motion.

I do hereby certify, on this 3rd day of June 2022, that a copy of the foregoing **MOTION FOR RELIEF FROM JUDGMENT AND/OR FOR CLARIFICATION** was served by electronic mail, addressed to counsel of record: Robert C. Blain, rblain@gaffneylewis.com.

FUTERAL & NELSON, LLC



Thomas C. Nelson, Esquire

S.C. Bar ID 71178

1004 Anna Knapp Blvd., Suite 3

Mt. Pleasant, South Carolina 29464

Telephone (843) 284-5500

email to: tnelson@charlestonlaw.net

Attorney for Defendant

Dated: June 13, 2022

EXHIBIT I

RECEIVED

Jun 03 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas
Bentley D. Price, Judge

Appellate Case No. 2022-00141

Jacob Murdaugh.....Appellant,

v.

Walmart Stores East, LP, Jan Lunsford, and John Doe, Defendants,
Of Whom Walmart Stores East, LP and Jan Lunsford are the Respondents,

**RESPONDENTS' MOTION TO STRIKE
MATTERS FROM APPELLANT'S DESIGNATION OF MATTER**

Respondents Walmart Stores East, LP and Jan Lunsford (collectively, "Respondents"), by and through their counsel, hereby move for an Order striking certain matters from Appellant's Designation of Matter to be Included in the Record on Appeal (hereinafter, "Designation") based upon the failure to comply with Rules 209 and 210(c) of the South Carolina Appellate Court Rules. Appellant includes matters in his Designation that were not presented to the trial court; thus, this Court must strike those matters from Appellant's Designation.

The following documents were neither presented to the trial court nor admitted into evidence in the underlying action and, therefore, are improperly included in Appellant's Designation:

- a. Appellant's matter number 10, Deposition of Keith Belanger, with Exhibits;

- b. Select pages from Appellant's matter number 11, Deposition of Jacob Murdaugh, with Exhibits;¹ and
- c. Select pages from Appellant's matter number 12, Deposition of Jan Lunsford.²

As the aforementioned matters were not presented to the trial court nor admitted into evidence in the underlying action, this Court must strike these matters pursuant to Rules 209 and 210(c), SCACR. Furthermore, this Court should Order Appellant to amend his Initial Brief to remove all citations to and summaries from the aforementioned matters that are not properly before this Court. *See* Rule 210(h), SCACR.

Based on the foregoing, Respondents hereby move this Honorable Court for an Order striking all improper matters as set forth above from Appellant's Designation and compelling Appellant to amend his Initial Brief to remove all improper matters.

Respectfully submitted,

/s/ Robert C. Blain

Robert C. Blain, SC Bar No. 100024

GAFFNEY LEWIS LLC

3700 Forest Drive, Suite 400

Columbia, South Carolina 29204

(803) 790-8838

rblain@gaffneylewis.com

Attorney for Respondents

June 3, 2022

¹ Pages 42-47, 49-50, 53-55, 63-66, 69-70, 80-82, and 86 of the Deposition of Jacob Murdaugh were presented to the trial court as an exhibit to Defendants' Memorandum in Support of Motion for Summary Judgment, which is attached hereto as **Exhibit #1**. All remaining pages of Appellant's matter number 11, Deposition of Jacob Murdaugh and Exhibits, were not presented to the trial court and are improperly designated pursuant to Rule 210(c), SCACR.

² Pages 16-17, and 19 of the Deposition of Jan Lunsford were presented to the trial court as an exhibit to Defendants' Memorandum in Support of Motion for Summary Judgment, which is attached hereto as **Exhibit #1**. All remaining pages of Appellant's matter number 12, Deposition of Jan Lunsford and Exhibits, were not presented to the trial court and are improperly designated pursuant to Rule 210(c), SCACR.

STATE OF SOUTH CAROLINA

COUNTY OF COLLETON

Jacob Murdaugh,

Plaintiff,

vs.

Walmart Stores East, LP, Jan Lunsford,
and John Doe,

Defendants.

IN THE COURT OF COMMON PLEAS

FOURTEENTH JUDICIAL CIRCUIT

Civil Action No. 2019-CP-15-00949

**WALMART DEFENDANTS'
MEMORANDUM IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT**

Defendants Walmart Stores East, LP and Jan Lunsford (collectively, "Defendants"), by and through their undersigned counsel, submit this Memorandum in Support of Defendants' Motion for Summary Judgment pursuant to Rule 56 of the South Carolina Rules of Civil Procedure. Defendants respectfully request this Court to grant the motion for summary judgment on all claims.

INTRODUCTION

This lawsuit arises out of Plaintiff's allegations that he was arrested by the Walterboro Police Department after he was misidentified as a suspect from a shoplifting incident that occurred at Walmart months prior to the arrest. It is undisputed that Defendants reported a shoplifting incident at Walmart involving "four unknown suspects" to law enforcement. Plaintiff was not detained or questioned at Walmart. Months later, police arrested Plaintiff but the shoplifting charge was eventually dismissed.

There is no genuine issue as to any material fact from which this Court could reasonably infer Plaintiff is entitled to relief from Defendants under any theory of law. Defendants cannot be culpable for simply relaying information to law enforcement, and Defendants are not responsible for investigating and analyzing evidence in the same manner as law enforcement. A store manager reporting a theft to the police cannot be grounds for tort liability.

FACTUAL BACKGROUND

Plaintiff Jacob Murdaugh entered Walmart around 1:52 AM in the morning on July 24, 2018, with Teresa Fletcher and Heyward Harrison. (Plaintiff's Dep. 80, attached as Exhibit A). He shopped for about twenty-five minutes, during which he separated from Fletcher. (Pl.'s Dep. 81-82). None of them made a purchase. (Pl.'s Dep. 42-43). Plaintiff did not speak with any Walmart employee or otherwise identify himself to anyone in the store. (Pl.'s Dep. 44-47). Plaintiff was not identified, detained, touched, or threatened by any Walmart employee. (Id. at 47).

Plaintiff and his companions exited the store and met up with Ariel Avant at her car—a neon green hatchback. (Pl.'s Dep. 49-50). Avant and Fletcher left the parking lot in Avant's neon green vehicle, while Plaintiff drove Harrison in his vehicle. (Pl.'s Dep. 50). Plaintiff observed Avant and Fletcher's neon green vehicle get stopped by law enforcement at a gas station shortly after leaving Walmart. (Pl.'s Dep. 50). Plaintiff was not detained, questioned, or any other involvement until he was arrested by Walterboro Police over two months later. (Pl.'s Dep. 53-54).

Walmart Manager Jan Lunsford contacted Walterboro Police to report a shoplifting incident around 2:20 AM on July 24th. (Walterboro Public Safety Report, attached as Exhibit B). Officer Keith Belanger spoke with Lunsford who reported "four unknown suspects" were suspected of shoplifting. (Ex. B-3). Belanger's Report describes that "[a]n unknown maintenance worker confronted the offenders who left the shopping cart [and left] the business in a neon green Ford Focus." (Ex. B-3). Walterboro officers stopped the Ford Focus. Fletcher and Avant were known to Walterboro Police as having been put on Trespass Notice from this same Walmart store for previous shoplifting incidents in the two months preceding this incident. (See Colleton County Public Index Case Numbers 20182900003047, 20182900004084). Fletcher and Avant admitted to being on Walmart property and that Harrison had been with them. (Ex. B-3).

Walmart provided law enforcement with security camera footage and still photos of the shoplifting incident. (Ex. B-4). It is undisputed surveillance video shows an unknown male attempted to shoplift a shopping cart full of merchandise. Plaintiff agreed it was lawful for Walmart to report the incident to police. (Pl.'s Dep. 86). Walmart Manager Jan Lunsford does not recall this particular incident; however, she was adamant that she did not identify the suspected shoplifter by name to police. (Lunsford Dep. 16-17, attached as Exhibit C). Lunsford did not know who Plaintiff was at the time she reported a suspected shoplifting. (Lunsford Dep. 16-17; Pl.'s Dep. 46-47). Lunsford did not direct police to press charges against Plaintiff. (Lunsford Dep. 19). Plaintiff has no information about what investigation Walmart Defendants did or did not do. (Pl.'s Dep. 64). Plaintiff has no information about the investigation undertaken by Walterboro Police or how officers obtained the arrest warrant. (Pl.'s Dep. 65).

Walterboro Police obtained a warrant for Plaintiff's arrest. (Ex. B-5). Plaintiff was arrested at a routine traffic stop on October 8, 2018 for shoplifting. (Pl.'s Dep. 55). Over a year later, his criminal case was called before the Walterboro Municipal Court on November 6, 2019. (Pl.'s Dep. 63-64). A representative of Walmart was present, along with the arresting officer and Plaintiff's criminal attorney. (Pl.'s Dep. 65-66). The charge was dismissed with no prosecution. (Pl.'s Dep. 69-70). Plaintiff's criminal record was expunged. (Pl.'s Dep. 70).

ARGUMENT

Summary judgment is appropriate where it is clear there is no genuine issue of material fact, and the moving party is entitled to judgment as a matter of law. Rule 56, SCRCP. Defendants are entitled to summary judgment on all of Plaintiff's causes of action—false imprisonment, malicious prosecution, defamation/slander/libel, assault, battery, and negligence—because reporting a suspected shoplifting incident to law enforcement is not grounds for liability. More

I. False Imprisonment.

There is no genuine issue of material fact as to Plaintiff's false imprisonment claim because he cannot show Defendants caused law enforcement to unlawfully arrest him. To prevail on a claim for false imprisonment, "the plaintiff must establish: (1) the defendant restrained the plaintiff, (2) the restraint was intentional, and (3) the restraint was unlawful." *Law v. S.C. Dep't of Corr.*, 368 S.C. 424, 440, 629 S.E.2d 642, 651 (2006). It is undisputed Plaintiff was not restrained at Walmart or by Defendants on the night of the incident; police arrested him months later.

A witness or victim is not required "to conduct their own investigation into the offense committed in order to verify the information they provide [to law enforcement]." *Huffman v. Sunshine Recycling*, 426 S.C. 262, 274, 826 S.E.2d 609, 615 (2019). Imposing such a duty "would improperly subject witnesses and victims, who act in good faith when assisting law enforcement, to civil liability." *Id.* In *Huffman*, the South Carolina Supreme Court affirmed summary judgment on a false imprisonment claim in favor of Sunshine Recycling "because there is nothing in the record that provides a reasonable inference that Sunshine or any of its employees induced, caused, instigated, or procured [the plaintiff's] arrest simply by cooperating with law enforcement and relaying information Sunshine believed to be true at the time." *Id.* at 616-617.

A person cannot be held liable when the arrest is carried out by the police officer's own volition. *Wingate v. Postal Tel. & Cable Co.*, 204 S.C. 520, 527-28, 30 S.E.2d 307, 310-11 (1944):

Where a person merely directs the attention of a police officer to what he supposes to be a [crime], or gives to such officer facts indicating such, and the officer, without other direction, arrests the offender on his own responsibility, the person who did nothing more than communicate the facts to the officer is not liable for causing the arrest....

"[N]o liability is incurred if a person merely gives information to an officer tending to show that a crime has been committed, even if the informer gives inaccurate, incorrect, or incomplete information as a result of a good faith mistake." 32 Am. Jur. 2d *False Imprisonment* § 41 (1995).

In this instant case, Plaintiff has failed to show any evidence that Defendants induced officers to unlawfully arrest him. Defendants made a good faith report of a suspected shoplifting involving “unknown suspects.” In his deposition, Plaintiff agreed that Walmart was within its rights to contact law enforcement. (Pl.’s Dep. 86). Much like the business in *Huffman v. Sunshine Recycling*, Defendants cooperated with law enforcement by providing security camera footage and still frames. Even if Plaintiff was mistakenly pictured, a victim is not required to conduct its own investigation in order to verify video it provided to police. *See Huffman*, 826 S.E.2d at 615. There is no evidence that Defendants induced Waltherboro Police to arrest Plaintiff. In fact, Defendants would not and could not have identified Plaintiff since he was not stopped, detained, or questioned at the Walmart store.

Beyond Plaintiff’s speculation, there is simply no evidence that Defendants misidentified Plaintiff as the suspected shoplifter. The only persons who knew Plaintiff’s identity and who spoke with Waltherboro Police that night were Ariel Avant and Teresa Fletcher. Avant and Fletcher were Plaintiff’s companions at Walmart and they were stopped by Waltherboro Police in the neon green Ford Focus. Avant and Fletcher disclosed that Harrison was with them at Walmart. The only reasonable inference is Avant and Fletcher also disclosed Plaintiff’s identity to police.

Defendants providing video to law enforcement is not sufficient to cause an unlawful arrest. Plaintiff was arrested by the police officer’s own volition months after Defendants reported a crime. Defendants cannot be improperly subjected to civil liability simply by reporting reasonable suspicion of a crime and assisting law enforcement.¹

¹ Defendants are entitled to the statutory protections set forth in S.C. Code § 16-13-140, which provides a complete defense to *any action* relating to a shoplifting investigation because Defendants had reasonable cause to report the crime to law enforcement, which investigated and detained Plaintiff without further involvement from Defendants.

II. Malicious Prosecution.

There is no genuine issue of material fact as to Plaintiff's malicious prosecution claim where Defendants only reported a crime and provided information to law enforcement. To sustain an action for malicious prosecution, "a plaintiff must establish: (1) the institution or continuation of original judicial proceedings; (2) by or at the instance of the defendant; (3) termination of such proceedings in plaintiff's favor; (4) malice in instituting such proceedings; (5) lack of probable cause; and (6) resulting injury or damage." *Law*, 368 S.C. at 435, 629 S.E.2d at 648. "It is in the interest of good order that criminals be brought to justice, and malicious prosecution action are not encouraged." *Elletson v. Dixie Home Stores*, 231 S.C. 565, 571, 99 S.E.2d. 384, 387 (1957).

"Generally when an officer has discretion to make a decision as to whether to prosecute, that discretion renders the decision their own and the person who provided the information is not liable." *Richardson v. Rent-A-Ctr. E., Inc.*, 2012 U.S. Dist. LEXIS 6617, at *12-13 (D.S.C. Jan. 20, 2012). In *Richardson*, the S.C. District Court applied South Carolina law to grant summary judgment in favor of a retailer on a plaintiff's malicious prosecution claim after he was misidentified as a shoplifter. *Id.* at *10-15. The *Richardson* court concluded there was no evidence the retailer instituted the shoplifting charge or acted with malice when the retailer reported a crime and "merely provided the police with a name; and the police moved the investigation forward." *Id.* at *13. "[T]he court finds that the subsequent actions of the police render them the party responsible for instituting the proceedings—a key element in the cause of action. Because the police rather than Defendant instituted the proceedings, the court finds that Plaintiff's claim for malicious prosecution fails as a matter of law." *Richardson*, at *14-15.

In the instant case, Defendants are even less involved than the retailer in *Richardson*. Walmart did not even provide the Walterboro Police with Plaintiff's name. There is no evidence

in the record that Defendants acted with malice or instituted the proceedings against Plaintiff. Walmart had a reasonable belief that a shoplifting crime was committed based on an eyewitness report from an unknown maintenance worker that confronted the offenders who left the business in a neon green Ford Focus. Walmart's reasonable belief was supported by video surveillance of the suspected shoplifting. Walmart cooperated with law enforcement by making a good faith effort to provide this information to Waltherboro Police. From that point, Waltherboro Police moved the investigation forward by detaining Plaintiff's companions in the neon green Ford Focus and by obtaining a warrant for Plaintiff's arrest. Plaintiff's damages occurred at this point when Waltherboro Police sought out and arrested him.

"We find punishing an individual who mistakenly identifies a criminal suspect or unwittingly provides what is later discovered to be incorrect information in a criminal investigation serves no purpose." *Huffman v. Sunshine Recycling*, 826 S.E.2d at 616 (affirming summary judgment on malicious prosecution cause of action). The law must protect the victim who reported the crime and cooperated with law enforcement's investigation; otherwise, it would undoubtedly create a chilling effect on such cooperation. *See Id.*, 826 S.E.2d at 615-16.

Victims and witnesses are not held to the same standard as law enforcement. The law does not "require a witness or victim to conduct their own investigation into the offense committed in order to verify the information they provide" to law enforcement. *Id.*, 426 S.C. at 273, 826 S.E.2d at 615. Such a requirement "would improperly subject witnesses and victims, who act in good faith when assisting law enforcement, to civil liability." *Id.* Defendants did nothing more than report a crime and provide information to assist with law enforcement's criminal investigation. A store manager reporting a theft and cooperating with law enforcement cannot be grounds for the tort of malicious prosecution.

III. Defamation/Slander/Libel.

There is no genuine issue of material fact because Defendants' communications did not defame Plaintiff, and Defendants' statements to law enforcement are privileged. To prove defamation, "the plaintiff must show (1) a false and defamatory statement was made; (2) the unprivileged publication was made to a third party; (3) the publisher was at fault; and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication." *McBride v. Sch. Dist. of Greenville Cty.*, 389 S.C. 546, 559–60, 698 S.E.2d 845, 852 (Ct. App. 2010).

"In a defamation action, the defendant may assert the affirmative defense of conditional or qualified privilege." *Swinton Creek Nursery v. Edisto Farm Credit, ACA*, 334 S.C. 469, 484, 514 S.E.2d 126, 134 (1999). Under a qualified privilege defense, "one who publishes defamatory matter concerning another is not liable" if there is a conditional privilege that is not abused. *Id.* It is the duty of the court to determine if the statement is privileged as a matter of law. *Murray v. Thornton*, 344 S.C. 129, 140, 542 S.E.2d 743, 749 (Ct. App. 2001).

Communications made in a criminal investigation for the purpose of detecting the suspects are privileged. *Bell v. Bank of Abbeville*, 208 S.C. 490, 494, 38 S.E.2d 641, 643 (1946). "Where the occasion gives rise to a qualified privilege, there is a prima facie presumption to rebut the inference of malice, and the burden is on the plaintiff to show actual malice or that the scope of the privilege has been exceeded." *Swinton Creek Nursery*, 334 S.C. at 484–85, 514 S.E.2d at 134.

Here, the only Walmart communications in evidence were to Walterboro Police to assist with their shoplifting investigation. Defendants' communications are privileged as a matter of law. Plaintiff has shown no evidence that Defendants abused or exceeded the scope of the privilege. Moreover, Plaintiff cannot show Defendants published any defamatory statement about

him since Defendants had no basis from which to identify Plaintiff on surveillance video at the time it reported the crime. Merely providing information to police cannot rise to the level of a defamatory publication.

IV. Assault and Battery.

There is no genuine issue of material fact as to Plaintiff's claims for assault or battery because it is undisputed that Defendants did not detain, touch, or threaten Plaintiff in any manner. The elements of assault are: (1) conduct of the defendant which places the plaintiff, (2) in reasonable fear of bodily harm. *Mellen v. Lane*, 377 S.C. 261, 276, 659 S.E.2d 236, 244 (Ct. App. 2008). "A battery is the actual infliction of any unlawful, unauthorized violence on the person of another, irrespective of its degree; it is unnecessary that the contact be by a blow, as any forcible contact is sufficient." *Gathers v. Harris Teeter Supermarket, Inc.*, 282 S.C. 220, 230, 317 S.E.2d 748, 754 (Ct. App. 1984). It is well established that mere words do not support a claim for assault or battery, unless the words are accompanied by an actual threat of physical violence. *Mellen*, 377 S.C. at 277-78, 659 S.E.2d at 245.

Defendants merely reported a shoplifting incident to law enforcement, which investigated the crime and arrested Plaintiff over two months later. It is nonsensical for Plaintiff to claim he was in fear of bodily harm since he testified that he did not even think about that night at Walmart until he was arrested months later. (Pl's Dep. 53-54). Moreover, the superseding and intervening acts of the police served to break any causal chain connecting any conduct of Defendants with any damages Plaintiff may have incurred when police arrested him months later. Plaintiff's claims fail because he cannot show that Defendants somehow induced police to undertake any unlawful conduct. Police arrested Plaintiff on their own volition and without any direction from Defendants. Therefore, Defendants are entitled to judgment as a matter of law on these claims.

V. Negligence.

There is no genuine issue of material fact as to Plaintiff's negligence claim because Defendants did not owe him a legally-recognized duty of care that was breached and that caused any damage. To establish a cause of action for negligence "a plaintiff must show ... three essential elements: (1) a duty of care owed by the defendant to the plaintiff; (2) a breach of that duty by negligent act or omission; and (3) damage proximately resulting from the breach of duty." *Trotter v. State Farm Mut. Auto. Ins. Co.*, 297 S.C. 465, 474, 377 S.E.2d 343, 348 (Ct. App. 1988).

No South Carolina authority has ever imposed a duty on a victim or a witness to perform its own investigation before assisting law enforcement with their criminal investigation. In fact, the South Carolina Supreme Court specifically rejected the creation of such "an unprecedented duty." *Huffman v Sunshine Recycling*, 426 S.C. at 273, 826 S.E.2d at 614-15 (The law does not "require a witness or victim to conduct their own investigation into the offense committed in order to verify the information they provide" to law enforcement.). Defendants are not responsible for investigating and analyzing evidence; that is the job of law enforcement.

Assuming, arguendo, this Court should find Defendants owed Plaintiff a duty, there is still no evidence of any breach that caused Plaintiff damage. The *Huffman* court explicitly stated that it "serves no purpose" and is against public policy to subject victims to liability for misidentifying a criminal suspect. *Id.*, 826 S.E.2d at 616. Moreover, subsequent police investigation and decision to arrest Plaintiff is the superseding and proximate cause of Plaintiff's alleged damage. *See Richardson*, at *14-15 (granting summary judgment and explaining police caused a plaintiff's arrest). "While Defendant's actions started the chain of events that led to Plaintiff's arrest, it cannot be said that Defendant was the proximate cause of Plaintiff's arrest." *Id.*

To the extent Plaintiff may attempt to rely on a 1929 case from Ohio that was cited in certain briefs submitted before an unpublished South Carolina opinion, such reliance is clearly misguided. In *Mouse v. The Central Savings & Trust Co.*, the Ohio court found a bank was responsible for the ordinary consequences from its refusal to pay a valid check. 167 N.E. 868 (1929 Ohio). A subsequent Ohio court clarified that *Mouse* was distinguishable where a plaintiff was pursuing a theory of negligent identification. *Darris v. Whitelow*, 2008 Ohio App. LEXIS 5261, at ¶ 15 (Ct. App.) (“If telephone harassment did occur, and Mrs. Whitelow was wrong about who was making the telephone calls, we see no viable claim for negligence.”).

There is no genuine issue as to any material fact from which this Court could reasonably infer Plaintiff is entitled to relief from Defendants under any theory of law. Defendants cannot be culpable for simply reporting a crime and relaying information to law enforcement. Defendants are not responsible for investigating and analyzing evidence in the same manner as law enforcement. A store manager reporting a theft to the police cannot be grounds for tort liability.

CONCLUSION

For the foregoing reasons, Defendants are entitled to judgment as a matter of law on all of Plaintiff's claims. Accordingly, Defendants respectfully request that this Court grant this Motion for Summary Judgment and dismiss Plaintiff's Complaint with prejudice.

Respectfully submitted,

September 14, 2021

s/Robert C. Blain
Robert C. Blain, SC Bar No. 100024
GAFFNEY LEWIS LLC
3700 Forest Drive, Suite 400
Columbia, South Carolina 29204
(803) 790-8838
rblain@gaffneylewis.com
Attorneys for Defendants

EXHIBIT 1
EXHIBIT A

1

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
) FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF COLLETON) Civil Action No. 2019-CP-00949

Jacob Murdaugh,

Plaintiff,

vs.

Walmart Stores East, LP, Jan Lunsford, and
John Doe,

Defendants.

DEPOSITION TAKEN VIA VIDEOCONFERENCE OF
JACOB SEAL MURDAUGH
(Taken by Defendants)
Mt. Pleasant, South Carolina
Wednesday, October 28, 2020
10:01 a.m.

Reported stenographically by
V. Dario Stanziola, CCR (GA) (NJ), RPR, CRR
HUDSON COURT REPORTING & VIDEO 1-800-310-1769

1 Q. And y'all arrived -- y'all went into
2 Walmart about 1:50 a.m. on the morning of
3 July 24th, 2018; is that right?

4 A. As far as I know, that's correct, yes.

5 Q. And you went inside the store with
6 Teresa Fletcher and Heyward Harrison?

7 A. Yes.

8 Q. Once inside the store, what did the
9 three of y'all do?

10 A. I just remember going to the hardware
11 section.

12 Q. Did y'all -- all three stay together or
13 did you separate?

14 A. I know Bryan was walking with me and I
15 think Teresa separated from us and left the store
16 before we went to the checkout area.

17 Q. And at the hardware store, did you go
18 in the automotive department at all?

19 A. Not that I remember.

20 Q. Go in the lawn and garden center at
21 all?

22 A. Absolutely not.

23 Q. Do you know if Teresa made any
24 purchases?

25 A. I don't think she did.

1 Q. Do you know if Mr. -- if Mr. Harrison
2 made any purchases?

3 A. Mr. Harrison was next to me. So I'm
4 pretty sure he didn't, if I'm remembering
5 correctly.

6 Q. And just to clarify, that was he did
7 not?

8 A. He did not. Not that I recall.

9 Q. Did you make any purchases?

10 A. I attempted to make a purchase of an
11 item that I picked up off the hardware section in
12 the tool section. But if I'm remembering
13 correctly, when I got to the register, my card
14 was declined.

15 Q. What item was that in the hardware
16 section?

17 A. I don't recall.

18 Q. What card was declined?

19 A. I believe it was my bank card, my debit
20 card.

21 Q. What -- where do you bank?

22 A. It was a BB&T card.

23 Q. Do you still have that same card?

24 A. No, I do not.

25 Q. Do you still bank with BB&T?

1 A. No, I do not.

2 Q. When did you stop?

3 A. I would say about give or take a year
4 ago. I switched banks.

5 Q. Okay. Was your card declined due to
6 insufficient funds?

7 A. Yes.

8 Q. Did you talk with anyone at Walmart
9 about your card getting declined?

10 A. No, not that I remember.

11 Q. Were you using a self-checkout or was
12 there a cashier helping?

13 A. I believe there was a self-checkout.

14 Q. How long do you think you were in the
15 store?

16 A. I don't recall. It wasn't very long,
17 though.

18 Q. Did you leave with Mr. Harrison?

19 A. I think so. I think we walked out at
20 the same time.

21 Q. So no Walmart employees spoke to you at
22 all?

23 A. Not that I remember.

24 Q. Did you see any construction work or
25 construction workers?

1 A. I know that they were doing updates in
2 different parts of the store at that time.

3 Q. What -- what parts of the store did you
4 see them doing updates?

5 A. I just remember around -- not
6 particularly that night, but I remember in the
7 time frame around that, that area of time that
8 they were like -- like -- for instance, they
9 would have the one exit shut off to do
10 maintenance, like one area was closed to the
11 public and then another area would be opened for
12 you to go in and out. And I just remember them
13 doing updates.

14 Q. Do you know if any area of the store
15 was closed to the public early that morning on
16 July 24th?

17 A. I'm not sure if at that time the
18 right-hand entrance was closed off. Because at
19 that Walmart in particular they have the
20 left-hand side for the grocery store side that
21 you go in, and that's the entrance and exit that
22 we went in and out of that night. So the other
23 main entrance may have been closed for
24 maintenance.

25 Q. Okay. And when you say the other main

1 entrance, are you talking about the home -- Home
2 Goods side?

3 A. I guess you could describe it as that.
4 Because you've got -- on the left side you've got
5 the grocery area, in the middle you've got I
6 guess you would call that Home Goods. And then
7 the far right-hand side is where the garden
8 center was and the automotive is in the back. So
9 I'm talking about not the grocery, but the Home
10 Goods, the one in the middle that at some point,
11 if not -- it may not have been that night that it
12 was closed, but I remember around that, you know,
13 month or so or whatever they were doing updates
14 that that entrance location would be closed off.

15 Q. Did you observe anything that night
16 that suggested to you that you that or your
17 friends were under investigation by anyone?

18 A. No, I had no idea.

19 Q. And you didn't communicate with anybody
20 at Walmart that night, did you?

21 A. Not that I remember, no, sir.

22 Q. So there's no way anyone at Walmart
23 would have known who you were that night, right?

24 A. I have no idea.

25 Q. Can you think of any -- any reason or

1 any -- any way Walmart would have known who you
2 were if you didn't speak with anyone?

3 A. I haven't been able to figure out that
4 either, so... They definitely -- if I spoke to
5 somebody like within the store, it's not like
6 they carded me or asked for my investigation or
7 anything like that night either.

8 Q. Nobody at Walmart detained you or
9 stopped you for any reason, did they?

10 A. No, sir.

11 Q. Did anyone at Walmart touch you or
12 threaten to touch you?

13 A. No, sir.

14 Q. Do you have any knowledge about
15 Walmart's policies or procedures to investigate
16 shoplifting?

17 A. As far as loss prevention and how it
18 works, I'm not sure.

19 Q. How do you know the term loss
20 prevention?

21 A. I know people that have had that job
22 before in various stores.

23 Q. Do you know anyone whose worked in loss
24 prevention at Walmart?

25 A. Only recently did I meet somebody that

1 what happened to you that night or your arrest?

2 A. No, I haven't.

3 Q. After your card was declined at the
4 self-checkout, what did you and Heyward do next?

5 A. I believe we -- we immediately exited
6 the store after I wasn't able to make the
7 purchase, so...

8 Q. Once you guys exited the store, did you
9 walk to your car?

10 A. We did, we both got in my vehicle and
11 then drove from where I was parked to the Petco
12 parking lot where Ariel and Teresa were at.

13 Q. How did you know that Teresa was with
14 Ariel and not still in the store or somewhere
15 else?

16 A. I believe she was communicating with
17 Mr. Harrison.

18 Q. Text messages or something?

19 A. Yeah, something like that.

20 Q. Were you driving the -- your Dodge Ram
21 when y'all went to meet them?

22 A. Yes, sir.

23 Q. Was Ariel driving her car?

24 A. Yes, sir.

25 Q. What kind of car was she driving?

1 A. It's a different car than what she
2 drives now. I think it's like a -- it's like a
3 Honda of some type. It's kind of like a bright
4 green color.

5 Q. Okay. She doesn't drive that car
6 currently?

7 A. No.

8 Q. Is it like a neon green hatchback car?

9 A. Yeah, something like that.

10 Q. What happened next?

11 A. We went our separate ways after
12 leaving. And I took Bryan wherever he was
13 staying, I think off of Sydneys Road in
14 Walterboro. And I'm not sure where Ariel and
15 Teresa went. They went elsewhere.

16 Q. Do you know if Ariel and Teresa were
17 stopped by law enforcement that night?

18 A. They were stopped, yes, sir.

19 Q. What do you know about that?

20 A. Very little.

21 Q. How did you find out about that?

22 A. We drove passed them as they were
23 getting pulled into a -- into the parking lot of
24 a gas station.

25 Q. Did y'all -- was this as y'all were

1 paraphernalia charges as a result of that traffic
2 stop?

3 A. Not to my knowledge.

4 Q. Did you drop Mr. Harrison off after
5 that?

6 A. Yes.

7 Q. Did y'all have any open containers or
8 drug paraphernalia in your car?

9 A. No, sir.

10 Q. After you dropped them off, did you go
11 home?

12 A. Yes, sir.

13 Q. Do you think -- think at all about this
14 -- that whole incident, any reason that came
15 across your radar at any point between July 24th
16 until October of '18?

17 A. I'm sorry, what was the question?

18 Q. Yeah, that was a confusing one. Did
19 this whole shopping trip at Walmart or the
20 traffic stop with Ms. Avant and Ms. Fletcher, did
21 that cross your radar or come up in conversation
22 or was there any reason for you to think about
23 that again between July 24th, 2018 and October of
24 2018?

25 A. No, sir. I'd actually kind of

1 forgotten about it until the arrest warrant was
2 served.

3 Q. And did Bryan Harrison bring it up to
4 you on the job at all?

5 A. No.

6 Q. Did Bryan Harrison ever tell you he was
7 arrested as a result of that night?

8 A. No.

9 Q. Was there any point in time when he
10 couldn't show up to work because he was under
11 arrest?

12 A. Not to my knowledge.

13 Q. How often were y'all working together
14 in that summer?

15 A. It was mostly part time, maybe -- maybe
16 three, four days out of the week at the most.

17 Q. Okay. Mr. Murdaugh, we've been going
18 over an hour now. Next I want to move into
19 asking you about the traffic stop. But I do want
20 to offer now might be a good time for you to take
21 a break for any reason or we can power through.

22 MR. NELSON: I was just going to ask
23 for a restroom break. So can we take five?

24 MR. BLAIN: Yeah, sure. That would be
25 great.

1 (A BRIEF RECESS WAS TAKEN.)

2 MR. BLAIN: Okay. Let's go back on the
3 record.

4 BY MR. BLAIN:

5 Q. Mr. Murdaugh, before we took a brief
6 break I had told you I had wanted to move into
7 asking you about the traffic stop in October of
8 2018. Where were you when you were stopped by
9 police?

10 A. I was on Robertson Boulevard in
11 Walterboro.

12 Q. And were you driving your -- your Dodge
13 Ram truck?

14 A. Yes, sir. And I was pulling a trailer
15 behind it.

16 Q. On October 8th of 2018; is that right?

17 A. What is that? I'm sorry?

18 Q. It's my understanding that that
19 happened on October 8th of 2018; is that right?

20 A. Yes. As far as I know, yes, that's the
21 correct date.

22 Q. Why -- why did they pull you over?

23 A. The reason the officer gave me for
24 pulling me was because the trailer that I was
25 pulling didn't have functioning brake lights.

1 lawyer named Ashley Hudson-Scott; is that
2 correct?

3 A. Yes, that's correct.

4 Q. I'm not asking about conversations
5 you've had with Ms. Scott. But how did she come
6 to represent you?

7 A. She was appointed as the public
8 defender.

9 Q. Had you ever -- I apologize.
10 She was appointed as public defender.
11 What did you say next?

12 A. She was appointed as public defender on
13 my case is all I said.

14 Q. Had you ever met her before or heard
15 her for any reason?

16 A. I heard her name just because
17 Walterboro is a small town, been -- passed by her
18 office and seen her sign before. But other than
19 that, no, no contact previous.

20 Q. Do you know if she ever represented
21 Ariel Avant or Bryan Harrison or Teresa Fletcher
22 for any reason?

23 A. I'm not sure.

24 Q. So your criminal hearing I understand
25 was on November 6th of 2019. That's over a year

1 later; is that right?

2 A. Yes, sir.

3 Q. Did you have to do anything at all to
4 prepare for that hearing beforehand?

5 A. I had to meet with Ashley Hudson-Scott
6 at least on two occasions before trial.

7 Q. Okay. Other than meeting with your
8 attorney, did you have to do anything else?

9 A. No, not that I can recall.

10 Q. Do you know if your attorney contacted
11 anyone at Walmart?

12 A. I am not sure if she had to do that as
13 part of her job or not. I don't know.

14 Q. Do you know what steps Ms. Lunsford,
15 Mr. Davis or anyone at Walmart took before
16 contacting the police on July 24, 2018?

17 A. I am not sure. I don't -- I don't
18 know.

19 Q. Do you know what steps Walmart took
20 after contacting the police?

21 A. No, sir.

22 Q. Other than the contacting police, do
23 you know if Ms. Lunsford, Mr. Davis or anyone
24 else at Walmart told anyone other than police
25 about what happened?

1 A. I'm unsure.

2 Q. Do you know if the Walterboro Police
3 Department did any investigation before your
4 arrest?

5 A. I'm not sure.

6 Q. Do you know how the arrest warrant was
7 created or issued?

8 A. No.

9 Q. Do you know if -- do you know what, if
10 anything, Officer Keith Belanger or Officer Brian
11 Duboise did to investigate to incident?

12 A. No.

13 Q. Do you know if Ms. Hudson-Scott talked
14 with Officer Belanger or Officer Duboise or
15 anyone at Walterboro Police Department before
16 your criminal hearing?

17 A. As far as I know, she didn't talk to
18 anybody before the hearing, no.

19 Q. Did you attend this --

20 A. Excuse me. I don't think she made any
21 contact with Brian Duboise at all.

22 Q. Did you attend the criminal hearing on
23 November 6th, 2019?

24 A. Yes.

25 Q. And that was at the Colleton County

1 Municipal Court, correct?

2 A. Yes, that's right.

3 Q. Who from the Waltherboro Police
4 Department was there?

5 A. Just pertaining to my case, just
6 Belanger.

7 Q. Was anyone from Walmart there?

8 A. Yes. I assume his name is the Mr.
9 Davis guy, I think.

10 Q. Could you describe him for me, please.

11 A. He was kind of a tall, slender,
12 African-American male.

13 Q. Had you ever seen him before?

14 A. No.

15 Q. Ms. Hudson-Scott was there to represent
16 you, correct?

17 A. Right.

18 Q. What did you have to pay for her to
19 represent you in the criminal matter?

20 A. Nothing.

21 Q. Do you recall the judge for that
22 criminal hearing?

23 A. I don't remember her name. I remember
24 she -- I think she was a female judge.

25 Q. Did the judge review any surveillance

1 of minutes at the bench. But it got dismissed,
2 so...

3 Q. Could you describe any of the body
4 language that your -- you're -- that you observed
5 from Mr. Davis?

6 A. Not really. Because he was -- he had
7 his back completely turned to me. So, I mean,
8 all I could really just see is, you know, him
9 kind of talking with his hand a little bit and
10 nodding his head and the reaction of the other --
11 the other two people besides the judge. I could
12 see their -- them going back and forth just a
13 little bit. But like I said, I never heard the
14 audio recording, so I can't say for sure what was
15 said and what wasn't. That's just the impression
16 that I got.

17 Q. How was the shoplifting charge against
18 you terminated?

19 A. I'm sorry, what was the first part?

20 Q. Sure.

21 How was the shoplifting charge against
22 you terminated?

23 A. It was dismissed at the -- at the bench
24 at that time that I'm talking about.

25 Q. So you were not -- not prosecuted?

1 A. No, it was -- it was dismissed before a
2 jury trial, if that's what you're asking.

3 Q. Did Mr. Davis or anyone from Walmart
4 say anything to you at that time?

5 A. No, sir.

6 Q. Do you agree that your criminal record
7 no longer shows this particular arrest?

8 A. It doesn't.

9 Q. Do you know if Ms. Avant's, Mr.
10 Harrison or Ms. Fletcher were arrested?

11 A. I don't know anything about their...

12 Q. They weren't at the same criminal
13 hearing that you were, for example?

14 A. Ariel was there, but I don't know in
15 what capacity or pertaining to what.

16 Q. Ariel was -- was at the criminal
17 hearing -- at your criminal hearing?

18 A. Yes.

19 Q. Did you speak with her at all?

20 A. Yes, briefly.

21 Q. Did you invite her to come to that
22 hearing?

23 A. No, not personally. I'm not sure if
24 she was there because she was subpoenaed to be
25 there or if she was there on something unrelated

1 of this exhibit which says, Digital Video
2 Snapshot Dated 7/24/2018 at 1:51:41 a.m. from
3 camera named Entry and Exit Grocery 05.

4 Do you see that?

5 A. Yes.

6 Q. Did I read all that correctly?

7 A. Yes.

8 Q. Have you ever seen this digital video
9 snapshot before?

10 A. Yes.

11 Q. When?

12 A. At Ashley Hudson-Scott's office and
13 also I've reviewed it here at Thomas's office as
14 well.

15 Q. Okay. Is that Heyward Bryan Harrison
16 and Teresa Faye Fletcher?

17 A. Yes.

18 Q. Looking at this digital video snapshot,
19 is it your understanding that they entered the
20 Walmart store at 1:51:41 a.m. on July 24, 2018?

21 A. Yes.

22 Q. Did you enter Walmart at roughly the
23 same time with them?

24 A. Yes.

25 Q. Okay.

1 A. Either right before or right after.

2 Q. But you're not pictured in this
3 particular digital video snapshot, correct?

4 A. No, sir.

5 Q. Okay. I'm now going to scroll down to
6 page 5 -- before I -- let me go back to page 4.
7 There's some blue handwriting on page 4 here that
8 says Bryan and Teresa; is that correct?

9 A. Correct. That's correct.

10 Q. Do you know whose handwriting that is?

11 A. I believe that's Thomas's handwriting.
12 Or that -- or is that Ashley?

13 MR. NELSON: I cannot speak.

14 THE DEPONENT: Oh.

15 A. I'm not sure.

16 Q. Okay. I'm going to scroll down to page
17 5 now. Page 5 of Defendant's Exhibit 1 says --
18 at the top says, Digital Video Snapshot From
19 Camera Entry and Exit Grocery 01 dated 7/24/2018
20 at 2:16:13 a.m.

21 Do you see that?

22 A. Yes.

23 Q. Did I read that all correctly?

24 A. Yes.

25 Q. Do you know who this is?

1 A. That's me.

2 Q. Okay. You were wearing a white hat?

3 A. Yes.

4 Q. You still have that hat?

5 A. Maybe somewhere. It's probably not
6 white anymore, though.

7 Q. Okay. And it looks like you're wearing
8 a -- a brace on your right wrist; is that right?

9 A. That is correct.

10 Q. Why is that?

11 A. I have carpel tunnel that acts up
12 sometimes and the wrist support kind of helps it.

13 Q. Can you tell if you have any Walmart
14 merchandise on you in this digital video
15 snapshot?

16 A. I definitely do not.

17 Q. Are you exiting the store in this
18 digital video snapshot?

19 A. Yes, sir.

20 Q. Is it fair to say that you exited the
21 store at roughly 2:16 a.m.?

22 A. That's correct.

23 Q. Blue handwriting down here at the
24 bottom.

25 A. That's got to be Ashley Hudson-Scott's

1 A. That's the same guy that was walking in
2 the store in the other picture, the guy that
3 nobody knows.

4 Q. The same guy who's walking in the store
5 on page 3 of --

6 A. Yes.

7 Q. Okay. Do you know what he was doing in
8 the garden center at 1:45 a.m.?

9 A. Well, looks like he's attempting to
10 push that shopping cart out of the store.

11 Q. Okay.

12 A. And I remember seeing the video he like
13 loads up a pool or something and puts it on top
14 the shopping cart before he pushes it out.

15 Q. If he -- if he were to push that
16 shopping cart out, would that be considered
17 shoplifting in your mind?

18 A. Yeah.

19 Q. Do you think Walmart is within its
20 rights to contact law enforcement if they
21 observed someone pushing out a shopping cart
22 without paying for merchandise?

23 A. Sure.

24 Q. Did you see this guy outside the store
25 at all?

EXHIBIT 1
EXHIBIT B - 1



WALTERBORO PUBLIC
SAFETY
WALTERBORO, SC
ORI: SC0150100



Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

Start Date: 7/24/2018 End Date: 7/24/2018 Disp Date: 7/24/2018 Time Arrived: 02:25
Start Time: 02:20 End Time: 02:45 Disp Time: 02:20

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? True Subject Located? False
Patrol Zone: Division Assignment:
Officer Assigned:

Offenses

Offense Type: Shoplifting {23C}

Statute: SHOPLIFTING 1ST
OFFENSE \$2,000 OR
LESS {23C} CDR 528

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

Offense Type: Trespass of Real Property {90J}

Statute: TRESPASSING
AFTER NOTICE
{90J}

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

People

Offenders

OFFENDER: AVANT, ARIEL AMBERLY

Aliases:

| | | | | |
|-------------------------------|--------------------------|-------------|-----------------|--------------|
| Race: W | Sex: F | Height: 507 | Weight: 220 | Ethnicity: N |
| Hair: BLN | Eyes: BRO | Glasses: N | Complexion: FAR | Build: |
| Facial Hair: N | Skin: | Teeth: | Resident: State | |
| DOB: 2/13/1992 | SSN: | | | |
| SID #: | FBI #: | | | |
| Driver's License #: 100766326 | License State: SC | | | |
| Place of Birth City: | Place of Birth State: CA | | | |
| Special DOB: | Age Range From: | To: | | |
| Day Phone: 843-898-1323 | Evening Phone: | | | |

Suspected of Use 1: None

Suspected of Use 2:

Suspected of Use 3:

Type 1:

Type 2:

Type 3:

Employer:

UNEMPLOYED

Student:

False

7/26/2018 12:28:51 PM

ELECTRONICALLY FILED - 2021 Sep 14 1:38 PM - COLLETON - COMMON PLEAS - CASE#2019CP1500949

EXHIBIT 1
EXHIBIT B - 2

ELECTRONICALLY FILED - 2021 Sep 14 1:38 PM - COLLETON - COMMON PLEAS - CASE#2019CP1500949

| | | | | | |
|--|-----------------------|-----------------------|---------------------|-------------|-------|
| School: | Maiden Name: | | | | |
| Legacy Aliases: | Drug Type: | | | | |
| Drug Activity: | Address Information | | | | |
| <hr/> | | | | | |
| Address Type: Physical | | | | | |
| Street 1: | 3826 MOUNT CARMEL RD. | Street 2: | | | |
| City: | WALTERBORO | State: | SC | Zip: | 29488 |
| Location Number: | | Country: | | | |
| Test1: | | | | | |
| OFFENDER: <i>FLETCHER, TERESA FAYE</i> | | | | | |
| Aliases: | | | | | |
| Race: | W | Sex: | F | Height: | 503 |
| Hair: | BLN | Eyes: | BRO | Glasses: | |
| Facial Hair: | | Skin: | | Teeth: | |
| DOB: | 10/9/1977 | SSN: | | Resident: | State |
| SID #: | | FBI #: | | Complexion: | |
| Driver's License #: | 007301126 | License State: | SC | Build: | |
| Place of Birth City: | | Place of Birth State: | | | |
| Special DOB: | | Age Range From: | | To: | |
| Day Phone: | 843-599-0329 | Evening Phone: | | | |
| Suspected of Use 1: None | | | | | |
| Type 1: | Suspected of Use 2: | | Suspected of Use 3: | | |
| Employer: | Type 2: | Student: | Type 3: | | |
| School: | | Maiden Name: | False | | |
| Legacy Aliases: | | Drug Type: | | | |
| Drug Activity: | Address Information | | | | |
| <hr/> | | | | | |
| Address Type: Physical | | | | | |
| Street 1: | 148 TUPON LN | Street 2: | | | |
| City: | WALTERBORO | State: | SC | Zip: | 29488 |
| Location Number: | | Country: | | | |
| Test1: | | | | | |
| OFFENDER: <i>HARRISON, HEYWARD BRYAN</i> | | | | | |
| Aliases: | | | | | |
| Race: | W | Sex: | M | Height: | 508 |
| Hair: | RED | Eyes: | HAZ | Glasses: | |
| Facial Hair: | | Skin: | | Teeth: | |
| DOB: | 4/4/1985 | SSN: | | Resident: | State |
| SID #: | | FBI #: | | Complexion: | |
| Driver's License #: | 11400594 | License State: | SC | Build: | |
| Place of Birth City: | | Place of Birth State: | | | |
| Special DOB: | | Age Range From: | | To: | |
| Day Phone: | | Evening Phone: | | | |
| Suspected of Use 1: None | | | | | |
| Type 1: | Suspected of Use 2: | | Suspected of Use 3: | | |
| Employer: | Type 2: | Student: | Type 3: | | |
| School: | | Maiden Name: | False | | |
| Legacy Aliases: | | Drug Type: | | | |
| Drug Activity: | Address Information | | | | |
| <hr/> | | | | | |
| Address Type: Physical | | | | | |
| Street 1: | 148 TUPON LN | Street 2: | | | |
| City: | WALTERBORO | State: | SC | Zip: | 29488 |
| Location Number: | | Country: | | | |
| Test1: | | | | | |
| OFFENDER: <i>MURDAUGH, JACOB SEAL</i> | | | | | |
| Aliases: | | | | | |
| Race: | W | Sex: | M | Height: | 510 |
| Hair: | BRO | Eyes: | BRO | Glasses: | N |
| Facial Hair: | | Skin: | | Teeth: | |
| DOB: | 6/17/1983 | SSN: | | Resident: | State |
| SID #: | | FBI #: | | Complexion: | LGT |
| Driver's License #: | 011161303 | License State: | SC | Build: | |
| Place of Birth City: | WALTERBORO | Place of Birth State: | SC | | |
| Special DOB: | | Age Range From: | | To: | |
| Day Phone: | 908-0290 | Evening Phone: | | | |
| Suspected of Use 1: None | | | | | |
| Type 1: | Suspected of Use 2: | | Suspected of Use 3: | | |
| Employer: | Type 2: | Student: | Type 3: | | |
| School: | CARPENTER | Maiden Name: | False | | |
| Legacy Aliases: | | Drug Type: | | | |

7/26/2018 12:28:51 PM

EXHIBIT 1
EXHIBIT B - 3

ELECTRONICALLY FILED - 2021 Sep 14 1:38 PM - COLLETON - COMMON PLEAS - CASE#2019CP1500949

Property Item
Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$64.00 Description: HI BOX
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$64.00
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Narrative

I, SGT BELANGER, RESPONDED TO 2110 BELL'S HWY IN REFERENCE TO A POSSIBLE SHOPLIFTING INCIDENT. UPON ARRIVAL AND SPEAKING WITH THE COMPLAINANT (LUNSFORD) IT WAS DISCOVERED THAT FOUR UNKNOWN SUSPECTS ENTERED THE BUSINESS, SELECTED NUMEROUS ITEMS, PLACED THEM IN A SHOPPING CART AND ATTEMPTED TO LEAVE THE BUSINESS WITHOUT RENDERING PAYMENT FOR THE ITEMS. LUNSFORD STATES THE OFFENDERS (FLETCHER / AVANT / HARRISON0 / MURDAUGH ATTEMPTED TO WALK OUT OF THE LAWN AND GARDEN AREA OF THE BUSINESS, PASSING ALL POINTS WHERE PAYMENT COULD BE RENDERED, AND THRU AN OUTSIDE GATE THAT CONTRACT MAINTENANCE WORKERS WERE USING. AN UNKNOWN MAINTENANCE WORKER CONFRONTED THE OFFENDERS WHO LEFT THE SHOPPING CART FULL OF ITEMS. THE OFFENDERS WERE SEEN LEAVING THE BUSINESS IN A NEON GREEN FORD FOCUS. THE VEHICLE WAS SEEN BY RESPONDING OFFICERS AT 1539 BELL'S HWY (EZ SHOP #15) AND CONTACT WAS MADE WITH THE OFFENDERS. BOTH FLETCHER AND AVANT ADMITTED TO BEING ON THE BUSINESS' PROPERTY, BUT NOT INSIDE THE BUSINESS. THEY ALSO STATED THE THIRD OFFENDER (HARRISON) WAS WITH THEM AT THE TIME OF THIS INCIDENT BUT WERE UNAWARE OF HIS CURRENT LOCATION. ALL THREE OFFENDERS ARE CURRENTLY TRESPASSED FROM 2110 BELL'S HWY. LUNSFORD WAS UNABLE TO ACCESS THE SECURITY CAMERA FOOTAGE, AND WAS NOT SURE OF THE MONETARY VALUE OF THE ITEMS TAKEN AND RECOVERED AT THE TIME OF THIS REPORT. ONCE THAT INFORMATION IS AVAILABLE, WARRANTS WILL BE FORTHCOMING IF NECESSARY AND THIS REPORT WILL BE AMENDED.

Signatures

Reporting Officer: BELANGER, KEITH L ☐

Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

Approving Officer: ☐

Validating Officer: ☐

7/26/2018 12:28:51 PM

EXHIBIT 1
EXHIBIT B - 4



WALTERBORO PUBLIC
SAFETY
WALTERBORO, SC
ORI: SC0150100



SUPPLEMENTAL REPORT

Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

| | | | |
|--------------------------|---------------------|----------------------|---------------------|
| Start Date: 7/24/2018 | End Date: 7/24/2018 | Disp Date: 7/24/2018 | Time Arrived: 02:25 |
| Start Time: 02:20 | End Time: 02:45 | Disp Time: 02:20 | |
| NCIC INQ? False | NCIC INQ Date: | NCIC ENTD? False | NCIC ENTD Date: |
| Subject Identified? True | | Subject Located? | False |

Supplemental Information

Filing Date: 7/24/2018

ON TODAY'S DATE 07/24/2018, I, SGT BELANGER, WAS PROVIDED WITH STILL PHOTOS AND A COPY OF THE SECURITY CAMERA FOOTAGE OF THIS INCIDENT. THE STILL PHOTOS SHOW FLETCHER AND HARRISON ENTERING THE BUSINESS TOGETHER BUT LATER SEPARATELY INSIDE THE BUSINESS. AVANT WAS NOT SEEN ON ANY OF THE SECURITY CAMERA CLIPS OR STILL PHOTO, BUT DID ADMIT TO OFFICES SHE WAS ON THE PROPERTY WITH FLETCHER AND HARRISON. MURGAUGH IS SEEN ON SECURITY CAMERA FOOTAGE SELECTING SEVERAL ITEMS AND PLACING THEM INTO A SHOPPING CART AND A BLACK STORAGE BIN INSIDE OF THE CART. HE THEN WALKS TO AN OPEN LAWN AND GARDEN CENTER GATE, PUSHES THE CART OUTSIDE, AND PEEKS BACK INSIDE THE LAWN AND GARDEN CENTER TO APPARENTLY SEE IF ANYONE SAW HIM. HE THEN EXITS THRU THE SAME GATE. THE COST OF THE ITEMS, WHICH WERE RECOVERED WHEN MURDAUGH WAS SEEN AND CHALLENGED BY CONTRACT MAINTENANCE WORKERS REPLACING LIGHTS AND LIGHT FIXTURES AT WALMART, WAS \$1,349.00. WARRANTS WERE ISSUED FOR ALL OFFENDERS.

Signatures

Filing Officer: BELANGER, KEITH; Sergeant;

Entered By: BELANGER, KEITH; Sergeant;

ELECTRONICALLY FILED - 2021 Sep 14 1:38 PM - COLLETON - COMMON PLEAS - CASE#2019CP1500949

7/26/2018 12:28:51 PM

EXHIBIT B - 5

ARREST WARRANT

2018A1520300340

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

THE STATE
against

1801856

Jacob Seal Murdaugh

Address: 202 Sierra Ln

Walterboro, SC 29488-5005

Phone:

SSN:

Sex: M Race: W Height: 5 9 Weight: 150

DL State: SC DL #: 011161303

DOB: 6/17/1983 Agency ORI #: SC0150100

Prosecuting Agency: Walterboro Police Department

Prosecuting Officer: Keith L Belanger - S00010

Offense: Shoplifting / Shoplifting, value \$2,000 or less

Offense Code: 0528

Code/Ordinance Sec: 16-13-0110(A)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality ofThe 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 on Jacob Murdaugh 1500
10-5-19Belanger
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Walterboro Municipal Court
300 Hampton Street
Walterboro, SC 29488

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

AFFIDAVIT

18-PD-074
ORIGINALForm Approved by
S.C. Attorney General
April 21, 2003
SCCA 518Personally appeared before me the affiant Keith L Belanger
being duly sworn deposes and says that defendant Jacob Seal Murdaugh who
did within this county and state on or about 7/24/2018
State of South Carolina (or ordinance of ☐ County/ ☒ Municipality of Walterboro)
in the following particulars: violate the criminal laws of the

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 July 24th, 2018, at or about 0145 Hrs. the Defendant (Jacob Seal Murdaugh) was captured by security camera footage from 2110
Bell's Hwy (Walmart) selecting and placing merchandise items in a shopping cart then exit the business with the cart and items
through an open outside Garden Center gate and passing all points where payment could be rendered for the merchandise items. The
Defendant's actions were perpetrated to deprive the business of the total cost to the goods.

Signature of Affiant

Keith L Belanger

STATE OF SOUTH CAROLINA

☐ County/ ☒ Municipality of

Walterboro

Affiant's Address 242 Hampton Street
Walterboro, SC 29488-

Affiant's Telephone

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 7/24/2018defendant Jacob Seal Murdaugh

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

☐ County/ ☒ Municipality of Walterboro

) as set forth below:

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 7/25/2018Deborah B Kane O'Quinn (L.S.)
Signature of Issuing Judge

Deborah Bridget Kane-O'Quinn

Judge Code: 8098

Judge's Address P O Box 709Walterboro, SC 29488-Judge's Telephone (843)782-1057Issuing Court: ☐ Magistrate ☒ Municipal ☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA) COURT OF COMMON PLEAS
) FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF COLLETON) Civil Action No. 2019-CP-00949

Jacob Murdaugh,

Plaintiff,

vs.

Walmart Stores East, LP, Jan Lunsford, and
John Doe,
Defendants.

DEPOSITION TAKEN VIA VIDEOCONFERENCE OF
JAN LUNSFORD
(Taken by Plaintiff)
St. George, South Carolina
Wednesday, October 28, 2020
2:02 p.m.

Reported stenographically by
V. Dario Stanziola, CCR (GA) (NJ), RPR, CRR
HUDSON COURT REPORTING & VIDEO 1-800-310-1769

1 shopping cart full of items. The offenders were
2 scene leaving the business in a neon green Ford
3 Focus. The vehicle was seen by responding
4 officers at 1539 Bells Highway, parentheses, E-Z
5 Shop Number 15, and contact was made with the
6 offenders.

7 Do you remember anything about that
8 incident?

9 A. If the construction workers had
10 communicated that information to me, absolutely I
11 would have called the police for any suspicious
12 activity.

13 Q. Okay. But that's -- that's what you
14 believe you would have done. Do you remember
15 specifically this incident at all?

16 A. Not really, no, sir.

17 Q. Okay. So if Officer Belanger has any
18 information on this, you would have to defer to
19 whatever he has to say?

20 A. Not with me giving names because I've
21 never given any names because I wasn't aware of
22 any names.

23 Q. Okay. So you might be able to dispute
24 what Belanger has to say regarding this incident?

25 A. Yes, sir, it says that I'd stated names

1 in parentheses. No, sir, if I made a call to
2 Belanger, I would not have those names.

3 Q. But do you remember this specific
4 incident? You're telling me you would have been.

5 A. I remember the construction workers
6 there changing out the lighting system.

7 Q. Okay. But you don't remember the four
8 individuals, regardless of whether you know their
9 names or not?

10 A. No, I can't say four individuals, no,
11 sir, I cannot.

12 Q. Okay. And do you believe that you had
13 a conversation with Sergeant Belanger on
14 July 24th, 2018, give or take a day?

15 A. Yes, yes. If I would have called the
16 police and any incident, whether it's anything, I
17 would have had a follow-up conversation, yes.

18 Q. Not what you would have done. Do you
19 -- do you specifically recall talking to
20 Belanger?

21 A. Yes, I have had several conversations
22 with Belanger.

23 Q. Okay. Do you recall having any
24 conversations with Belanger on July 24th, 2018?

25 A. No. Don't know the date of when I've

1 A. No, sir.

2 Q. After someone is arrested for
3 shoplifting, did you have anything to do with the
4 case at that point or is it turned over to
5 somebody else in Walmart or how does it work from
6 there?

7 A. I've never personally told police or
8 anybody to pursue or prosecute a shoplifter.
9 I've never given that word, if you will, by
10 saying Jan Lunsford, press charges on her for
11 shoplifting. No, sir. And I'm using my name is
12 as an example.

13 Q. Okay. Okay. And while you've never
14 directed them to actually pursue charges, have
15 you provided information to police before that
16 regards anybody shoplifting?

17 A. Yes, sir.

18 Q. Do you know how many times you've done
19 that?

20 A. I cannot recall. No, sir, I cannot.

21 Q. And do you -- could you say if it was
22 more or less than a hundred?

23 A. As far as shoplifters? No.
24 Trespassing? Yes. I don't know exactly exact
25 number where I've had to trespass people -- I'm

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

Jun 03 2022

SC Court of Appeals

APPEAL FROM COLLETON COUNTY
Court of Common Pleas
Bentley D. Price, Judge

Appellate Case No. 2022-00141

Jacob Murdaugh.....Appellant,

v.

Walmart Stores East, LP, Jan Lunsford, and John Doe, Defendants,
Of Whom Walmart Stores East, LP and Jan Lunsford are the Respondents,

CERTIFICATE OF SERVICE

I do hereby certify, on this 3rd day of June 2022, that a copy of the foregoing **Respondents'**
Motion to Strike Matters From Appellant's Designation of Matter was served by electronic
mail, addressed to counsel of record as follows:

Thomas C. Nelson, Esq.
Futeral & Nelson, LLC
tnelson@charlestonlaw.net
Attorney for Appellant

/s/Robert C. Blain
Robert C. Blain, SC Bar No. 100024
GAFFNEYLEWIS, LLC
3700 Forest Drive, Suite 400
Columbia, South Carolina 29204
(803) 790-8838
rblain@gaффneylewis.com

Attorney for Respondents

EXHIBIT II



Deposition of:
Keith Belanger

October 14, 2021

In the Matter of:
**Murdaugh, Jacob Vs. Wal-Mart Stores
East LP**

Veritext Legal Solutions
800.743.DEPO (3376) | Calendar-carolinas@veritext.com |
www.veritext.com

1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF COLLETON

3 JACOB MURDAUGH,

4 Plaintiff,

5 vs.

CASE NO. 2019-CP-15-00949

6 WAL-MART STORES EAST, LP,

JAN LUNSFORD, and JOHN

7 DOE,

8 Defendants.

9

10 DEPOSITION OF: KEITH BELANGER

11 DATE: October 14, 2021

12 TIME: 9:52 a.m.

13 LOCATION: Harvin Law Firm
125 South Walter Street
14 Walterboro, SC 29488

15 TAKEN BY: Counsel for the Plaintiff

16 REPORTED BY: TRISHA M. THOMAS

17

18

19

20

21

22

23

24

25

| | | | |
|---|---------------|--|---------------|
| <p>1 APPEARANCES OF COUNSEL:
2 ATTORNEYS FOR THE PLAINTIFF
JACOB MURDAUGH:
3
4 FUTERAL & NELSON, LLC
BY: THOMAS C. NELSON
1004 Anna Knapp Boulevard, Suite 3
5 Mount Pleasant, SC 29464
(843) 284-5500
6 TNelson@charlestonlaw.net
7 ATTORNEYS FOR THE DEFENDANTS
WAL-MART STORES EAST, LP and JAN
8 LUNSFORD:
9 GAFFNEY LEWIS, LLC
BY: ROBERT C. BLAIN
10 171 Church Street, Suite 160
Charleston, SC 29401
11 (803) 790-8838
RBlain@gaffneylewis.com
12
13
14 (INDEX AT REAR OF TRANSCRIPT)
15
16
17
18
19
20
21
22
23
24
25</p> | <p>Page 2</p> | <p>1 Q. Then, finally -- and I still do this
2 after doing this for 17 years. I'm going to try to
3 let you finish your answer before I ask the next
4 question; and, likewise, even if you anticipate
5 what my question is, let me finish the question
6 before you start to answer it so the court reporter
7 can take it down cleanly.
8 A. Understood.
9 Q. All right. And please state your name
10 again for the record.
11 A. My name is Keith Belanger.
12 Q. Okay. And you are currently an
13 employee of the Walterboro Police Department?
14 A. Yes, sir. Been employed since 2013.
15 Q. Okay. What did you do before that?
16 A. I worked down in Georgia at a place
17 called -- excuse me -- yeah -- Youth Challenge.
18 It's run by National Guard, sponsored by Georgia
19 State down off of a campus on Fort Stewart.
20 Q. What is the role there? What is the
21 purpose?
22 A. I was a cadre down there. It's a
23 five-and-a-half-month program for youths age 14 to
24 17 that have already had some type of an issue with
25 law enforcement, some type of a background. I'd</p> | <p>Page 4</p> |
| <p>1 KEITH BELANGER
2 being first duly sworn, testified as follows:
3 EXAMINATION
4 BY MR. NELSON:
5 Q. Sergeant Belanger, my name is Tom
6 Nelson. We met just before this deposition here.
7 Have you ever given a deposition before?
8 A. Yes.
9 Q. Okay. Just the basic ground rules I'm
10 going to give you. If you don't understand the
11 question, please just ask me to rephrase it. I'd
12 rather that than you try to answer a question that
13 you did not understand. If you answer the
14 question, we're going to -- we're going to assume
15 that you understood it. Is that okay?
16 A. That's fine.
17 Q. Okay. And if you need a break at any
18 time, just let us know. I doubt we'll even go an
19 hour, but, I mean, we'll --
20 A. That's fine.
21 Q. -- we'll see. And please remember the
22 court reporter is taking all of this down, so try
23 to avoid nonverbal responses or uh-huhs and
24 huh-uhs.
25 A. Understood.</p> | <p>Page 3</p> | <p>1 say a quarter of the students that are down there
2 are usually court ordered to attend.
3 It's not necessarily rehabilitation.
4 It's almost like a second chance. They can go
5 through that program, or they can go through the
6 juvenile program, but ours is a little bit
7 different 'cause it also offers them the
8 opportunity to get their GED.
9 Q. Good. What's your highest level of
10 education?
11 A. Two years of college.
12 Q. And you went to the Criminal Justice
13 Academy?
14 A. Yes.
15 Q. How long do you go to that for?
16 A. That was a 15-week program at that
17 point. I went through the holiday season.
18 Q. And your rank is sergeant?
19 A. Yes.
20 Q. How long have you been a sergeant?
21 A. Six years.
22 Q. And what does that require, for you to
23 become sergeant?
24 A. Usually the department will put on some
25 type of a law enforcement experience in the number</p> | <p>Page 5</p> |

| | |
|--|---|
| <p style="text-align: right;">Page 6</p> <p>1 of years, five years, ten years, depends upon which
2 department you're -- you're applying for. I
3 believe this one had, at that time, ten years'
4 experience before they would accept your
5 application or your letter of interest.
6 Q. Okay.
7 A. I have ten years of experience down in
8 Savannah. That's what afforded me the opportunity
9 to go ahead and put my letter of interest in.
10 Q. Okay. What did you do before the youth
11 college -- or the Youth Challenge. I'm sorry.
12 A. I did ten years with Savannah PD.
13 Q. Okay. And is there a CJA, Criminal
14 Justice Academy, equivalent in Georgia?
15 A. Yes. But it's not centralized as South
16 Carolina. It's more regional academies. They'll
17 have five or six different counties that will --
18 lack of a better term, they will go in conjunction
19 with each other and develop their own regional, but
20 there's requirements put up by Georgia POST that
21 they have to follow.
22 Q. Okay.
23 MR. BLAIN: Thanks.
24 (PLF. EXHIBIT 1, Arrest Warrant and
25 Affidavit, was marked for identification.)</p> | <p style="text-align: right;">Page 8</p> <p>1 A. Yes, sir.
2 Q. Okay. And do you remember this case?
3 A. Yes, sir. I do.
4 Q. Can you tell me basically what happened
5 when you first became involved that evening and
6 what led to this warrant being taken?
7 A. Yes, sir. I can't remember the exact
8 date. I believe it's August 12th of 2018. That's
9 what I have up here on mine.
10 Q. I see July 24.
11 A. Am I looking at the right one?
12 Okay. July 24, yes, sir. This was a
13 different one. Wrong case.
14 Q. Got you.
15 A. Yes, sir. I was actually -- responded
16 to 2110 Bells Highway, which is Walmart here in the
17 town of Walterboro, City of Walterboro, reference
18 to a possible shoplifting incident. Upon my
19 arrival, I spoke with Ms. Jan Lunsford who happened
20 to be the nighttime manager at that point in time.
21 And she told me she was informed by contract
22 workers which were doing electrical work in a
23 portion of the business that a couple individuals
24 tried to push a shopping cart out through the
25 garden area, that they had words back and forth,</p> |
| <p style="text-align: right;">Page 7</p> <p>1 MR. NELSON: Thank you.
2 BY MR. NELSON:
3 Q. I'm handing you a document marked
4 Plaintiff's Exhibit 1. Do you recognize this
5 document?
6 A. Yes, sir.
7 Q. Can you tell me what it is?
8 A. Yes, sir. It's an arrest warrant that
9 I had issued and signed by the judge.
10 Q. Okay. And there's a little narrative
11 there about a third of the way down on the right.
12 It says: On July 24, 2018.
13 A. Yes, sir.
14 Q. Did you fill in that narrative?
15 A. Yes, sir. I submitted an affidavit to
16 the clerk of court so she could complete the
17 warrant.
18 Q. Okay. So the clerk of court actually
19 typed these into this warrant?
20 A. Yes. When I submit an affidavit, she
21 takes the information off of there word for word.
22 letter by letter, and will put it in the -- the
23 warrant program.
24 Q. Okay. So you essentially wrote that
25 narrative?</p> | <p style="text-align: right;">Page 9</p> <p>1 and the individuals apparently left the shopping
2 cart in place just outside the gate and left the
3 business property.
4 When I spoke with Ms. Lunsford, she was
5 able to provide me access to their video camera
6 system. I watched the video. You could see two
7 males push a shopping cart out and, you know, spoke
8 -- you can't hear anything on the video, but they
9 appeared to hesitate or speak back and forth a few
10 -- a few moments, and they did leave the shopping
11 cart there.
12 When I spoke again with Ms. Lunsford,
13 she was able to provide still pictures, but she
14 couldn't copy the video. She didn't know how to
15 copy that video. Excuse me.
16 She believed there may have been an
17 individual by the name -- last name of Murdaugh.
18 We've had problems with an individual by that same
19 last name. I gave her a possible name that I
20 believed the suspect may have been, which would
21 have been Stacy Murdaugh, and she said directly:
22 No, it was not him. I believe it's this other
23 individual.
24 Q. So she produced the name Jacob Murdaugh
25 to you?</p> |

| | |
|---|--|
| <p style="text-align: right;">Page 10</p> <p>1 A. Yes, sir.
2 Q. And did she say how she knew Jacob
3 Murdaugh?
4 A. No, sir. She didn't.
5 Q. But she said she had personal knowledge
6 of someone named Jacob Murdaugh that fit the
7 description?
8 A. She said it looks like Mr. Jacob
9 Murdaugh, yes, sir.
10 Q. Okay. And what did you do from there?
11 A. I collected the evidence she was able
12 to give me, which were the still photos, the
13 information about Mr. Murdaugh that we could find
14 in our -- in our system, and anything else from
15 her, completed a report, went to the office,
16 completed an affidavit, e-mailed the affidavit to
17 the clerk so she could complete the warrant.
18 Q. Okay. And you took it out on Jacob
19 Murdaugh solely based upon the information provided
20 to you by Jan Lunsford?
21 A. Yes, sir.
22 Q. And do you have a working relationship
23 with Jan Lunsford?
24 A. I'm not going to say it was a very
25 strong working relationship. It seems as though</p> | <p style="text-align: right;">Page 12</p> <p>1 Walterboro Police Department that asked for, say,
2 three years' worth of calls, would it -- could I
3 ask for it by Jan Lunsford's name, or would I just
4 have to go by the address?
5 A. You may be able to go just by her name
6 'cause I can go into our report system, put her
7 name in there, and it'll pull everything up that's
8 got her association with it.
9 Q. Okay. Who would be the person in the
10 Walterboro Police Department I should call before
11 sending in a FOIA request to make sure that I've
12 got -- I'm spelling it out correctly?
13 A. That would probably be our
14 administrative assistant, Miss Joni. You spoke
15 with her earlier, I believe.
16 Q. Got it. Okay. Now, after this warrant
17 was taken, did you have further involvement in this
18 case? Did you go to court or anything like that?
19 A. No, sir.
20 Q. Okay. Let's see. I'm actually -- I've
21 got a two-minute recording from the transcript of
22 the court hearing. I'm going to play it for you --
23 A. Okay.
24 Q. -- and see if it refreshes anything.
25 A. Okay.</p> |
| <p style="text-align: right;">Page 11</p> <p>1 every time I went to Walmart -- specifically when I
2 was working nights, they were open 24 hours at that
3 time, so it was easier for me to get some of my
4 personal items -- she would approach me and say:
5 We have this person here. We want him trespassed.
6 We have another person we want to have trespassed.
7 Or she would bring me into the asset
8 protection where the video system -- located and
9 say: We had a shoplifting incident a couple hours
10 ago. Can you do something for me?
11 And I would get the information,
12 provide any kind of assistance I could at that
13 point.
14 Q. Okay. And would a lot of these
15 incidents have an incident report associated with
16 them?
17 A. Yes, sir.
18 Q. Okay.
19 A. If it's a trespass, it would usually
20 have what we call a call number, which was just a
21 CAD reference number instead of a report number.
22 Q. I'm sorry. It's called a call number,
23 C-A-L-L?
24 A. Yeah. Yes, sir.
25 Q. So if I sent a FOIA request to the</p> | <p style="text-align: right;">Page 13</p> <p>1 (Off-the-record conference.)
2 BY MR. NELSON:
3 Q. I'm just going to play the whole thing
4 in its entirety.
5 A. Okay.
6 Q. I'm not going to interrupt or stop it
7 or anything, and I'll ask you do the same. If you
8 want me to replay any portion of this afterwards,
9 that's fine, but let's just listen to it one time
10 through and we'll go from there. Is that okay?
11 A. Personally, yeah. Sure.
12 Q. Can you hear?
13 A. Yes.
14 Q. All right. And we just listened to --
15 or to an audio recording. Does that refresh any
16 recollection or ring any bells?
17 A. Honestly, no, it doesn't.
18 Q. Okay. But did you hear your name on
19 that video?
20 A. Yes, I did. Yes.
21 Q. Now, do you believe that was you on
22 that -- on that recording?
23 A. Yeah. I do.
24 Q. Do you know who Mr. Davis is from
25 Walmart?</p> |

| | | | |
|---|--|--|--|
| <p>Page 14</p> <p>1 A. Not off the top of my head, no, sir.</p> <p>2 Q. Okay. Did you hear the judge just now</p> <p>3 say who is here from Walmart, and somebody said</p> <p>4 Mr. Davis?</p> <p>5 A. I heard something like that. I didn't</p> <p>6 hear the normal asset protection or Ms. Lunsford's</p> <p>7 name --</p> <p>8 Q. Okay.</p> <p>9 A. -- being called.</p> <p>10 Q. All right. So the last recollection</p> <p>11 you have pertaining to -- I'm sorry. Go ahead.</p> <p>12 A. Referencing back to your first</p> <p>13 question, I do remember Mr. Davis would be Jamarcus</p> <p>14 Davis. He would have been the asset protection at</p> <p>15 that time.</p> <p>16 Q. Okay. Did you recognize the judge's</p> <p>17 name in that audio?</p> <p>18 A. Morrison Payne.</p> <p>19 Q. Sorry?</p> <p>20 A. Morrison Payne.</p> <p>21 Q. Okay. So your last recollection of</p> <p>22 anything to do with Jacob Murdaugh was after you</p> <p>23 took this warrant out?</p> <p>24 A. Took that warrant, yes. And, like I</p> <p>25 said, apparently it did go to court. I just don't</p> | <p>Page 15</p> <p>1 remember the particular court session.</p> <p>2 Q. Okay. All right.</p> <p>3 MR. BLAIN: I've got a copy. Thank</p> <p>4 you.</p> <p>5 (PLF. EXHIBIT 2, Incident report, was</p> <p>6 marked for identification.)</p> <p>7 BY MR. NELSON:</p> <p>8 Q. I'm handing you a document marked --</p> <p>9 A. Thank you, sir.</p> <p>10 Q. -- Exhibit 2. Do you recognize this?</p> <p>11 A. Yes, sir. I do.</p> <p>12 Q. Okay. And it doesn't appear to be</p> <p>13 signed, so I'm going to ask if you would verify.</p> <p>14 Are those your words that were written for this</p> <p>15 case?</p> <p>16 A. Yes, they are.</p> <p>17 Q. Okay. And you actually asked me about</p> <p>18 the report before this deposition started and had a</p> <p>19 moment to review this document, correct?</p> <p>20 A. Uh-huh. Yes, I did, sir.</p> <p>21 Q. Okay. Now, did you read it in full</p> <p>22 just now?</p> <p>23 A. I scanned it for -- occasionally.</p> <p>24 Q. Would you mind reading this? It'll</p> <p>25 take you a minute, but would you mind reading it</p> | <p>Page 16</p> <p>1 and letting me know if anything in there is</p> <p>2 different from your memory?</p> <p>3 MR. NELSON: That's going to be 3.</p> <p>4 (PLF. EXHIBIT 3, Supplemental Report,</p> <p>5 was marked for identification.)</p> <p>6 THE WITNESS: Yes, sir. Those are my</p> <p>7 words. That's what I typed in.</p> <p>8 BY MR. NELSON:</p> <p>9 Q. Okay. Handing you a document marked</p> <p>10 Plaintiff's Exhibit 3. Do you recognize this</p> <p>11 report?</p> <p>12 A. Yes, sir. I do.</p> <p>13 Q. Are those your words?</p> <p>14 A. Yes, they are.</p> <p>15 Q. And, like the last one, could you just</p> <p>16 read it and tell me if your memory is any different</p> <p>17 from what's in there?</p> <p>18 MR. NELSON: This will be 4 and 5.</p> <p>19 (PLF. EXHIBIT 4, Digital Video</p> <p>20 Snapshot, was marked for identification.)</p> <p>21 (PLF. EXHIBIT 5, Digital Video</p> <p>22 Snapshot, was marked for identification.)</p> <p>23 THE WITNESS: That's as I remember it.</p> <p>24 BY MR. NELSON:</p> <p>25 Q. Okay. Why did you do a report and then</p> | <p>Page 17</p> <p>1 later did a supplemental report?</p> <p>2 A. It's just a matter of practice for me.</p> <p>3 Q. Okay.</p> <p>4 A. 'Cause if she doesn't have all the</p> <p>5 information available at that time or -- or any</p> <p>6 kind of a complainant doesn't have the information</p> <p>7 or the complete information available, then I'll go</p> <p>8 back and do a supplement.</p> <p>9 MR. NELSON: Okay. Would you mark</p> <p>10 these as 6 and 7, please?</p> <p>11 (PLF. EXHIBIT 6, Digital Video</p> <p>12 Snapshot, was marked for identification.)</p> <p>13 (PLF. EXHIBIT 7, Digital Video</p> <p>14 Snapshot, was marked for identification.)</p> <p>15 MR. NELSON: Thank you.</p> <p>16 BY MR. NELSON:</p> <p>17 Q. I'm going to hand you four</p> <p>18 photographs --</p> <p>19 A. Okay.</p> <p>20 Q. -- marked Plaintiff's Exhibits 4, 5, 6,</p> <p>21 and 7. Do you remember seeing these photographs at</p> <p>22 any point during the case?</p> <p>23 A. Number 7, I remember seeing.</p> <p>24 Q. Okay.</p> <p>25 A. I can't say anything about 4, 5, and 6.</p> |
|---|--|--|--|

Page 18

1 Q. Okay. To this day, do you -- do any of
2 those look like Jacob Murdaugh to you?
3 A. No.
4 Q. Okay. If I represented to you that
5 Number 5 is Jacob Murdaugh, would you have any
6 reason to believe or disbelieve me?
7 A. No, sir. I wouldn't.
8 Q. Okay. Do you think that Number 7 was
9 the actual shoplifter that night?
10 A. That night, yes, sir. I do.
11 MR. NELSON: Okay. Mark this as 8,
12 please.
13 (PLF. EXHIBIT 8, Digital Video
14 Snapshot, was marked for identification.)
15 MR. NELSON: About 3 percent of
16 witnesses organize the documents for us.
17 MR. BLAIN: I'm impressed.
18 THE WITNESS: Sorry.
19 MR. BLAIN: I was just going to say.
20 BY MR. NELSON:
21 Q. This is the last photo. I've marked it
22 Plaintiff's Exhibit 8. Same question as the last
23 ones: Do you recognize those individuals or that
24 photograph?
25 A. The back one, immediately, that's

Page 19

1 Mr. Harrison, Hayward Harrison.
2 Q. Okay. How do you know Mr. Harrison?
3 A. I've had several encounters with him.
4 Q. Okay.
5 A. And I believe the first one, again,
6 looks like Ms. Teresa Fletcher, who's -- I'm not
7 going to say she's a known associate of Mr. -- Mr.
8 Harrison, but we've had a number of encounters with
9 her, the same thing.
10 Q. Okay. Do you know of any association
11 between them and Jacob Murdaugh?
12 A. No. Not off the top of my head.
13 MR. NELSON: Okay. We on 9?
14 (PLF. EXHIBIT 9, Incident report, was
15 marked for identification.)
16 BY MR. NELSON:
17 Q. I'm handing you a document -- I'm not
18 sure exactly what to call it -- Plaintiff's Exhibit
19 9. Do you recognize it or at least the type of
20 report?
21 A. Yes, sir.
22 Q. What do you call that?
23 A. It's an incident report.
24 Q. And would you agree that this is the
25 incident report that pertains to the arrest of

Page 20

1 Jacob Murdaugh?
2 A. Yes.
3 Q. Who provided the information that's in
4 this report?
5 A. Ms. Lunsford. And to further that,
6 that's why I went back for a second supplement,
7 because she gave me a list of properties after she
8 scanned them through their system.
9 Q. Okay. Now, when you say -- did she
10 provide it to you and then you put it in the
11 Walterboro computer?
12 A. Yes.
13 Q. And she gave you Teresa Fletcher's
14 name?
15 A. No. I knew that was Teresa Fletcher.
16 Q. Okay. And, actually, I skipped one.
17 If you look at the bottom of page 1, there's Ariel
18 Avant?
19 A. Yes, sir.
20 Q. Did you provide the name Ariel Avant or
21 did Ms. Lunsford?
22 A. Honestly, I can't remember that one.
23 Q. Okay.
24 A. The only thing I can remember about
25 that is is per the report we received notification

Page 21

1 that they had left the scene and other officers
2 were able to find them at 1539 Bells Highway, which
3 was the Enmark at that time.
4 Q. Okay.
5 A. And we approached and spoke with them
6 then, and they both admitted that they had been on
7 scene.
8 Q. Okay. Where did you get the
9 identifying information like weight 220?
10 A. That's in our system.
11 Q. Okay.
12 A. Sometimes it needs to be updated
13 because people change. If we can't get it from
14 there, then we'll get it from DMV online.
15 Q. Okay. So you're not sure where exactly
16 that information was initially put in?
17 A. If it was in the system, a lot of
18 people don't go through and change it.
19 Q. Okay. And if you look on page 2, at
20 the bottom it's got Jacob Seal Murdaugh?
21 A. Yes.
22 Q. Do you remember where you got the
23 information about Jacob Murdaugh, the identifying
24 information? Or was it already in there?
25 A. Not entirely, no, sir. I couldn't --

| | | | |
|---|---|--|---|
| <p>Page 22</p> <p>1 if I did something like that, then it would have
2 had to have been through the DMV online. If he's
3 -- if an individual's not in the system, then we'll
4 try to get as much information about that
5 individual, either through CAD dispatch -- they may
6 be able to provide that to us. If we can't get
7 that, then we go through the member services on
8 DMV.
9 Q. Okay. And at page 3, in the middle it
10 actually has Jan Lunsford's name --
11 A. Yes, sir.
12 Q. -- as the complainant.
13 A. Uh-huh.
14 Q. Do you know where her information came
15 from?
16 A. She was already in our report system.
17 Q. Okay.
18 A. And usually, as a matter of courtesy,
19 if it's a manager or an employee of a business, we
20 won't use their home address but use their business
21 address.
22 Q. Okay. And then the next few pages look
23 like it's the items. Were those the items in that
24 shopping cart?
25 A. Yes, sir. They're actually, from what</p> | <p>Page 23</p> <p>1 she was saying and on the video, you can see that
2 black plastic tub that takes up the entirety or
3 most of the entirety of the shopping cart. These
4 are the items that were inside that black plastic
5 container.
6 Q. Okay. Do you know if any item -- any
7 property actually left the Walmart premises?
8 A. I think she recovered it all.
9 Q. Okay. But the cart was pushed outside
10 of the building, past --
11 A. Yeah. It was -- it was pushed past all
12 areas where you can run your payment for the items
13 that were inside of it.
14 Q. Okay. Was it on the front sidewalk?
15 A. No, sir. It was off to the -- as
16 you're looking at the business, it will be on your
17 right-hand side, on the side garden exit. They
18 have -- it's almost like a caged-in area where they
19 keep a lot of their lawn mowers, bicycles, and
20 things like that that were used for outdoor items.
21 Q. Okay.
22 A. And, apparently, the contractors
23 weren't locking that gate when they were coming in
24 and out.
25 Q. Okay. And would you know, the closest</p> | <p>Page 24</p> <p>1 registers, where they even open at that time?
2 A. No. The closest registers would have
3 been in the front of the store.
4 Q. Okay. Was the cart pushed -- did it
5 still have a roof over it where the cart ended up?
6 A. No.
7 (PLF. EXHIBIT 10, Booking report, was
8 marked for identification.)
9 BY MR. NELSON:
10 Q. Handing you a document marked Exhibit
11 10.
12 A. Yes, sir.
13 Q. This is the booking report. Would this
14 have been done when Jacob was actually arrested?
15 A. Yes, sir.
16 Q. Do you know how much time passed from
17 the time the warrant was signed until Jacob was
18 arrested?
19 A. Apparently, he was arrested October 8
20 at about 2:20 in the afternoon, and I believe the
21 warrant was completed somewhere in July.
22 Q. Okay.
23 A. Somewhere in July, beginning of August.
24 I -- honestly, I can't remember that at all.
25 Q. And it's actually right here if you</p> | <p>Page 25</p> <p>1 want to --
2 A. Is it?
3 Q. I think it's the first one, if that
4 will help.
5 A. The only date on the warrant is the
6 actual date of the incident.
7 Q. Okay.
8 A. Okay. Usually, if it's that -- I'd say
9 it was probably completed within a week of that
10 incident.
11 Q. Okay. Now, this booking report, you
12 didn't have anything to do with filling this out?
13 A. No.
14 Q. Okay. Did you have anything to do with
15 the arrest of Jacob Murdaugh?
16 A. No.
17 Q. Do you have any personal knowledge of
18 the arrest of Jacob Murdaugh?
19 A. No.
20 Q. Do you know whether they sent people
21 looking for him or whether it was a traffic stop or
22 what?
23 A. I have no idea the circumstances
24 surrounding the -- the arrest of him.
25 MR. NELSON: Okay. At 11.</p> |
|---|---|--|---|

7 (Pages 22 - 25)

| | |
|---|---|
| <p style="text-align: right;">Page 26</p> <p>1 (PLF. EXHIBIT 11, Walterboro Municipal
2 Court Case History for Case 2018A1520300340, was
3 marked for identification.)
4 BY MR. NELSON:
5 Q. And I'm handing you a document marked
6 Plaintiff's 11. Do you recognize this type of
7 document?
8 A. I've seen a couple of them, yes, sir.
9 Q. Okay. Do you know what it is?
10 A. Not right off the top of my head, no.
11 Q. Okay. Then don't worry about it. I
12 won't ask you any more about that one.
13 A. Okay.
14 Q. All right. If not for Jan Lunsford
15 telling you that Jacob Murdaugh was the fella that
16 pushed the cart out of the building, would you have
17 arrested -- or would you have taken a warrant out
18 on Jacob Murdaugh?
19 A. No.
20 Q. And then did you -- after she told you
21 it was Jacob Murdaugh, did you do anything to
22 verify her -- the accuracy of her statement, or did
23 you just trust what she told you?
24 A. I trusted what she told me.
25 Q. Okay. And do you remember why she --</p> | <p style="text-align: right;">Page 28</p> <p>1 offense they've committed in Walmart.
2 Q. Uh-huh.
3 A. If the manager is fairly certain they
4 know who that individual is, then we'll still do a
5 warrant.
6 Q. Okay.
7 A. Because ultimately Walmart are the ones
8 that have to prosecute the shoplifting cases from
9 their store. We provide them the avenues and the
10 ability to go through as far as the arrest warrants
11 and the capability to arrest an individual.
12 Q. Okay.
13 A. But once it gets to court, Walmart
14 asset protection or the managers need to show up at
15 that particular court so they can provide their
16 testimony.
17 Q. Okay. And, in hindsight, do you have
18 any evidence that Jacob Murdaugh committed
19 shoplifting at Walmart that day?
20 A. Other than what Ms. Lunsford told me,
21 no, sir.
22 Q. Okay. Do you have any evidence that
23 Jacob Murdaugh has ever committed shoplifting at
24 any time whatsoever?
25 A. I've never -- I never even run a</p> |
| <p style="text-align: right;">Page 27</p> <p>1 what knowledge she had of Jacob Murdaugh --
2 A. I --
3 Q. -- that allowed her to identify him by
4 name?
5 A. I didn't try to get too much into her
6 personal knowledge of him other than she seemed
7 fairly certain that that's who it was.
8 Q. Okay. And did you tell her, okay,
9 we're going to take an arrest warrant out for him?
10 A. Yes, I did.
11 Q. And she agreed with that?
12 A. Uh-huh. Yes, sir. She did.
13 Q. Did she ask you to do it, or do you
14 remember how the conversation went that led to the
15 decision to take the warrant?
16 A. I don't remember exactly how it went.
17 I can only surmise and kind of go with what I've
18 done in the past with Walmart. If Walmart
19 positively identifies, as far as they're concerned,
20 an individual, I'm -- when I'm talking Walmart, I'm
21 talking their asset protection people. If their
22 asset protection people can verify the identity
23 through the cameras or through their pictures and
24 we're familiar with that individual, then we will
25 not have an issue issuing a warrant for whatever</p> | <p style="text-align: right;">Page 29</p> <p>1 criminal history on him.
2 MR. NELSON: Okay. That's all I have.
3 EXAMINATION
4 BY MR. BLAIN:
5 Q. Great. Well, I'm up then. Officer
6 Belanger, I'm Robert Blain. I'm representing
7 Walmart in this case.
8 A. Yes, sir.
9 Q. It's nice to meet your acquaintance.
10 A. Same here.
11 Q. Have you ever had a chance to talk with
12 Mr. Nelson before the deposition today?
13 A. No. And I explained to Mr. Nelson why.
14 He's tried to contact me through a number -- you
15 know, of phone calls and a few other things, and we
16 met probably 15 minutes before this, and I
17 explained, you know, those reasons why.
18 Q. What are those reasons why?
19 A. I've done this for 18 years, ten years
20 in Savannah, eight years up here. I've met with
21 attorneys prior to a court case, week, couple days,
22 even the morning of, and we've come to conclusions
23 as far as the settlement of the case and a few
24 other things, and once the case is called up in
25 front of the judge, either the attorney's had a</p> |

Page 30

1 change of heart or their clients have had a change
2 of heart and, for lack of a better term, everything
3 I've said has been disregarded, thrown under the
4 bus, and other things. And that's why I don't
5 return calls or make it a practice not to return
6 calls. It's not that I won't meet with you. It's
7 just -- very gun shy.
8 Q. Understood. Let's talk about the
9 incident that happened on July 24, 2018. I think
10 the best way to do that is to look at your
11 narrative reports and the incident report.
12 A. Uh-huh.
13 Q. I think those are marked as the
14 Plaintiff's Exhibit No. 2 and 3. So if you would
15 pull those.
16 A. Two and 3, yes, sir.
17 Q. I believe you testified that you
18 drafted this narrative on Exhibit 2; is that
19 correct?
20 A. Yes, sir.
21 Q. And you had drafted that pretty close
22 in time to the events described therein, right?
23 A. Yes.
24 Q. And is this report prepared in the
25 ordinary course of business for Waltherboro Police?

Page 31

1 A. We -- we're required to complete all
2 our reports and paperwork before we leave at the
3 end of the shift.
4 Q. At the end of the shift?
5 A. Yes. Usually, what'll happen, my -- my
6 practice, once I'm finished with a particular
7 incident, I can either do it in my car -- I have
8 the capability now, but at this point in time I
9 didn't. I would come back to the office, complete
10 the report, and usually at the end of the shift is
11 when I would finish the affidavit, e-mail it to the
12 clerk.
13 Q. Do you know what your shift would have
14 been back in July 2018?
15 A. As far as the times?
16 Q. Yes, sir.
17 A. 7:00 p.m. to 7:00 a.m.
18 Q. Okay. So you think this narrative
19 report in Exhibit 2 was likely completed before
20 7:00 a.m. on July 24, 2018?
21 A. Yes.
22 Q. And then the narrative on Exhibit
23 No. 3, do you think that supplemental narrative
24 would -- supplemental report would also have been
25 completed before 7:00 a.m. on July 24?

Page 32

1 A. Yes, sir.
2 Q. Looking at Exhibit 2 --
3 A. Uh-huh.
4 Q. So I think you testified that Jan
5 Lunsford reported the possible shoplifting incident
6 at Walmart; is that correct?
7 A. Yes. Yes, she did.
8 Q. Okay. And you spoke with Ms. Lunsford
9 when you arrived at the store about 2:25 a.m.?
10 A. Sounds about right. I couldn't
11 honestly tell you exactly what time I got there.
12 Q. Do you know if you spoke with any other
13 Walmart employees?
14 A. I spoke with her.
15 Q. Okay. Do you recall if anyone else
16 overheard your conversation with Ms. Lunsford?
17 A. I don't believe they did.
18 Q. Or any --
19 A. I don't think anybody was close enough
20 to hear that conversation.
21 Q. Were any other officers present at the
22 store with you and Ms. Lunsford?
23 A. I honestly can't say that.
24 Q. The second sentence of your narrative,
25 it says: Upon arrival and speaking with the

Page 33

1 complainant, Lunsford --
2 A. Uh-huh.
3 Q. -- it was discovered that four unknown
4 suspects entered the business, selected numerous
5 items, placed them in a shopping cart, and
6 attempted to leave the business without rendering
7 payment for the items.
8 Do you see that?
9 A. Yes, sir.
10 Q. Would that be shoplifting?
11 A. Yes. As soon as you pass all points
12 where payment can be rendered, cash registers or
13 anything else like that, and actually out the door,
14 be it a side door, front door, it's shoplifting.
15 And even if you try to conceal the item before you
16 pass those points where you can render payment,
17 it's still shoplifting.
18 Q. Four unknown suspects, does that
19 suggest to you that Ms. Lunsford did not know the
20 identities of the suspects at the time when you
21 spoke with her at Walmart?
22 A. Correct. At the time she spoke to me,
23 she didn't know who it was.
24 Q. Okay. Did Ms. Lunsford have a
25 reasonable suspicion that four unknown suspects

| | |
|--|---|
| <p style="text-align: right;">Page 34</p> <p>1 were possibly shoplifting from Walmart?
2 A. She was notified by one of the contract
3 electrical workers that was replacing the -- the
4 lights up in the ceiling.
5 Q. Would that information from the
6 contract worker amount to a reasonable suspicion?
7 A. If he's seen an individual push a
8 shopping cart out through the lawn and garden, yes,
9 sir.
10 Q. So would it be reasonable for
11 Ms. Lunsford or Walmart in general to notify the
12 police if they saw that information, saw that --
13 saw those individuals behaving that way?
14 A. Yes, sir.
15 Q. The next sentence in your report
16 says -- it describes an outside gate that the
17 contract maintenance workers were using. Do you
18 see that?
19 A. Yes, sir.
20 Q. Do you have any reason to believe those
21 contract maintenance workers were employees of
22 Walmart, or were they a separate business?
23 A. I was led to believe that they were a
24 separate business altogether.
25 Q. Okay. Further down in your report, it</p> | <p style="text-align: right;">Page 36</p> <p>1 vehicles were seen -- was seen by responding
2 officers at the EZ Shop, and contact was made with
3 the offenders. Do you see that?
4 A. Yes, sir.
5 Q. I think you testified earlier that --
6 well, let me ask this way. Were you at the EZ
7 Shop?
8 A. I left Walmart and went down to EZ
9 Shop, yes, sir.
10 Q. Okay. And do you know what other
11 officers were at the EZ Shop for that stop?
12 A. Yes. There are two others. I can't
13 remember who was with me that night.
14 Q. Okay. And Teresa Fletcher and Ariel
15 Avant were in that green Ford Focus; is that right?
16 A. Yes.
17 Q. And looking at your narrative, it says:
18 Both Fletcher and Avant admitted to being on the
19 business's property but not inside the business.
20 A. Correct.
21 Q. Did they tell that to you? They
22 admitted that?
23 A. Yes, they did.
24 Q. Ms. Lunsford identified four unknown
25 suspects and then you questioned Ms. Fletcher and</p> |
| <p style="text-align: right;">Page 35</p> <p>1 mentions an unknown maintenance worker who
2 confronted the offenders?
3 A. Uh-huh. Yes, sir.
4 Q. Ms. Lunsford didn't know the identity
5 of that maintenance worker at the time you spoke
6 with her?
7 A. She didn't provide it to me, no, sir.
8 Q. Okay. Did you do anything to identify
9 that maintenance worker?
10 A. I couldn't locate which individual she
11 was referring to.
12 Q. Did you speak with any maintenance
13 workers that day?
14 A. No, sir.
15 Q. The next sentence down in your report,
16 it says: The offenders were seen leaving the
17 business in a neon green Ford Focus.
18 Do you see that?
19 A. Yes, sir.
20 Q. Do you know whether the maintenance
21 worker, Ms. Lunsford, you personally -- do you know
22 who saw that neon green Ford Focus?
23 A. I can't remember who provided that
24 information to me.
25 Q. Okay. The next sentence describes the</p> | <p style="text-align: right;">Page 37</p> <p>1 Ms. Avant in the green vehicle at the EZ Shop?
2 A. Yes.
3 Q. Do you think questioning Ms. Fletcher
4 and Ms. Avant is how you identified the two of them
5 as two of the four unknown suspects?
6 A. Yes.
7 Q. Okay. And I think you testified
8 earlier that Ms. Fletcher was known to you from
9 other incidents in the community?
10 A. Yes, sir. She is.
11 Q. Your report also indicates that -- it
12 says: They also stated the third offender,
13 Harrison, was with them at the time of this
14 incident but were unaware of his current location.
15 Do you see that?
16 A. Correct.
17 Q. Do you think that questioning Fletcher
18 and Avant at the EZ Shop in the green vehicle was
19 how you identified Harrison as the -- as the third
20 of the four unknown suspects?
21 A. Yes, sir. And then to add on to that,
22 going back and looking at the video and the still
23 pictures Ms. Lunsford was able to obtain from the
24 system.
25 Q. Okay. We'll get back to that in just a</p> |

Page 38

1 second.
2 A. Okay.
3 Q. So Fletcher and Avant identified
4 Harrison as also being on the Walmart property.
5 A. Yes.
6 Q. Is this fair?
7 Do you think it would have been routine
8 for you to question Fletcher and Avant who the
9 fourth suspect was?
10 A. It would have been, but, again, I can't
11 recall if anybody or any of the other officers
12 asked who that fourth person may have been.
13 Q. Okay. So you identified Fletcher and
14 Avant. They told you Harrison was with them. Did
15 they tell you who -- did they tell you that Jacob
16 Murdaugh was with them?
17 A. They didn't tell me who else was with
18 them that I can recall. We knew there was a fourth
19 person, but none of those -- neither Ms. Avant or
20 Ms. Fletcher could provide a name for the fourth
21 person.
22 Q. They couldn't identify who --
23 A. No, sir.
24 Q. -- the fourth person was?
25 A. No, sir.

Page 39

1 Q. How do you remember that?
2 A. I -- I'm beginning to remember bits and
3 pieces coming back --
4 Q. Sure.
5 A. -- as to who else was with me that
6 evening on that particular stop. Another one was
7 Corporal Thomas Herring. He no longer works for
8 the department. He's no longer in law enforcement.
9 MR. NELSON: Can you spell that last
10 name?
11 THE WITNESS: Just like the fish.
12 MR. NELSON: Okay.
13 THE WITNESS: H-E-R-R-I-N-G. And once
14 we've spoken with a particular individual in
15 person, before I follow through with any kind of a
16 warrant procedure or arrest procedure, I still like
17 to back it up with either photographic evidence or
18 the video evidence.
19 BY MR. BLAIN:
20 Q. Certainly. So Fletcher and Avant
21 identified Harrison. Do you think it's possible
22 that they also identified Murdaugh?
23 MR. NELSON: Object to the form.
24 BY MR. BLAIN:
25 Q. You can go ahead and answer.

Page 40

1 A. It could be possible. I can't
2 remember.
3 Q. Even though it's not noted in your
4 narrative, do you think it's possible that police
5 identified Jacob Murdaugh by questioning Fletcher
6 and Avant at the EZ Shop?
7 A. I honestly cannot answer that one yes
8 or no.
9 Q. When you were at the EZ Shop --
10 A. Uh-huh.
11 Q. Well, let's -- let me point out
12 something else here. Down here at the bottom of
13 your narrative, in the fourth to last line, it
14 says: Lunsford was unable to access the security
15 camera footage and was not sure of the monetary
16 value of the items taken and recovered at the time
17 of this report.
18 A. The particular initial incident report,
19 yes, sir. That's why there's also a supplement,
20 because I did go back once she was able to access
21 the video system.
22 Q. So Ms. Lunsford was not able to access
23 the security camera footage at the time you spoke
24 with her at Walmart on your -- when you first
25 responded?

Page 41

1 A. Correct.
2 Q. And then you left that conversation
3 with Ms. Lunsford and went to the EZ Shop where you
4 questioned Ms. Fletcher and Ms. Avant; is that
5 correct?
6 A. Correct, correct.
7 Q. So at the time that you questioned
8 Ms. Fletcher and Avant, you had not seen any
9 security camera footage?
10 A. No.
11 Q. Okay. Just before that, at that
12 sentence in your narrative, it says: All three
13 offenders are currently trespassed from 2110 Bells
14 Highway.
15 A. Correct.
16 Q. Do you see that?
17 What does trespassed mean in this
18 context?
19 A. That means they have done something
20 either on store property, which is the complete
21 entire curtilage of 2110 Bells Highway, wherein
22 management does not want them to return for
23 business or -- or any other -- any other reason.
24 Q. From reading this, do you know or do
25 you recall whether they had been trespassed from

| | |
|--|--|
| <p style="text-align: right;">Page 42</p> <p>1 Walmart previously, or were they trespassed as a
2 result of that night?
3 A. I have personal knowledge of Brian
4 Harrison being trespassed three separate times from
5 Walmart.
6 Q. Okay.
7 A. I have done two of them myself.
8 Q. Okay. I'll get to that in a moment.
9 I'm sorry. Please go ahead.
10 A. And usually what we will do is we will
11 ask our dispatch. We'll give the person's name and
12 date of birth, and ask if they are on trespass from
13 a particular business. And we did the same thing
14 this particular night. Even though we know they
15 are still trespassed, we still have to verify it
16 through our dispatch.
17 Q. Okay. Do you think it's possible that
18 once you identified Fletcher and Avant and Harrison
19 at the EZ Shop you called dispatch and learned that
20 all three of them were trespassed from Walmart?
21 A. Yes, sir. Again, we have to verify
22 that.
23 Q. Okay. And if those offenders had been
24 put on trespass notice from Walmart, would it have
25 been a crime for them to simply be on the property?</p> | <p style="text-align: right;">Page 44</p> <p>1 A. Yes.
2 Q. And you still needed additional
3 evidence to confirm that the three offenders were
4 indeed on the property to move forward with the
5 trespass prosecution?
6 A. Yes.
7 Q. Okay. And to get that additional
8 evidence, did you go back to Walmart to get video
9 and photos?
10 A. As much video and photos as I could
11 obtain, yes, sir.
12 Q. When you went back to Walmart, did
13 Walmart cooperate with that trespass investigation?
14 A. Yes.
15 Q. Do you know who you spoke to at Walmart
16 to get the security camera footage and photos?
17 A. Ms. Lunsford.
18 Q. Was there anyone else -- was there
19 anyone else that helped with that process?
20 A. No.
21 Q. Okay. Ms. Lunsford wasn't able to get
22 the security cameras' footage earlier. How was she
23 able to get it the second time?
24 A. I'm not sure what was going on at that
25 -- in the store as far as business-wise that</p> |
| <p style="text-align: right;">Page 43</p> <p>1 A. Yes.
2 Q. And they could be prosecuted for
3 trespassing?
4 A. Yes, sir.
5 Q. Okay. We'll circle back to that, to
6 that issue, but what happened at the EZ Shop? How
7 did that stop get resolved?
8 A. We -- I won't say we verified their
9 presence on Walmart, but we -- again, as the report
10 states, they stated that they were there at Walmart
11 with Harrison. They had no idea where he was. At
12 the conclusion of that stop, I couldn't
13 particularly verify if they were still on the
14 property other than by their words, so I went back
15 and verified that they were still there -- or had
16 been on their property when they walked into the
17 business doors, as shown by the photographic stills
18 that were taken here. Because of that, I didn't
19 arrest them that particular night. Warrants for
20 trespass were completed on those three.
21 Q. Okay. So at that point, once you
22 learned that the three of them were trespassed from
23 Walmart, you're -- is it fair to say that you're
24 investigating two crimes, a trespass and a
25 shoplifting?</p> | <p style="text-align: right;">Page 45</p> <p>1 particular time. She kept telling me she wasn't
2 able to get into the asset protection room to get
3 those, the photos and the -- and the evidence.
4 That's why I returned later on. And by that time
5 she was able to provide me with a list and the
6 price of the items that were left in the shopping
7 cart as well.
8 Q. Okay. Does Walmart security camera
9 footage have any way to identify the customers or
10 the people that are pictured on there? There's no
11 facial recognition, is there?
12 A. No, there's not facial recognition.
13 Q. Okay. When you went back to Walmart
14 the second time, did you ask Jan Lunsford for
15 anything in particular?
16 A. I asked if she had video evidence, if
17 she had -- and to print up the still photos for me.
18 Q. Okay. Did you say do you have video
19 evidence of Teresa Fletcher or Hayward Harrison on
20 the premises?
21 A. I asked to watch the cameras, and she
22 was able to pull up the video.
23 Q. When you watched the cameras, did you
24 personally identify Teresa Fletcher or Hayward
25 Harrison on the camera?</p> |

| | | | |
|---|--|--|--|
| <p>Page 46</p> <p>1 A. Teresa and Hayward, yes.
2 Q. Okay. Did you identify anyone else
3 that was with them in the store?
4 A. Not when they were coming in the store.
5 Q. Okay. If you would have saw -- let me
6 ask it this way. Ms. Lunsford reported four
7 unknown suspects were possibly involved in
8 shoplifting. By this point you had identified
9 Ariel Avant, Teresa Fletcher, and Hayward Harrison
10 as three of the four. When you were watching
11 surveillance video in Walmart after the stop at EZ
12 Shop, were you looking for the fourth unknown
13 suspect?
14 A. Yes.
15 Q. Okay. So you would have been
16 interested in any -- in the identity of any
17 accomplice that was with -- or any companion that
18 was with Ms. Fletcher and Ms. Harrison -- I'm
19 sorry. Ms. Fletcher and Mr. Harrison at the time?
20 A. Correct.
21 Q. Okay. And if Jacob Murdaugh was with
22 Ms. Fletcher and Mr. Harrison, would that have been
23 noteworthy to you?
24 A. Of course it would have been.
25 Q. Okay. Would that have led to a</p> | <p>Page 47</p> <p>1 reasonable suspicion that he was one of the four
2 unknown suspects?
3 A. Yes, sir.
4 Q. Do you know whether Teresa Fletcher or
5 Hayward Harrison identified Jacob Murdaugh?
6 A. No, they didn't.
7 Q. Okay. Are you aware that Walterboro PD
8 often posts still shots, photos from Walmart
9 security camera footage on Facebook to ask the
10 general public for help identifying shoplifting
11 suspects?
12 A. Yes. I'm aware of that, yes, sir.
13 Q. Have you ever personally done that?
14 A. No. I don't have access to the
15 Walterboro Facebook page. That's done by our PIO.
16 Q. Okay. Do you know if any photos of any
17 of the suspects involved in this case -- do you
18 know if those were posted to Facebook to ask the
19 general public for help identifying them?
20 A. I -- I have no idea.
21 Q. When you were watching video at
22 Walmart, who was with you?
23 A. Ms. Lunsford.
24 Q. And did she -- what's that relationship
25 like? I mean, are you telling her to, you know,</p> | <p>Page 48</p> <p>1 rewind, fast-forward, stop the video as you're
2 watching it?
3 A. Correct. Just like that. If she
4 notices something, she'll back it up. If I notice
5 something, I'll ask her to back it up and play it
6 forward or expand it, try to get a little bit more
7 detail.
8 Q. Did you ask her to print the digital
9 video snapshots shown in the Plaintiff's
10 Exhibits --
11 MR. NELSON: Three through 7.
12 BY MR. BLAIN:
13 Q. -- 3 through 7 -- 3 through 8? I'm
14 sorry. Four through 8?
15 A. Four through --
16 MR. NELSON: Oh, sorry.
17 MR. BLAIN: No problem.
18 THE WITNESS: I believe I did, but I
19 can't answer with too much certainty 'cause I know
20 she was able to provide me photographs.
21 BY MR. BLAIN:
22 Q. Okay.
23 A. They appear to be the same ones that
24 they -- she was able to give me.
25 Q. Okay. So to the best of your</p> | <p>Page 49</p> <p>1 recollection, it's most likely that you asked
2 Ms. Lunsford to print out --
3 A. Yes.
4 Q. -- these exhibits?
5 A. Yes.
6 Q. The photos of these exhibits, I should
7 say.
8 And would you consider that collecting
9 these -- these photos, is that part of your
10 personal investigation into the crimes of
11 trespassing and shoplifting?
12 A. Yes.
13 Q. And private citizens or businesses
14 can't force the police to arrest somebody, right?
15 A. Can't force how, sir? It's...
16 Q. Well, if I say -- forgive me. If I say
17 Mr. Nelson is a criminal, he should be arrested,
18 Officer Belanger, arrest this man, you're not going
19 to follow my -- my say-so; is that fair?
20 A. Correct. The first thing I will ask
21 you is what crime has he committed and what proof
22 do you have of that particular crime.
23 Q. You would do your own investigation?
24 A. Yes, sir.
25 Q. Okay. And once you do your</p> |
|---|--|--|--|

| | |
|--|--|
| <p style="text-align: right;">Page 50</p> <p>1 investigation, you make the decision whether to
2 arrest on your own based on your investigation and
3 what -- your determination of probable cause; is
4 that fair?
5 A. If there's been a crime clearly
6 committed, yes. If it takes a little bit more time
7 to gather that information, gather that evidence --
8 and that occurs, actually, quite often, especially
9 with a shoplifting incident. Doesn't matter if
10 it's Walmart or if it's Rite Aid or if it's
11 Walgreens or CVS. We'll go ahead and, as mentioned
12 before, we'll facilitate the arrest and the
13 paperwork and the prosecution; however, it's
14 dependent upon that store or the store manager,
15 someone from that business, to appear in court.
16 We will more -- be more than happy to
17 follow through with prosecution and present the
18 case to the judge, but the actual testimony and
19 prosecution has to be completed by the business.
20 Q. Sure. I understand Walmart has to
21 appear in court, but simply by providing you with
22 the photos and video shown in these exhibits,
23 Walmart hasn't done anything to force you or compel
24 you to arrest any of these offenders?
25 A. Other than provide me the evidence,</p> | <p style="text-align: right;">Page 52</p> <p>1 individual.
2 Q. Okay.
3 MR. NELSON: Excuse me. Is that sound
4 messing with your --
5 THE REPORTER: No. It's fine.
6 MR. NELSON: Okay.
7 BY MR. BLAIN:
8 Q. Okay. Let's circle back to the
9 trespassing notice that we touched on earlier.
10 A. Okay.
11 Q. We mentioned that your narrative report
12 indicates that three offenders, Harrison, Fletcher,
13 and Avant, had been trespassed from Walmart.
14 A. Yes.
15 Q. Is that correct?
16 In general, how do you determine if a
17 person is on trespass notice? Is that a call into
18 dispatch?
19 A. Yes. As I've stated before, once we
20 encounter an individual or see that individual's
21 been on the premises, either through photographic
22 video evidence or we personally see that individual
23 walking through the parking lot or through the
24 business, we'll ask dispatch, again, name and date
25 of birth, is that person trespassed from whatever</p> |
| <p style="text-align: right;">Page 51</p> <p>1 that's all, sir.
2 Q. Okay. And once you have the evidence,
3 you do your own investigation and make your own
4 decision based on probable cause of the crime?
5 A. Correct.
6 Q. Have you ever heard the Walterboro
7 Police Department use the slogan see something, say
8 something?
9 A. I can't recall that one.
10 Q. Do you know what see something, say
11 something means?
12 A. I can make conjectures about what it
13 means.
14 Q. Does it suggest that, you know, the
15 police encourage people to report their suspicions
16 of criminal activity to law enforcement?
17 A. Exactly.
18 Q. Do the police punish people if they
19 report a suspicion of a crime in good faith but it
20 turns out to be incorrect or a mistake?
21 A. Not that I'm aware of. I don't recall
22 any kind of incidents where an individual's
23 reported a suspected crime, followed through with
24 the investigation and there's nothing there, I
25 can't recall any kind of retribution towards that</p> | <p style="text-align: right;">Page 53</p> <p>1 address, whatever business.
2 It takes a few seconds because they
3 have to pull everything up in their records, and
4 they'll either say, yes, that person's still on
5 trespass or, no, the trespass has been lifted.
6 Q. So if you stopped Fletcher and Avant in
7 their green vehicle at the EZ Shop and collected
8 their IDs, you could call up dispatch and say
9 here's their name, date of birth, are they
10 trespassed from Walmart, and within a few minutes
11 dispatch would say yes and --
12 A. Yes or no, yeah. Correct.
13 Q. Okay. And we also talked about how
14 Fletcher and Avant identified that Harrison was
15 with them on the property. Would they have to give
16 you Harrison's name and date of birth to contact
17 dispatch?
18 A. With as much contact as we've had with
19 Mr. Harrison, we know his name and date of birth.
20 Q. Okay. Let's talk about Mr. Harrison.
21 A. Okay.
22 Q. Bear with me one moment here. Give you
23 these as I get organized.
24 A. Okay.
25 Q. And I'll mark these in a second.</p> |

| Page 54 | Page 56 |
|---|---|
| <p>1 MR. BLAIN: I'm going to mark this
2 packet as Defendant's Exhibit No. 1.
3 MR. NELSON: That's all -- all of
4 them --
5 MR. BLAIN: Yeah, all together.
6 MR. NELSON: Okay.
7 (DFT. EXHIBIT 1, Five incident reports
8 from Walterboro Police Department, was marked for
9 identification.)
10 BY MR. BLAIN:
11 Q. Officer Belanger, you've just been
12 handed Defendant's Exhibit No. 1, which is a packet
13 of a selection of pages Bates stamped pages 40
14 through 74 in that bottom right corner. It's not a
15 -- it's a selection of pages from that range.
16 A. Okay.
17 Q. Do you recognize -- are these incident
18 reports from the Walterboro Police Department?
19 A. They're portions of incident reports,
20 yes, sir.
21 Q. And I'll represent to you that they've
22 printed in a kind of odd fashion.
23 A. Yes.
24 Q. But are these documents prepared in the
25 ordinary course of business by the Walterboro</p> | <p>1 particular Walmart. There was supposed to have
2 been an unknown white female standing out front,
3 and I tried to make contact with her, and when I
4 entered the -- the parking lot area, I could see
5 Mr. Harrison running across the parking lot towards
6 Murphy's Oil, which was on the left side of the
7 parking lot.
8 Q. As a result of this incident, was
9 Mr. Harrison trespassed from Walmart?
10 A. He had been previously trespassed.
11 Q. Okay.
12 A. So that trespass was still in effect.
13 Q. Okay. Was a warrant issued for
14 Mr. Harrison due to his violation of that trespass
15 notice?
16 A. Yes.
17 Q. Did Mr. Harrison commit a crime that
18 day?
19 A. Yes.
20 Q. Okay. Let's move on to the next one,
21 page 43. This is Case No. 1800753, dated April 6,
22 2018. On page 2 do you see that Hayward Harrison
23 and Teresa Fletcher were charged with the offense
24 of petty larceny and defrauding an innkeeper?
25 A. Yes.</p> |
| Page 55 | Page 57 |
| <p>1 Police Department?
2 A. Yes, sir.
3 Q. Let's look at the first page. It's
4 Case No. 1800204, with a location at 2110 Bells
5 Highway dated January 27, 2018. Do you see that?
6 A. Yes, sir.
7 Q. Is that location at the Walterboro
8 Walmart?
9 A. Yes, it is.
10 Q. On the second page, in the narrative,
11 it -- is this your narrative?
12 A. Yes, it is.
13 Q. And do you see that Hayward Harrison is
14 one of the offenders in this case?
15 A. Yes, sir.
16 Q. I'll let you read this narrative, and
17 I'll just give you a moment to do that.
18 A. Okay. I remember that incident.
19 Q. Okay. What do you remember about that
20 incident?
21 A. I responded up to Walmart. Apparently
22 two customers were at customer service attempting
23 to return an item. That return was refused. They
24 went out through the grocery door, which would have
25 been the left side of the building at that -- this</p> | <p>1 Q. On the next page, in the narrative --
2 I'll let you read the narrative, but I'd like to
3 just focus on the third to last line where it says
4 officers made contact with the suspects at Walmart,
5 but I'll let you read the narrative.
6 A. I remember a portion of that incident.
7 Q. Yeah. Well, let me ask you about this
8 next one and then we'll circle back --
9 A. Okay.
10 Q. -- because I think they're related.
11 A. Okay.
12 Q. Looking at the next incident report
13 that starts on page 46, this is Case No. 1800754,
14 the very next case number.
15 A. Correct.
16 Q. The location is 2110 Bells Highway, at
17 Walmart, and I'd ask that you please read that
18 narrative on the third page.
19 A. Okay.
20 Q. Thank you. So looking at these last
21 two cases, 754 and 753, did you arrest Hayward
22 Harrison at Walmart for a petty larceny and
23 trespassing charge?
24 A. I only charged him with trespassing
25 that night.</p> |

| | |
|--|---|
| <p style="text-align: right;">Page 58</p> <p>1 Q. Okay.</p> <p>2 A. Because I believe the first portion 753</p> <p>3 was Officer Shipp. He was investigating that with</p> <p>4 Corporal Ballard.</p> <p>5 Q. Okay. And so you arrested Mr. Harrison</p> <p>6 for trespassing and took him to the Colleton County</p> <p>7 Detention Center?</p> <p>8 A. Yes, sir.</p> <p>9 Q. And was Teresa Fletcher involved in</p> <p>10 that -- in that petty larceny charge?</p> <p>11 A. From the Baymont Inn?</p> <p>12 Q. Yes, sir.</p> <p>13 A. I believe she was, but I didn't have</p> <p>14 any contact with her that night.</p> <p>15 Q. Okay. Let's look at this -- this next</p> <p>16 incident report, Case No. 1801171, location</p> <p>17 2110 Bells Highway, dated May 26 of 2018. Do you</p> <p>18 see that?</p> <p>19 A. Yes, sir.</p> <p>20 Q. And on page 2 is Teresa Fletcher noted</p> <p>21 as the offender?</p> <p>22 A. Yes, she is.</p> <p>23 Q. And her offenses were shoplifting and</p> <p>24 possession of amphetamines?</p> <p>25 A. I'm not sure about the amphetamines.</p> | <p style="text-align: right;">Page 60</p> <p>1 there's one that goes from the inside lawn and</p> <p>2 garden area to the outside lawn and garden area</p> <p>3 that's fenced in that may -- or that contains lawn</p> <p>4 mowers, bicycles, assorted, you know, lawn and</p> <p>5 garden goods, soil, fertilizers, things like that.</p> <p>6 Q. Do you know which of those lawn and</p> <p>7 garden exits Ms. Fletcher attempted to shoplift</p> <p>8 through?</p> <p>9 A. I couldn't honestly tell you, sir. I</p> <p>10 don't know.</p> <p>11 Q. Okay. So you don't know if it was the</p> <p>12 same one that...</p> <p>13 A. I couldn't tell you. Honestly, I -- no</p> <p>14 idea.</p> <p>15 Q. All right. Let's look at this last</p> <p>16 incident report.</p> <p>17 A. Okay.</p> <p>18 Q. It's Case No. 1801792, location at</p> <p>19 2110 Bells Highway, dated August 9th of 2018. Do</p> <p>20 you see that?</p> <p>21 A. Yes, sir.</p> <p>22 Q. And on page 2 is Teresa Fletcher the</p> <p>23 offender, one of two offenders?</p> <p>24 A. One of two offenders.</p> <p>25 Q. And her offenses were trespassing after</p> |
| <p style="text-align: right;">Page 59</p> <p>1 Q. Okay. Let's look at --</p> <p>2 A. Okay.</p> <p>3 Q. -- the narrative here on page 3.</p> <p>4 A. All right, sir.</p> <p>5 Q. Thank you. Did Walterboro Officer</p> <p>6 O'Quinn arrest Ms. Fletcher for shoplifting of --</p> <p>7 and possession of meth, shoplifting from Walmart?</p> <p>8 A. According to this report, yes, he did.</p> <p>9 Q. And that happened on May 26, 2018, just</p> <p>10 two months prior to the incident we've been talking</p> <p>11 about.</p> <p>12 A. Yes.</p> <p>13 Q. And Ms. Fletcher was placed on trespass</p> <p>14 notice, arrested, and transported to jail?</p> <p>15 A. Yes.</p> <p>16 Q. And the shoplifting, she tried to exit</p> <p>17 through the lawn and garden department. Do you see</p> <p>18 that?</p> <p>19 A. Correct, yes.</p> <p>20 Q. And that's the -- the same part of the</p> <p>21 store, the same exit, that the shoplifter attempted</p> <p>22 to exit through on the night of July 24, 2018?</p> <p>23 A. Lawn and garden has two entrances and</p> <p>24 exits -- actually two exits, the one lawn and</p> <p>25 garden exit at the front of the business and</p> | <p style="text-align: right;">Page 61</p> <p>1 notice, driving under suspension, and possession of</p> <p>2 narcotic equipment?</p> <p>3 A. Yes, sir.</p> <p>4 Q. And this would have been about two</p> <p>5 weeks or so after the Walmart incident we've been</p> <p>6 talking about?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Looking at the narrative on page 3, is</p> <p>9 it fair to say that Ms. Fletcher was back on</p> <p>10 Walmart property in violation of her trespass</p> <p>11 notice just a few weeks after you investigated her?</p> <p>12 A. Yes. And according to the narrative,</p> <p>13 it appears that she had two active warrants.</p> <p>14 Q. So she had two active warrants and was</p> <p>15 in violation of her trespass notice again?</p> <p>16 A. Yes.</p> <p>17 Q. And she was in possession of</p> <p>18 paraphernalia associated with smoking</p> <p>19 methamphetamines; is that correct?</p> <p>20 A. Yes.</p> <p>21 Q. We've just gone through a number of</p> <p>22 incident reports that were marked as Defendant's</p> <p>23 Exhibit 1. Is it fair to summarize those in saying</p> <p>24 that Mr. Harrison and Ms. Fletcher had been causing</p> <p>25 a lot of problems at Walmart throughout the course</p> |

| | |
|---|---|
| <p style="text-align: right;">Page 62</p> <p>1 of 2018?</p> <p>2 A. Yes. And 2019 and up until very</p> <p>3 recently, last week.</p> <p>4 Q. What do you know about that?</p> <p>5 A. She -- referring to Ms. Fletcher, she</p> <p>6 uses her father as an excuse to get into Walmart</p> <p>7 because he is disabled, and every time we've</p> <p>8 encountered her since then, her father is with her.</p> <p>9 I'm not saying that he will shop in the store with</p> <p>10 her. He waits up front of the registers. And loss</p> <p>11 prevention calls us about her being on the</p> <p>12 property.</p> <p>13 Sergeant Hance got up there first,</p> <p>14 wanted to know where she was. Apparently she</p> <p>15 spotted Sergeant Hance before he was able to view</p> <p>16 her, and she ducked down behind an aisle, tried to</p> <p>17 hide. But she is still on trespass. However, the</p> <p>18 jail being the jail, and COVID being COVID, we're</p> <p>19 allowed a little bit of discretion as to who we</p> <p>20 take to jail and who we release on a courtesy</p> <p>21 summons, and she was released on another courtesy</p> <p>22 summons for trespass.</p> <p>23 Q. And that incident happened very</p> <p>24 recently?</p> <p>25 A. Yes.</p> | <p style="text-align: right;">Page 64</p> <p>1 A. Yes, sir. It would have been.</p> <p>2 Q. Is it fair to say that you've</p> <p>3 investigated Ms. Fletcher and Mr. Harrison</p> <p>4 extensively?</p> <p>5 A. Yes, it would be.</p> <p>6 Q. Would you be interested -- and when you</p> <p>7 were looking at video at Walmart with Ms. Lunsford,</p> <p>8 were you able to identify the two of them on video</p> <p>9 yourself?</p> <p>10 A. Yes.</p> <p>11 Q. And you would have been interested in</p> <p>12 any -- any people that were with them at the time</p> <p>13 they were inside the store --</p> <p>14 A. Yes, sir.</p> <p>15 Q. -- as part of your shoplifting and</p> <p>16 trespassing investigation?</p> <p>17 A. As part -- as part of the</p> <p>18 investigation, yes, sir.</p> <p>19 Q. And is the fact that someone was with</p> <p>20 them inside Walmart at the time they were</p> <p>21 trespassing arise to the level of reasonable</p> <p>22 suspicion that one of their accomplices may have</p> <p>23 been doing something criminal or nefarious?</p> <p>24 A. Yes, sir. It would.</p> <p>25 Q. Mr. Nelson played for you some audio</p> |
| <p style="text-align: right;">Page 63</p> <p>1 Q. Do you know when?</p> <p>2 A. I would say earlier this week, Monday</p> <p>3 or Tuesday of this week.</p> <p>4 Q. Oh, really? Okay. We've talked about</p> <p>5 a number of 2018 incidents involving Mr. Harrison</p> <p>6 and Ms. Fletcher. You mentioned the incident</p> <p>7 earlier this week. Are you aware of any other</p> <p>8 incidents we've talked about -- that we have not</p> <p>9 talked about regarding these individuals and</p> <p>10 Walmart?</p> <p>11 A. Without going through police central,</p> <p>12 which is our reporting system, I honestly</p> <p>13 couldn't...</p> <p>14 Q. We know, based on the information in</p> <p>15 your narrative, the Plaintiff's Exhibit No. 2 --</p> <p>16 A. Uh-huh.</p> <p>17 Q. -- that Ariel Avant was also on</p> <p>18 trespass notice --</p> <p>19 A. Yes.</p> <p>20 Q. -- from Walmart. Do you know the</p> <p>21 circumstances of why she was on trespass notice?</p> <p>22 A. Not on top of my head, no, sir.</p> <p>23 Q. Okay. If she had been arrested for</p> <p>24 shoplifting at Walmart, would that have been a</p> <p>25 valid reason to put her on trespass notice?</p> | <p style="text-align: right;">Page 65</p> <p>1 from the court hearing, and I believe a Mr. Davis</p> <p>2 from Walmart was present as well. Do you remember</p> <p>3 that?</p> <p>4 A. Yes, sir.</p> <p>5 Q. To your recollection, was Walmart</p> <p>6 cooperative with you and the judge at that hearing?</p> <p>7 A. There is not much that I can remember</p> <p>8 about that particular court appearance. I do</p> <p>9 remember working with Mr. Davis. We've done quite</p> <p>10 a few shopliftings or supported him in the</p> <p>11 prosecution of those cases. He's always been very</p> <p>12 reasonable.</p> <p>13 Q. Do you think -- well, based on what you</p> <p>14 heard, did Mr. Davis allow the charge against</p> <p>15 Mr. Murdaugh to be dismissed without a prosecution?</p> <p>16 A. From what I heard, yes, sir.</p> <p>17 Q. Mr. Davis or Walmart did not prosecute</p> <p>18 Mr. -- Mr. Murdaugh that day, did they?</p> <p>19 A. No.</p> <p>20 Q. Do you think Walmart did anything wrong</p> <p>21 by reporting a possible shoplifting to Waltherboro</p> <p>22 PD?</p> <p>23 A. No.</p> <p>24 Q. Did Walmart do anything wrong by</p> <p>25 providing you with video and these digital video</p> |

| | | | |
|---|---|---|---|
| <p>Page 66</p> <p>1 snapshots? -</p> <p>2 A. No.</p> <p>3 Q. Would you expect Walmart to cooperate</p> <p>4 and give you that evidence to assist with your</p> <p>5 investigation?</p> <p>6 A. I would hope they would, yes, sir.</p> <p>7 Q. In your opinion, as someone with a</p> <p>8 number of years working at Walterboro PD and then</p> <p>9 Savannah PD beforehand, do businesses like -- like</p> <p>10 Walmart have any obligation or requirement to</p> <p>11 identify who is shown on surveillance video before</p> <p>12 they hand that video over to police?</p> <p>13 A. No.</p> <p>14 Q. Would you agree that's the job of the</p> <p>15 police to investigate the crime, review the video</p> <p>16 and the evidence to determine the identity of the</p> <p>17 offenders?</p> <p>18 A. I agree.</p> <p>19 Q. I think I'm just about done here. Just</p> <p>20 bear with me a couple moments while I review my</p> <p>21 notes here.</p> <p>22 Based on your personal knowledge, did</p> <p>23 Walmart do anything malicious to Mr. Murdaugh?</p> <p>24 A. No, sir.</p> <p>25 Q. After Ms. Lunsford provided you with</p> | <p>Page 67</p> <p>1 the video and photographs, was there any further</p> <p>2 involvement from Walmart prior to Jacob Murdaugh's</p> <p>3 arrest?</p> <p>4 A. Other than returning later on that</p> <p>5 night to receive the items that were placed in the</p> <p>6 black plastic container and their cost and the</p> <p>7 recovery of those items, no, sir.</p> <p>8 Q. Looking at Exhibit No. 3, the</p> <p>9 supplemental narrative, do you -- do you think that</p> <p>10 you received the list of the items that were in the</p> <p>11 tote at the same time that you got the video and</p> <p>12 photographs?</p> <p>13 A. I would say so.</p> <p>14 Q. Okay. And that would have been at the</p> <p>15 second visit back to Walmart after the stop at the</p> <p>16 EZ Shop?</p> <p>17 A. Yes, sir.</p> <p>18 Q. You weren't involved in arresting Jacob</p> <p>19 Murdaugh, were you?</p> <p>20 A. No, sir. I believe that arrest was</p> <p>21 done by Officer Dubois.</p> <p>22 Q. Would Officer Dubois have access to the</p> <p>23 evidence, you know, at the time -- around the time</p> <p>24 of the arrest?</p> <p>25 A. No, sir.</p> | <p>Page 68</p> <p>1 Q. Okay. Would Officer Dubois have the</p> <p>2 ability to look at the video or the photographs?</p> <p>3 A. No, sir.</p> <p>4 Q. Okay. After -- well, let me say this.</p> <p>5 Let me ask it this way. Would there have been --</p> <p>6 would there have been any way for you or anyone at</p> <p>7 Walterboro PD to compare Mr. Murdaugh in person at</p> <p>8 the time of his arrest or shortly afterwards to the</p> <p>9 photographs or the video that you had taken, you</p> <p>10 know, months earlier from Walmart?</p> <p>11 A. If an individual officer feels</p> <p>12 compelled that something may be wrong or something</p> <p>13 may be amiss, they can try to have the items moved</p> <p>14 from evidence and compare them to him.</p> <p>15 Q. Okay. So to your recollection, no one</p> <p>16 from Walterboro PD compared the photographs taken</p> <p>17 from Walmart to Mr. Murdaugh himself?</p> <p>18 A. Not that I'm aware of.</p> <p>19 Q. I believe you told Mr. Nelson that it's</p> <p>20 your recollection that Jan Lunsford identified</p> <p>21 Jacob Murdaugh; is that correct?</p> <p>22 A. Correct.</p> <p>23 Q. I think you also said that you asked</p> <p>24 her if it could have been Stacy Murdaugh; is</p> <p>25 that --</p> | <p>Page 69</p> <p>1 A. Yes, sir.</p> <p>2 Q. Who is Stacy Murdaugh?</p> <p>3 A. He is an individual that stays in close</p> <p>4 circles with individuals like Mr. Harrison,</p> <p>5 Ms. Fletcher, Ms. Avant, another individual by the</p> <p>6 name of Amber Stubbs. Every town has issues with</p> <p>7 drugs, drug paraphernalia, things among that</p> <p>8 nature, and we come in close contact, frequent</p> <p>9 close contact, with these people.</p> <p>10 Both Ms. Stubbs and Mr. Stacy Murdaugh</p> <p>11 have been trespassed from Walmart because that's</p> <p>12 another incident where Ms. Lunsford cornered me</p> <p>13 when I was in there for -- for personal business</p> <p>14 and asked to trespass these two individuals, so I</p> <p>15 did so. It was her request.</p> <p>16 And that's why I asked that particular</p> <p>17 night if it could have been Stacy Murdaugh, because</p> <p>18 I could not get a clear -- clear indication, clear</p> <p>19 picture of that person.</p> <p>20 Q. If someone is -- every town has its,</p> <p>21 you know, cast of characters --</p> <p>22 A. Yes.</p> <p>23 Q. -- that creates some trouble; is that</p> <p>24 fair?</p> <p>25 A. That's fair.</p> |
|---|---|---|---|

| | |
|---|---|
| <p style="text-align: right;">Page 70</p> <p>1 Q. If someone is affiliated with or
2 hanging around with that cast of characters, is it
3 -- could it potentially create trouble for them as
4 well?
5 A. It could create trouble. It also
6 raises the level of suspicion a little bit more.
7 Q. Okay. The conversation with
8 Ms. Lunsford when she identified Jacob Murdaugh,
9 where did that happen?
10 A. In the asset protection room.
11 Q. Was that around the time that you were
12 gathering surveillance video?
13 A. Yes.
14 Q. Any other details you remember about
15 that conversation?
16 A. Not very many, sir, no.
17 Q. Did she identify him based on who she
18 saw in the video or -- or based on who she saw in
19 the store? Do you remember?
20 A. She was looking at the video when she
21 identified him.
22 Q. Okay. Do you know if she was looking
23 at any of these particular -- particular --
24 A. I think that one there.
25 Q. Okay. And you're referring to the</p> | <p style="text-align: right;">Page 72</p> <p>1 Q. Did she explain any basis for her
2 belief that it could have been Jacob Murdaugh shown
3 in that photo?
4 A. Not that I can remember.
5 Q. Okay. So without explaining the basis,
6 that was -- that was enough for you to move
7 forward?
8 A. Yes, sir.
9 MR. BLAIN: Okay. I think that's all
10 the questions I have. Thank you very much for your
11 time. I appreciate it, Officer Belanger.
12 EXAMINATION
13 BY MR. NELSON:
14 Q. I've just got a couple more. And we've
15 gone over an hour. Would you like a break, or do
16 you just want to --
17 A. I'm fine.
18 Q. When I had questioned you earlier,
19 you -- and my notes reflect that you said that
20 Ms. Lunsford was pretty certain that the individual
21 in photograph Exhibit 7 was Jacob Murdaugh.
22 A. Yes, sir.
23 Q. But then when Mr. Blain was just asking
24 you some questions, he had asked if it was possible
25 you got Jacob Murdaugh's identity from Ms. Avant</p> |
| <p style="text-align: right;">Page 71</p> <p>1 Plaintiff's Exhibit No. 7?
2 A. Yes, sir.
3 Q. And you were looking at the same video
4 when she identified him?
5 A. Yes.
6 Q. And in your opinion, you thought it
7 could have been Stacy Murdaugh?
8 A. The other Murdaugh, yes, sir.
9 Q. So you weren't sure who the identity
10 was at that time?
11 A. No, sir.
12 Q. Did you have some doubt about who the
13 gentleman shown in Plaintiff's Exhibit No. 7 was?
14 A. I couldn't recognize him by face, so I
15 had no idea who he was.
16 Q. So despite the fact you didn't know who
17 that gentleman was, you went ahead and got an
18 arrest warrant for that gentleman?
19 A. I relied on what Ms. Lunsford told me.
20 Q. Okay. Okay.
21 A. Because I was under the belief that she
22 was a little bit more familiar with -- I'm not
23 going to say Walmart customers but frequent
24 customers, especially that come in at two or three
25 o'clock in the morning.</p> | <p style="text-align: right;">Page 73</p> <p>1 and/or Mrs. Fletcher, and you said it's possible.
2 Can you reconcile that for me? Are you positive
3 that Ms. Lunsford gave you that information?
4 A. I'm positive Ms. Lunsford gave me that
5 information.
6 Q. Okay. And she identified the gentleman
7 in Exhibit 7 as Jacob Murdaugh?
8 A. Yes, sir.
9 Q. And Ms. Fletcher nor Ms. Avant ever saw
10 these photographs or this video, correct?
11 A. Correct.
12 Q. Okay. And you wouldn't have arrested
13 Jacob Murdaugh for being in the store with
14 Ms. Avant?
15 A. No.
16 Q. You wouldn't have arrested him for
17 being in the store with Mr. Harrison?
18 A. No. The only thing we may have done
19 would probably be a warrants check or trespass
20 check.
21 Q. Okay.
22 A. As I said, by name and date of birth.
23 Q. Okay.
24 A. And -- and if he was clear, he would
25 have been free to go about his business.</p> |

| | |
|--|---|
| <p style="text-align: right;">Page 74</p> <p>1 Q. Okay. And you wouldn't have arrested
2 him for being with Ms. Fletcher?
3 A. No.
4 Q. Okay. He was arrested because
5 Ms. Lunsford told you that he pushed a shopping
6 cart out of the store?
7 A. Yeah.
8 MR. NELSON: That's all I have.
9 EXAMINATION
10 BY MR. BLAIN:
11 Q. One quick follow-up. You just
12 testified that you're positive Ms. Lunsford
13 identified Mr. Murdaugh. Is it still possible that
14 Ms. Fletcher and Ms. Avant also identified
15 Mr. Murdaugh as someone who was with them that
16 night? It doesn't -- they're not mutually
17 exclusive, I --
18 A. No, no, no, no. No, they're not. We
19 tried to find out, from what I can recall, who else
20 may have been in the store with Ms. Avant,
21 Ms. Fletcher, and Mr. Harrison. They may have
22 mentioned Murdaugh. I heard that name, and that's
23 the only thing I can say.
24 MR. BLAIN: Thank you. That's all the
25 questions I have. Appreciate it.</p> | <p style="text-align: right;">Page 76</p> <p>1 CERTIFICATE OF REPORTER
2
3 I, Trisha M. Thomas, Court Reporter and
4 Notary Public for the State of South Carolina at
5 Large, do hereby certify that the foregoing
6 transcript is a true, accurate, and complete
7 record.
8 I further certify that I am neither
9 related to nor counsel for any party to the cause
10 pending or interested in the events thereof.
11 Witness my hand, I have hereunto
12 affixed my official seal this 27th day of October,
13 2021, at Hardeeville, Jasper County, South
14 Carolina.
15
16
17
18
19
20
21
22
23
24
25</p> <div data-bbox="922 725 1049 859"></div> <p>Trisha M. Thomas,
Court Reporter
My Commission expires
December 2027</p> |
| <p style="text-align: right;">Page 75</p> <p>1 MR. NELSON: That's all.
2 MR. BLAIN: All right.
3 MR. NELSON: Thank you very much for
4 your time.
5 (The witness, after having been advised
6 of his right to read and sign this transcript,
7 waives that right.)
8 (The deposition was concluded at
9 11:23 a.m.)
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25</p> | <p style="text-align: right;">Page 77</p> <p>1 INDEX
2 Page/Line
3 WITNESS/EXAMINATION
4 KEITH BELANGER: 3 1
5 EXAMINATION 3 3
6 BY MR. NELSON
7 EXAMINATION 29 3
8 BY MR. BLAIN
9 EXAMINATION 72 12
10 BY MR. NELSON
11 EXAMINATION 74 9
12 BY MR. BLAIN
13 CERTIFICATE OF REPORTER 76 1
14
15
16 REQUESTED INFORMATION INDEX
17
18 (No Information Requested)
19
20
21 EXHIBITS
22 Page/Line
23 EXHIBIT 1, Arrest Warrant 6 24
24 and Affidavit
25 EXHIBIT 2, Incident 15 5</p> |

| | | | | |
|----|--------------------------------|---------|----|--|
| | | Page 78 | | |
| 1 | report | | | |
| 2 | EXHIBIT 3, Supplemental | 16 | 4 | |
| 3 | Report | | | |
| 4 | EXHIBIT 4, Digital Video | 16 | 19 | |
| 5 | Snapshot | | | |
| 6 | EXHIBIT 5, Digital Video | 16 | 21 | |
| 7 | Snapshot | | | |
| 8 | EXHIBIT 6, Digital Video | 17 | 11 | |
| 9 | Snapshot | | | |
| 10 | EXHIBIT 7, Digital Video | 17 | 13 | |
| 11 | Snapshot | | | |
| 12 | EXHIBIT 8, Digital Video | 18 | 13 | |
| 13 | Snapshot | | | |
| 14 | EXHIBIT 9, Incident | 19 | 14 | |
| 15 | report | | | |
| 16 | EXHIBIT 10, Booking | 24 | 7 | |
| 17 | report | | | |
| 18 | EXHIBIT 11, Walterboro | 26 | 1 | |
| 19 | Municipal Court Case History | | | |
| 20 | for Case 2018A1520300340 | | | |
| 21 | DFT. EXHIBIT 1, Five incident | 54 | 7 | |
| 22 | reports from Walterboro Police | | | |
| 23 | Department | | | |
| 24 | | | | |
| 25 | | | | |

| | | | |
|---------------------------|---------------------------|---------------------------|----------------------------|
| & | 56:22 58:17 59:9 | 40 54:13 | ability 28:10 68:2 |
| & 2:3 | 59:22 60:19 62:1 | 43 56:21 | able 9:5,13 10:11 |
| 1 | 63:5 | 46 57:13 | 12:5 21:2 22:6 |
| 1 6:24 7:4 20:17 | 2018a1520300340 | 5 | 37:23 40:20,22 |
| 54:2,7,12 61:23 | 26:2 78:20 | 5 16:18,21 17:20 | 44:21,23 45:2,5,22 |
| 77:4,13,23 78:18 | 2019 1:5 62:2 | 17:25 18:5 77:25 | 48:20,24 62:15 |
| 78:21 | 2021 1:11 76:13 | 78:6 | 64:8 |
| 10 24:7,11 78:16 | 2027 76:25 | 54 78:21 | academies 6:16 |
| 1004 2:4 | 21 78:6 | 6 | academy 5:13 |
| 11 25:25 26:1,6 | 2110 8:16 41:13,21 | 6 17:10,11,20,25 | 6:14 |
| 78:8,18 | 55:4 57:16 58:17 | 56:21 77:23 78:8 | accept 6:4 |
| 11:23 75:9 | 60:19 | 7 | access 9:5 40:14 |
| 12 77:9 | 21908 76:21 | 7 17:10,13,21,23 | 40:20,22 47:14 |
| 125 1:13 | 220 21:9 | 18:8 48:11,13 | 67:22 |
| 12th 8:8 | 24 7:12 8:10,12 | 71:1,13 72:21 | accomplice 46:17 |
| 13 78:10,12 | 11:2 30:9 31:20 | 73:7 78:10,16,21 | accomplices 64:22 |
| 14 1:11 4:23 78:14 | 31:25 59:22 77:23 | 72 77:9 | accuracy 26:22 |
| 15 5:16 29:16 | 78:16 | 74 54:14 77:11 | accurate 76:6 |
| 77:25 | 26 58:17 59:9 | 753 57:21 58:2 | acquaintance 29:9 |
| 15-00949 1:5 | 78:18 | 754 57:21 | active 61:13,14 |
| 1539 21:2 | 27 55:5 | 76 77:13 | activity 51:16 |
| 16 78:2,4,6 | 27th 76:12 | 790-8838 2:11 | actual 18:9 25:6 |
| 160 2:10 | 284-5500 2:5 | 7:00 31:17,17,20 | 50:18 |
| 17 4:2,24 78:8,10 | 29 77:7 | 31:25 | add 37:21 |
| 171 2:10 | 29401 2:10 | 8 | additional 44:2,7 |
| 18 29:19 78:12 | 29464 2:5 | 8 18:11,13,22 | address 12:4 |
| 1800204 55:4 | 29488 1:14 | 24:19 48:13,14 | 22:20,21 53:1 |
| 1800753 56:21 | 2:20 24:20 | 78:12 | administrative |
| 1800754 57:13 | 2:25 32:9 | 803 2:11 | 12:14 |
| 1801171 58:16 | 3 | 843 2:5 | admitted 21:6 |
| 1801792 60:18 | 3 2:4 16:3,4,10 | 9 | 36:18,22 |
| 19 78:4,14 | 18:15 22:9 30:14 | 9 19:13,14,19 | advised 75:5 |
| 2 | 30:16 31:23 48:13 | 77:11 78:14 | affidavit 6:25 7:15 |
| 2 15:5,10 21:19 | 48:13 59:3 61:8 | 9:52 1:12 | 7:20 10:16,16 |
| 30:14,18 31:19 | 67:8 77:4,5,5,7 | 9th 60:19 | 31:11 77:24 |
| 32:2 56:22 58:20 | 78:2 | a | affiliated 70:1 |
| 60:22 63:15 77:25 | 4 | a.m. 1:12 31:17,20 | affixed 76:12 |
| 2013 4:14 | 4 16:18,19 17:20 | 31:25 32:9 75:9 | afforded 6:8 |
| 2018 7:12 8:8 30:9 | 17:25 78:2,4 | | afternoon 24:20 |
| 31:14,20 55:5 | | | age 4:23 |

| | | | |
|---|--|--|--|
| ago 11:10
agree 19:24 66:14
66:18
agreed 27:11
ahead 6:9 14:11
39:25 42:9 50:11
71:17
aid 50:10
aisle 62:16
allow 65:14
allowed 27:3
62:19
altogether 34:24
amber 69:6
amiss 68:13
amount 34:6
amphetamines
58:24,25
anna 2:4
answer 3:12,13
4:3,6 39:25 40:7
48:19
anticipate 4:4
anybody 32:19
38:11
apparently 9:1
14:25 23:22 24:19
55:21 62:14
appear 15:12
48:23 50:15,21
appearance 65:8
appearances 2:1
appeared 9:9
appears 61:13
application 6:5
applying 6:2
appreciate 72:11
74:25
approach 11:4
approached 21:5 | april 56:21
area 8:25 23:18
56:4 60:2,2
areas 23:12
ariel 20:17,20
36:14 46:9 63:17
arrest 6:24 7:8
19:25 25:15,18,24
27:9 28:10,11
39:16 43:19 49:14
49:18 50:2,12,24
57:21 59:6 67:3
67:20,24 68:8
71:18 77:23
arrested 24:14,18
24:19 26:17 49:17
58:5 59:14 63:23
73:12,16 74:1,4
arresting 67:18
arrival 8:19 32:25
arrived 32:9
asked 12:1 15:17
38:12 45:16,21
49:1 68:23 69:14
69:16 72:24
asking 72:23
asset 11:7 14:6,14
27:21,22 28:14
45:2 70:10
assist 66:4
assistance 11:12
assistant 12:14
associate 19:7
associated 11:15
61:18
association 12:8
19:10
assorted 60:4
assume 3:14
attempted 33:6
59:21 60:7 | attempting 55:22
attend 5:2
attorney's 29:25
attorneys 2:2,7
29:21
audio 13:15 14:17
64:25
august 8:8 24:23
60:19
available 17:5,7
avant 20:18,20
36:15,18 37:1,4,18
38:3,8,14,19 39:20
40:6 41:4,8 42:18
46:9 52:13 53:6
53:14 63:17 69:5
72:25 73:9,14
74:14,20
avenues 28:9
avoid 3:23
aware 47:7,12
51:21 63:7 68:18

b

b 77:21
back 8:25 9:9
14:12 17:8 18:25
20:6 31:9,14
37:22,25 39:3,17
40:20 43:5,14
44:8,12 45:13
48:4,5 52:8 57:8
61:9 67:15
background 4:25
ballard 58:4
based 10:19 50:2
51:4 63:14 65:13
66:22 70:17,18
basic 3:9
basically 8:4
basis 72:1,5 | bates 54:13
baymont 58:11
bear 53:22 66:20
beginning 24:23
39:2
behaving 34:13
belanger 1:10 3:1
3:5 4:11 29:6
49:18 54:11 72:11
77:4
belief 71:21 72:2
believe 6:3 8:8
9:22 12:15 13:21
18:6 19:5 24:20
30:17 32:17 34:20
34:23 48:18 58:2
58:13 65:1 67:20
68:19
believed 9:16,20
bells 8:16 13:16
21:2 41:13,21
55:4 57:16 58:17
60:19
best 30:10 48:25
better 6:18 30:2
bicycles 23:19
60:4
birth 42:12 52:25
53:9,16,19 73:22
bit 5:6 48:6 50:6
62:19 70:6 71:22
bits 39:2
black 23:2,4 67:6
blain 2:9 6:23 15:3
18:17,19 29:4,6
39:19,24 48:12,17
48:21 52:7 54:1,5
54:10 72:9,23
74:10,24 75:2
77:8,12 |
|---|--|--|--|

| | | | |
|---|--|--|--|
| booking 24:7,13
25:11 78:16
bottom 20:17
21:20 40:12 54:14
boulevard 2:4
break 3:17 72:15
brian 42:3
bring 11:7
building 23:10
26:16 55:25
bus 30:4
business 8:23 9:3
22:19,20 23:16
30:25 33:4,6
34:22,24 35:17
36:19 41:23 42:13
43:17 44:25 50:15
50:19 52:24 53:1
54:25 59:25 69:13
73:25
business's 36:19
businesses 49:13
66:9 | campus 4:19
capability 28:11
31:8
car 31:7
carolina 1:1 6:16
76:4,14
cart 8:24 9:2,7,11
22:24 23:3,9 24:4
24:5 26:16 33:5
34:8 45:7 74:6
case 1:5 8:2,13
12:18 15:15 17:22
26:2,2 29:7,21,23
29:24 47:17 50:18
55:4,14 56:21
57:13,14 58:16
60:18 78:19,20
cases 28:8 57:21
65:11
cash 33:12
cast 69:21 70:2
cause 5:7 12:6
17:4 48:19 50:3
51:4 76:9
causing 61:24
ceiling 34:4
center 58:7
central 63:11
centralized 6:15
certain 27:7 28:3
72:20
certainly 39:20
certainty 48:19
certificate 76:1
77:13
certify 76:5,8
challenge 4:17
6:11
chance 5:4 29:11
change 21:13,18
30:1,1 | characters 69:21
70:2
charge 57:23
58:10 65:14
charged 56:23
57:24
charleston 2:10
charlestonlaw.net
2:6
check 73:19,20
church 2:10
circle 43:5 52:8
57:8
circles 69:4
circumstances
25:23 63:21
citizens 49:13
city 8:17
cja 6:13
cleanly 4:7
clear 69:18,18,18
73:24
clearly 50:5
clerk 7:16,18
10:17 31:12
clients 30:1
close 30:21 32:19
69:3,8,9
closest 23:25 24:2
collected 10:11
53:7
collecting 49:8
college 5:11 6:11
colleton 1:2 58:6
come 29:22 31:9
69:8 71:24
coming 23:23 39:3
46:4
commission 76:24
commit 56:17 | committed 28:1
28:18,23 49:21
50:6
common 1:1
community 37:9
companion 46:17
compare 68:7,14
compared 68:16
compel 50:23
compelled 68:12
complainant 17:6
22:12 33:1
complete 7:16
10:17 17:7 31:1,9
41:20 76:6
completed 10:15
10:16 24:21 25:9
31:19,25 43:20
50:19
computer 20:11
conceal 33:15
concerned 27:19
concluded 75:8
conclusion 43:12
conclusions 29:22
conference 13:1
confirm 44:3
confronted 35:2
conjectures 51:12
conjunction 6:18
consider 49:8
contact 29:14 36:2
53:16,18 56:3
57:4 58:14 69:8,9
container 23:5
67:6
contains 60:3
context 41:18
contract 8:21 34:2
34:6,17,21 |
| c | | | |
| c 2:4,9 11:23
cad 11:21 22:5
cadre 4:22
caged 23:18
call 11:20,20,22
12:10 19:18,22
52:17 53:8
called 4:17 11:22
14:9 29:24 42:19
calls 12:2 29:15
30:5,6 62:11
camera 9:5 40:15
40:23 41:9 44:16
45:8,25 47:9
cameras 27:23
44:22 45:21,23 | | | |

| | | | |
|--|--|---|--|
| contractors 23:22
conversation
27:14 32:16,20
41:2 70:7,15
cooperate 44:13
66:3
cooperative 65:6
copy 9:14,15 15:3
corner 54:14
cornered 69:12
corporal 39:7 58:4
correct 15:19
30:19 32:6 33:22
36:20 37:16 41:1
41:5,6,6,15 46:20
48:3 49:20 51:5
52:15 53:12 57:15
59:19 61:19 68:21
68:22 73:10,11
correctly 12:12
cost 67:6
counsel 1:15 2:1
76:9
counties 6:17
county 1:2 58:6
76:13
couple 8:23 11:9
26:8 29:21 66:20
72:14
course 30:25
46:24 54:25 61:25
court 1:1 3:22 4:6
5:2 7:16,18 12:18
12:22 14:25 15:1
26:2 28:13,15
29:21 50:15,21
65:1,8 76:3,24
78:19
courtesy 22:18
62:20,21 | covid 62:18,18
cp 1:5
create 70:3,5
creates 69:23
crime 42:25 49:21
49:22 50:5 51:4
51:19,23 56:17
66:15
crimes 43:24
49:10
criminal 5:12 6:13
29:1 49:17 51:16
64:23
current 37:14
currently 4:12
41:13
curtilage 41:21
customer 55:22
customers 45:9
55:22 71:23,24
cvs 50:11 | defendants 1:8 2:7
defrauding 56:24
department 4:13
5:24 6:2 12:1,10
39:8 51:7 54:8,18
55:1 59:17 78:23
dependent 50:14
depends 6:1
deposition 1:10
3:6,7 15:18 29:12
75:8
described 30:22
describes 34:16
35:25
description 10:7
despite 71:16
detail 48:7
details 70:14
detention 58:7
determination
50:3
determine 52:16
66:16
develop 6:19
dft 54:7 78:21
different 5:7 6:17
8:13 16:2,16
digital 16:19,21
17:11,13 18:13
48:8 65:25 78:4,6
78:8,10,12
directly 9:21
disabled 62:7
disbelieve 18:6
discovered 33:3
discretion 62:19
dismissed 65:15
dispatch 22:5
42:11,16,19 52:18
52:24 53:8,11,17 | disregarded 30:3
dmv 21:14 22:2,8
document 7:3,5
15:8,19 16:9
19:17 24:10 26:5
26:7
documents 18:16
54:24
doe 1:7
doing 4:2 8:22
64:23
door 33:13,14,14
55:24
doors 43:17
doubt 3:18 71:12
drafted 30:18,21
driving 61:1
drug 69:7
drugs 69:7
dubois 67:21,22
68:1
ducked 62:16
due 56:14
duly 3:2 |
| | d | | e |
| | d 77:1
date 1:11 8:8 25:5
25:6 42:12 52:24
53:9,16,19 73:22
dated 55:5 56:21
58:17 60:19
davis 13:24 14:4
14:13,14 65:1,9,14
65:17
day 18:1 28:19
35:13 56:18 65:18
76:12
days 29:21
december 76:25
decision 27:15
50:1 51:4
defendant's 54:2
54:12 61:22 | | e 10:16 31:11
39:13 77:1,21
earlier 12:15 36:5
37:8 44:22 52:9
63:2,7 68:10
72:18
easier 11:3
east 1:6 2:7
education 5:10
effect 56:12
eight 29:20
either 22:5 29:25
31:7 39:17 41:20
52:21 53:4
electrical 8:22
34:3 |

[employed - frequent]

Page 5

| | | | |
|---------------------------|----------------------------|----------------------------|---------------------------|
| employed 4:14 | excuse 4:17 9:15 | fact 64:19 71:16 | 40:5 41:4,8 42:18 |
| employee 4:13 | 52:3 62:6 | fair 38:6 43:23 | 45:19,24 46:9,18 |
| 22:19 | exhibit 6:24 7:4 | 49:19 50:4 61:9 | 46:19,22 47:4 |
| employees 32:13 | 15:5,10 16:4,10,19 | 61:23 64:2 69:24 | 52:12 53:6,14 |
| 34:21 | 16:21 17:11,13 | 69:25 | 56:23 58:9,20 |
| encounter 52:20 | 18:13,22 19:14,18 | fairly 27:7 28:3 | 59:6,13 60:7,22 |
| encountered 62:8 | 24:7,10 26:1 | faith 51:19 | 61:9,24 62:5 63:6 |
| encounters 19:3,8 | 30:14,18 31:19,22 | familiar 27:24 | 64:3 69:5 73:1,9 |
| encourage 51:15 | 32:2 54:2,7,12 | 71:22 | 74:2,14,21 |
| ended 24:5 | 61:23 63:15 67:8 | far 27:19 28:10 | fletcher's 20:13 |
| enforcement 4:25 | 71:1,13 72:21 | 29:23 31:15 44:25 | focus 35:17,22 |
| 5:25 39:8 51:16 | 73:7 77:23,25 | fashion 54:22 | 36:15 57:3 |
| enmark 21:3 | 78:2,4,6,8,10,12 | fast 48:1 | foia 11:25 12:11 |
| entered 33:4 56:4 | 78:14,16,18,21 | father 62:6,8 | follow 6:21 39:15 |
| entire 41:21 | exhibits 17:20 | feels 68:11 | 49:19 50:17 74:11 |
| entirely 21:25 | 48:10 49:4,6 | fella 26:15 | followed 51:23 |
| entirety 13:4 23:2 | 50:22 | female 56:2 | follows 3:2 |
| 23:3 | exit 23:17 59:16 | fenced 60:3 | footage 40:15,23 |
| entrances 59:23 | 59:21,22,25 | fertilizers 60:5 | 41:9 44:16,22 |
| equipment 61:2 | exits 59:24,24 60:7 | fill 7:14 | 45:9 47:9 |
| equivalent 6:14 | expand 48:6 | filling 25:12 | force 49:14,15 |
| especially 50:8 | expect 66:3 | finally 4:1 | 50:23 |
| 71:24 | experience 5:25 | find 10:13 21:2 | ford 35:17,22 |
| essentially 7:24 | 6:4,7 | 74:19 | 36:15 |
| evening 8:5 39:6 | expires 76:24 | fine 3:16,20 13:9 | foregoing 76:5 |
| events 30:22 76:10 | explain 72:1 | 52:5 72:17 | forgive 49:16 |
| evidence 10:11 | explained 29:13 | finish 4:3,5 31:11 | form 39:23 |
| 28:18,22 39:17,18 | 29:17 | finished 31:6 | fort 4:19 |
| 44:3,8 45:3,16,19 | explaining 72:5 | firm 1:13 | forth 8:25 9:9 |
| 50:7,25 51:2 | extensively 64:4 | first 3:2 8:5 14:12 | forward 44:4 48:1 |
| 52:22 66:4,16 | ez 36:2,6,8,11 37:1 | 19:5 25:3 40:24 | 48:6 72:7 |
| 67:23 68:14 | 37:18 40:6,9 41:3 | 49:20 55:3 58:2 | four 17:17 33:3,18 |
| exact 8:7 | 42:19 43:6 46:11 | 62:13 | 33:25 36:24 37:5 |
| exactly 19:18 | 53:7 67:16 | fish 39:11 | 37:20 46:6,10 |
| 21:15 27:16 32:11 | f | fit 10:6 | 47:1 48:14,15 |
| 51:17 | face 71:14 | five 4:23 6:1,17 | fourth 38:9,12,18 |
| examination 3:3 | facebook 47:9,15 | 54:7 78:21 | 38:20,24 40:13 |
| 29:3 72:12 74:9 | 47:18 | fletcher 19:6 | 46:12 |
| 77:3,5,7,9,11 | facial 45:11,12 | 20:15 36:14,18,25 | free 73:25 |
| exclusive 74:17 | facilitate 50:12 | 37:3,8,17 38:3,8 | frequent 69:8 |
| | | 38:13,20 39:20 | 71:23 |

[front - incident]

Page 6

| | | | |
|---|---|---|---|
| front 23:14 24:3
29:25 33:14 56:2
59:25 62:10
full 15:21
further 12:17 20:5
34:25 67:1 76:8
futral 2:3 | 17:17 18:19 19:7
27:9 37:22 44:24
49:18 54:1 63:11
71:23
good 5:9 51:19
goods 60:5
great 29:5
green 35:17,22
36:15 37:1,18
53:7
grocery 55:24
ground 3:9
guard 4:18
gun 30:7 | 69:4 73:17 74:21
harrison's 53:16
harvin 1:13
hayward 19:1
45:19,24 46:1,9
47:5 55:13 56:22
57:21
head 14:1 19:12
26:10 63:22
hear 9:8 13:12,18
14:2,6 32:20
heard 14:5 51:6
65:14,16 74:22
hearing 12:22
65:1,6
heart 30:1,2
help 25:4 47:10,19
helped 44:19
hereunto 76:11
herring 39:7
hesitate 9:9
hide 62:17
highest 5:9
highway 8:16 21:2
41:14,21 55:5
57:16 58:17 60:19
hindsight 28:17
history 26:2 29:1
78:19
holiday 5:17
home 22:20
honestly 13:17
20:22 24:24 32:11
32:23 40:7 60:9
60:13 63:12
hope 66:6
hour 3:19 72:15
hours 11:2,9
huh 3:24 15:20
22:13 27:12 28:2
30:12 32:3 33:2 | 35:3 40:10 63:16
huhs 3:23
i
idea 25:23 43:11
47:20 60:14 71:15
identification 6:25
15:6 16:5,20,22
17:12,14 18:14
19:15 24:8 26:3
54:9
identified 36:24
37:4,19 38:3,13
39:21,22 40:5
42:18 46:8 47:5
53:14 68:20 70:8
70:21 71:4 73:6
74:13,14
identifies 27:19
identify 27:3 35:8
38:22 45:9,24
46:2 64:8 66:11
70:17
identifying 21:9
21:23 47:10,19
identities 33:20
identity 27:22
35:4 46:16 66:16
71:9 72:25
ids 53:8
immediately 18:25
impressed 18:17
incident 8:18 11:9
11:15 15:5 19:14
19:23,25 25:6,10
30:9,11 31:7 32:5
37:14 40:18 50:9
54:7,17,19 55:18
55:20 56:8 57:6
57:12 58:16 59:10
60:16 61:5,22
62:23 63:6 69:12 |
| g
g 39:13
gaffney 2:9
gaffneylewis.com
2:11
garden 8:25 23:17
34:8 59:17,23,25
60:2,2,5,7
gate 9:2 23:23
34:16
gather 50:7,7
gathering 70:12
ged 5:8
general 34:11
47:10,19 52:16
gentleman 71:13
71:17,18 73:6
georgia 4:16,18
6:14,20
give 3:10 10:12
42:11 48:24 53:15
53:22 55:17 66:4
given 3:7
go 3:18 5:4,5,15
6:9,18 12:4,5,6,18
13:10 14:11,25
17:7 21:18 22:7
27:17 28:10 39:25
40:20 42:9 44:8
50:11 73:25
goes 60:1
going 3:10,14,14
4:2 10:24 12:22
13:3,6 15:13 16:3 | h
h 39:13 77:21
half 4:23
hance 62:13,15
hand 17:17 23:17
66:12 76:11
handed 54:12
handing 7:3 15:8
16:9 19:17 24:10
26:5
hanging 70:2
happen 31:5 70:9
happened 8:4,19
30:9 43:6 59:9
62:23
happy 50:16
hardeeville 76:13
harrison 19:1,1,2
19:8 37:13,19
38:4,14 39:21
42:4,18 43:11
45:19,25 46:9,18
46:19,22 47:5
52:12 53:14,19,20
55:13 56:5,9,14,17
56:22 57:22 58:5
61:24 63:5 64:3 | | |

[incident - little]

Page 7

| | | | |
|--|--|---|---|
| 77:25 78:14,21
incidents 11:15
37:9 51:22 63:5,8
incorrect 51:20
index 2:14 77:16
indicates 37:11
52:12
indication 69:18
individual 9:17,18
9:23 22:5 27:20
27:24 28:4,11
34:7 35:10 39:14
52:1,20,22 68:11
69:3,5 72:20
individual's 22:3
51:22 52:20
individuals 8:23
9:1 18:23 34:13
63:9 69:4,14
information 7:21
10:13,19 11:11
17:5,6,7 20:3 21:9
21:16,23,24 22:4
22:14 34:5,12
35:24 50:7 63:14
73:3,5 77:16,18
informed 8:21
initial 40:18
initially 21:16
inn 58:11
innkeeper 56:24
inside 23:4,13
36:19 60:1 64:13
64:20
interest 6:5,9
interested 46:16
64:6,11 76:10
interrupt 13:6
investigate 66:15
investigated 61:11
64:3 | investigating
43:24 58:3
investigation
44:13 49:10,23
50:1,2 51:3,24
64:16,18 66:5
involved 8:5 46:7
47:17 58:9 67:18
involvement 12:17
67:2
involving 63:5
issue 4:24 27:25
43:6
issued 7:9 56:13
issues 69:6
issuing 27:25
it'll 12:7 15:24
item 23:6 33:15
55:23
items 11:4 22:23
22:23 23:4,12,20
33:5,7 40:16 45:6
67:5,7,10 68:13

j
jacob 1:3 2:2 9:24
10:2,6,8,18 14:22
18:2,5 19:11 20:1
21:20,23 24:14,17
25:15,18 26:15,18
26:21 27:1 28:18
28:23 38:15 40:5
46:21 47:5 67:2
67:18 68:21 70:8
72:2,21,25 73:7,13
jail 59:14 62:18,18
62:20
jamaricus 14:13
jan 1:6 2:7 8:19
10:20,23 12:3
22:10 26:14 32:4
45:14 68:20 | january 55:5
jasper 76:13
job 66:14
john 1:6
joni 12:14
judge 7:9 14:2
29:25 50:18 65:6
judge's 14:16
july 7:12 8:10,12
24:21,23 30:9
31:14,20,25 59:22
justice 5:12 6:14
juvenile 5:6

k
keep 23:19
keith 1:10 3:1 4:11
77:4
kept 45:1
kind 11:12 17:6
27:17 39:15 51:22
51:25 54:22
knapp 2:4
knew 10:2 20:15
38:18
know 3:18 9:7,14
13:24 16:1 19:2
19:10 22:14 23:6
23:25 24:16 25:20
26:9 28:4 29:15
29:17 31:13 32:12
33:19,23 35:4,20
35:21 36:10 41:24
42:14 44:15 47:4
47:16,18,25 48:19
51:10,14 53:19
60:4,6,10,11 62:4
62:14 63:1,14,20
67:23 68:10 69:21
70:22 71:16
knowledge 10:5
25:17 27:1,6 42:3 | 66:22
known 19:7 37:8

l
l 11:23,23
lack 6:18 30:2
larceny 56:24
57:22 58:10
large 76:5
law 1:13 4:25 5:25
39:8 51:16
lawn 23:19 34:8
59:17,23,24 60:1,2
60:3,4,6
learned 42:19
43:22
leave 9:10 31:2
33:6
leaving 35:16
led 8:6 27:14
34:23 46:25
left 9:1,2 21:1 23:7
36:8 41:2 45:6
55:25 56:6
letter 6:5,9 7:22
7:22
letting 16:1
level 5:9 64:21
70:6
lewis 2:9
lifted 53:5
lights 34:4
likewise 4:4
line 40:13 57:3
77:2,22
list 20:7 45:5
67:10
listen 13:9
listened 13:14
little 5:6 7:10 48:6
50:6 62:19 70:6
71:22 |
|--|--|---|---|

| | | | |
|--|---|--|--|
| <p>llc 2:3,9
locate 35:10
located 11:8
location 1:13
37:14 55:4,7
57:16 58:16 60:18
locking 23:23
long 5:15,20
longer 39:7,8
look 18:2 20:17
21:19 22:22 30:10
55:3 58:15 59:1
60:15 68:2
looking 8:11 23:16
25:21 32:2 36:17
37:22 46:12 57:12
57:20 61:8 64:7
67:8 70:20,22
71:3
looks 10:8 19:6
loss 62:10
lot 11:14 21:17
23:19 52:23 56:4
56:5,7 61:25
lp 1:6 2:7
lunsford 1:6 2:8
8:19 9:4,12 10:20
10:23 20:5,21
26:14 28:20 32:5
32:8,16,22 33:1,19
33:24 34:11 35:4
35:21 36:24 37:23
40:14,22 41:3
44:17,21 45:14
46:6 47:23 49:2
64:7 66:25 68:20
69:12 70:8 71:19
72:20 73:3,4 74:5
74:12
lunsford's 12:3
14:6 22:10</p> | <p>m
m 1:16 76:3,23
mail 31:11
mailed 10:16
maintenance
34:17,21 35:1,5,9
35:12,20
males 9:7
malicious 66:23
man 49:18
management
41:22
manager 8:20
22:19 28:3 50:14
managers 28:14
mark 17:9 18:11
53:25 54:1
marked 6:25 7:3
15:6,8 16:5,9,20
16:22 17:12,14,20
18:14,21 19:15
24:8,10 26:3,5
30:13 54:8 61:22
mart 1:6 2:7
matter 17:2 22:18
50:9
mean 3:19 41:17
47:25
means 41:19 51:11
51:13
meet 29:9 30:6
member 22:7
memory 16:2,16
mentioned 50:11
52:11 63:6 74:22
mentions 35:1
messing 52:4
met 3:6 29:16,20
meth 59:7
methamphetami...
61:19</p> | <p>middle 22:9
mind 15:24,25
mine 8:9
minute 12:21
15:25
minutes 29:16
53:10
mistake 51:20
moment 15:19
42:8 53:22 55:17
moments 9:10
66:20
monday 63:2
monetary 40:15
month 4:23
months 59:10
68:10
morning 29:22
71:25
morrison 14:18,20
mount 2:5
move 44:4 56:20
72:6
moved 68:13
mowers 23:19
60:4
municipal 26:1
78:19
murdaugh 1:3 2:2
9:17,21,24 10:3,6
10:9,13,19 14:22
18:2,5 19:11 20:1
21:20,23 25:15,18
26:15,18,21 27:1
28:18,23 38:16
39:22 40:5 46:21
47:5 65:15,18
66:23 67:19 68:7
68:17,21,24 69:2
69:10,17 70:8
71:7,8 72:2,21</p> | <p>73:7,13 74:13,15
74:22
murdaugh's 67:2
72:25
murphy's 56:6
mutually 74:16</p> <p>n
n 39:13 77:1
name 3:5 4:9,11
9:17,17,19,19,24
12:3,5,7 13:18
14:7,17 20:14,20
22:10 27:4 38:20
39:10 42:11 52:24
53:9,16,19 69:6
73:22 74:22
named 10:6
narcotic 61:2
narrative 7:10,14
7:25 30:11,18
31:18,22,23 32:24
36:17 40:4,13
41:12 52:11 55:10
55:11,16 57:1,2,5
57:18 59:3 61:8
61:12 63:15 67:9
national 4:18
nature 69:8
necessarily 5:3
need 3:17 28:14
needed 44:2
needs 21:12
nefarious 64:23
neither 38:19 76:8
nelson 2:3,4 3:4,6
7:1,2 13:2 15:7
16:3,8,18,24 17:9
17:15,16 18:11,15
18:20 19:13,16
24:9 25:25 26:4
29:2,12,13 39:9,12</p> |
|--|---|--|--|

| | | | |
|---|---|---|--|
| 39:23 48:11,16
49:17 52:3,6 54:3
54:6 64:25 68:19
72:13 74:8 75:1,3
77:6,10
neon 35:17,22
never 28:25,25
nice 29:9
night 18:9,10
36:13 42:2,14
43:19 57:25 58:14
59:22 67:5 69:17
74:16
nights 11:2
nighttime 8:20
nonverbal 3:23
normal 14:6
notary 76:4
noted 40:3 58:20
notes 66:21 72:19
noteworthy 46:23
notice 42:24 48:4
52:9,17 56:15
59:14 61:1,11,15
63:18,21,25
notices 48:4
notification 20:25
notified 34:2
notify 34:11
number 5:25
11:20,21,21,22
17:23 18:5,8 19:8
29:14 57:14 61:21
63:5 66:8
numerous 33:4 | obtain 37:23 44:11
occasionally 15:23
occurs 50:8
october 1:11 24:19
76:12
odd 54:22
offender 37:12
58:21 60:23
offenders 35:2,16
36:3 41:13 42:23
44:3 50:24 52:12
55:14 60:23,24
66:17
offense 28:1 56:23
offenses 58:23
60:25
offers 5:7
office 10:15 31:9
officer 29:5 49:18
54:11 58:3 59:5
67:21,22 68:1,11
72:11
officers 21:1 32:21
36:2,11 38:11
57:4
official 76:12
oh 48:16 63:4
oil 56:6
okay 3:9,15,17
4:12,15 6:6,10,13
6:22 7:10,18,24
8:2,12 10:10,18
11:14,18 12:9,16
12:20,23,25 13:5
13:10,18 14:2,8,16
14:21 15:2,12,17
15:21 16:9,25
17:3,9,19,24 18:1
18:4,8,11 19:2,4
19:10,13 20:9,16
20:23 21:4,8,11,15 | 21:19 22:9,17,22
23:6,9,14,21,25
24:4,22 25:7,8,11
25:14,25 26:9,11
26:13,25 27:8,8
28:6,12,17,22 29:2
31:18 32:8,15
33:24 34:25 35:8
35:25 36:10,14
37:7,25 38:2,13
39:12 41:11 42:6
42:8,17,23 43:5,21
44:7,21 45:8,13,18
46:2,5,15,21,25
47:7,16 48:22,25
49:25 51:2 52:2,6
52:8,10 53:13,20
53:21,24 54:6,16
55:18,19 56:11,13
56:20 57:9,11,19
58:1,5,15 59:1,2
60:11,17 63:4,23
67:14 68:1,4,15
70:7,22,25 71:20
71:20 72:5,9 73:6
73:12,21,23 74:1,4
once 28:13 29:24
31:6 39:13 40:20
42:18 43:21 49:25
51:2 52:19
ones 18:23 28:7
48:23
online 21:14 22:2
open 11:2 24:1
opinion 66:7 71:6
opportunity 5:8
6:8
ordered 5:2
ordinary 30:25
54:25 | organize 18:16
organized 53:23
outdoor 23:20
outside 9:2 23:9
34:16 60:2
overheard 32:16 |
| p | | | |
| p.m. 31:17
packet 54:2,12
page 20:17 21:19
22:9 47:15 55:3
55:10 56:21,22
57:1,13,18 58:20
59:3 60:22 61:8
77:2,22
pages 22:22 54:13
54:13,15
paperwork 31:2
50:13
paraphernalia
61:18 69:7
parking 52:23
56:4,5,7
part 49:9 59:20
64:15,17,17
particular 15:1
28:15 31:6 39:6
39:14 40:18 42:13
42:14 43:19 45:1
45:15 49:22 56:1
65:8 69:16 70:23
70:23
particularly 43:13
party 76:9
pass 33:11,16
passed 24:16
payment 23:12
33:7,12,16
payne 14:18,20
pd 6:12 47:7 65:22
66:8,9 68:7,16 | | | |
| o | | | |
| o'clock 71:25
o'quinn 59:6
object 39:23
obligation 66:10 | | | |

[pending - put]

Page 10

| | | | |
|--|--|---|---|
| <p>pending 76:10
people 21:13,18
25:20 27:21,22
45:10 51:15,18
64:12 69:9
percent 18:15
person 11:5,6 12:9
38:12,19,21,24
39:15 52:17,25
68:7 69:19
person's 42:11
53:4
personal 10:5 11:4
25:17 27:6 42:3
49:10 66:22 69:13
personally 13:11
35:21 45:24 47:13
52:22
pertaining 14:11
pertains 19:25
petty 56:24 57:22
58:10
phone 29:15
photo 18:21 72:3
photograph 18:24
72:21
photographic
39:17 43:17 52:21
photographs
17:18,21 48:20
67:1,12 68:2,9,16
73:10
photos 10:12 44:9
44:10,16 45:3,17
47:8,16 49:6,9
50:22
picture 69:19
pictured 45:10
pictures 9:13
27:23 37:23</p> | <p>pieces 39:3
pio 47:15
place 4:16 9:2
placed 33:5 59:13
67:5
plaintiff 1:4,15 2:2
plaintiff's 7:4
16:10 17:20 18:22
19:18 26:6 30:14
48:9 63:15 71:1
71:13
plastic 23:2,4 67:6
play 12:22 13:3
48:5
played 64:25
pleas 1:1
pleasant 2:5
please 3:11,21 4:9
17:10 18:12 42:9
57:17
plf 6:24 15:5 16:4
16:19,21 17:11,13
18:13 19:14 24:7
26:1
point 5:17 8:20
11:13 17:22 31:8
40:11 43:21 46:8
points 33:11,16
police 4:13 12:1,10
30:25 34:12 40:4
49:14 51:7,15,18
54:8,18 55:1
63:11 66:12,15
78:22
portion 8:23 13:8
57:6 58:2
portions 54:19
positive 73:2,4
74:12
positively 27:19</p> | <p>possession 58:24
59:7 61:1,17
possible 8:18 9:19
32:5 39:21 40:1,4
42:17 65:21 72:24
73:1 74:13
possibly 34:1 46:7
post 6:20
posted 47:18
posts 47:8
potentially 70:3
practice 17:2 30:5
31:6
premises 23:7
45:20 52:21
prepared 30:24
54:24
presence 43:9
present 32:21
50:17 65:2
pretty 30:21 72:20
prevention 62:11
previously 42:1
56:10
price 45:6
print 45:17 48:8
49:2
printed 54:22
prior 29:21 59:10
67:2
private 49:13
probable 50:3
51:4
probably 12:13
25:9 29:16 73:19
problem 48:17
problems 9:18
61:25
procedure 39:16
39:16</p> | <p>process 44:19
produced 9:24
program 4:23 5:5
5:6,16 7:23
proof 49:21
properties 20:7
property 9:3 23:7
36:19 38:4 41:20
42:25 43:14,16
44:4 53:15 61:10
62:12
prosecute 28:8
65:17
prosecuted 43:2
prosecution 44:5
50:13,17,19 65:11
65:15
protection 11:8
14:6,14 27:21,22
28:14 45:2 70:10
provide 9:5,13
11:12 20:10,20
22:6 28:9,15 35:7
38:20 45:5 48:20
50:25
provided 10:19
20:3 35:23 66:25
providing 50:21
65:25
public 47:10,19
76:4
pull 12:7 30:15
45:22 53:3
punish 51:18
purpose 4:21
push 8:24 9:7 34:7
pushed 23:9,11
24:4 26:16 74:5
put 5:24 6:9,20
7:22 12:6 20:10
21:16 42:24 63:25</p> |
|--|--|---|---|

| | | | |
|---|---|---|--|
| q | recognize 7:4
14:16 15:10 16:10
18:23 19:19 26:6
54:17 71:14 | 27:16 35:23 36:13
39:1,2 40:2 55:18
55:19 57:6 65:2,7
65:9 70:14,19
72:4 | require 5:22
required 31:1
requirement
66:10
requirements 6:20
resolved 43:7
responded 8:15
40:25 55:21
responding 36:1
responses 3:23
result 42:2 56:8
retribution 51:25
return 30:5,5
41:22 55:23,23
returned 45:4
returning 67:4
review 15:19
66:15,20
rewind 48:1
right 4:9 7:11 8:11
13:14 14:10 15:2
23:17 24:25 26:10
26:14 30:22 32:10
36:15 49:14 54:14
59:4 60:15 75:2,6
75:7
ring 13:16
rite 50:10
robert 2:9 29:6
role 4:20
roof 24:5
room 45:2 70:10
routine 38:7
rules 3:9
run 4:18 23:12
28:25
running 56:5 |
| quarter 5:1
question 3:11,12
3:14 4:4,5,5 14:13
18:22 38:8
questioned 36:25
41:4,7 72:18
questioning 37:3
37:17 40:5
questions 72:10,24
74:25
quick 74:11
quite 50:8 65:9 | recollection 13:16
14:10,21 49:1
65:5 68:15,20
reconcile 73:2
record 4:10 13:1
76:7
recording 12:21
13:15,22
records 53:3
recovered 23:8
40:16
recovery 67:7
reference 8:17
11:21
referencing 14:12
referring 35:11
62:5 70:25
reflect 72:19
refresh 13:15
refreshes 12:24
refused 55:23
regarding 63:9
regional 6:16,19
registers 24:1,2
33:12 62:10
rehabilitation 5:3
related 57:10 76:9
relationship 10:22
10:25 47:24
release 62:20
released 62:21
relied 71:19
remember 3:21
8:2,7 14:13 15:1
16:23 17:21,23
20:22,24 21:22
24:24 26:25 27:14 | render 33:16
rendered 33:12
rendering 33:6
rephrase 3:11
replacing 34:3
replay 13:8
report 10:15 11:15
11:21 12:6 15:5
15:18 16:4,11,25
17:1 19:14,20,23
19:25 20:4,25
22:16 24:7,13
25:11 30:11,24
31:10,19,24 34:15
34:25 35:15 37:11
40:17,18 43:9
51:15,19 52:11
57:12 58:16 59:8
60:16 78:1,3,15,17
reported 1:16 32:5
46:6 51:23
reporter 3:22 4:6
52:5 76:1,3,24
77:13
reporting 63:12
65:21
reports 30:11 31:2
54:7,18,19 61:22
78:22
represent 54:21
represented 18:4
representing 29:6
request 11:25
12:11 69:15
requested 77:16
77:18 | s
s 77:21
savannah 6:8,12
29:20 66:9 |
| r | r 39:13,13
raises 70:6
range 54:15
rank 5:18
rblain 2:11
read 15:21 16:16
55:16 57:2,5,17
75:6
reading 15:24,25
41:24
really 63:4
rear 2:14
reason 18:6 34:20
41:23 63:25
reasonable 33:25
34:6,10 47:1
64:21 65:12
reasons 29:17,18
recall 32:15 38:11
38:18 41:25 51:9
51:21,25 74:19
receive 67:5
received 20:25
67:10
recognition 45:11
45:12 | | |

[saw - statement]

Page 12

| | | | |
|--|--|--|--|
| <p>saw 34:12,12,13
35:22 46:5 70:18
70:18 73:9
saying 23:1 61:23
62:9
says 7:12 32:25
34:16 35:16 36:17
37:12 40:14 41:12
57:3
sc 1:14 2:5,10
scanned 15:23
20:8
scene 21:1,7
seal 21:20 76:12
season 5:17
second 5:4 20:6
32:24 38:1 44:23
45:14 53:25 55:10
67:15
seconds 53:2
security 40:14,23
41:9 44:16,22
45:8 47:9
see 3:21 8:10 9:6
12:20,24 23:1
33:8 34:18 35:18
36:3 37:15 41:16
51:7,10 52:20,22
55:5,13 56:4,22
58:18 59:17 60:20
seeing 17:21,23
seen 26:8 34:7
35:16 36:1,1 41:8
selected 33:4
selection 54:13,15
sending 12:11
sent 11:25 25:20
sentence 32:24
34:15 35:15,25
41:12</p> | <p>separate 34:22,24
42:4
sergeant 3:5 5:18
5:20,23 62:13,15
service 55:22
services 22:7
session 15:1
settlement 29:23
she'll 48:4
shift 31:3,4,10,13
shipps 58:3
shop 36:2,7,9,11
37:1,18 40:6,9
41:3 42:19 43:6
46:12 53:7 62:9
67:16
shoplift 60:7
shoplifter 18:9
59:21
shoplifting 8:18
11:9 28:8,19,23
32:5 33:10,14,17
34:1 43:25 46:8
47:10 49:11 50:9
58:23 59:6,7,16
63:24 64:15 65:21
shopliftings 65:10
shopping 8:24 9:1
9:7,10 22:24 23:3
33:5 34:8 45:6
74:5
shortly 68:8
shots 47:8
show 28:14
shown 43:17 48:9
50:22 66:11 71:13
72:2
shy 30:7
side 23:17,17
33:14 55:25 56:6</p> | <p>sidewalk 23:14
sign 75:6
signature 76:21
signed 7:9 15:13
24:17
simply 42:25
50:21
sir 4:14 7:6,8,13
7:15 8:1,3,7,12,15
10:1,4,9,21 11:17
11:24 12:19 14:1
15:9,11,20 16:6,12
18:7,10 19:21
20:19 21:25 22:11
22:25 23:15 24:12
24:15 26:8 27:12
28:21 29:8 30:16
30:20 31:16 32:1
33:9 34:9,14,19
35:3,7,14,19 36:4
36:9 37:10,21
38:23,25 40:19
42:21 43:4 44:11
47:3,12 49:15,24
51:1 54:20 55:2,6
55:15 58:8,12,19
59:4 60:9,21 61:3
61:7 63:22 64:1
64:14,18,24 65:4
65:16 66:6,24
67:7,17,20,25 68:3
69:1 70:16 71:2,8
71:11 72:8,22
73:8
six 5:21 6:17
skipped 20:16
slogan 51:7
smoking 61:18
snapshot 16:20,22
17:12,14 18:14
78:5,7,9,11,13</p> | <p>snapshots 48:9
66:1
soil 60:5
solely 10:19
somebody 14:3
49:14
soon 33:11
sorry 6:11 11:22
14:11,19 18:18
42:9 46:19 48:14
48:16
sound 52:3
sounds 32:10
south 1:1,13 6:15
76:4,13
speak 9:9 35:12
speaking 32:25
specifically 11:1
spell 39:9
spelling 12:12
spoke 8:19 9:4,7
9:12 12:14 21:5
32:8,12,14 33:21
33:22 35:5 40:23
44:15
spoken 39:14
sponsored 4:18
spotted 62:15
stacy 9:21 68:24
69:2,10,17 71:7
stamped 54:13
standing 56:2
start 4:6
started 15:18
starts 57:13
state 1:1 4:9,19
76:4
stated 37:12 43:10
52:19
statement 26:22</p> |
|--|--|--|--|

[states - trespassed]

Page 13

| | | | |
|--|---|---|--|
| <p>states 43:10
 stays 69:3
 stewart 4:19
 stills 43:17
 stop 13:6 25:21
 36:11 39:6 43:7
 43:12 46:11 48:1
 67:15
 stopped 53:6
 store 24:3 28:9
 32:9,22 41:20
 44:25 46:3,4
 50:14,14 59:21
 62:9 64:13 70:19
 73:13,17 74:6,20
 stores 1:6 2:7
 street 1:13 2:10
 strong 10:25
 stubbs 69:6,10
 students 5:1
 submit 7:20
 submitted 7:15
 suggest 33:19
 51:14
 suite 2:4,10
 summarize 61:23
 summons 62:21
 62:22
 supplement 17:8
 20:6 40:19
 supplemental 16:4
 17:1 31:23,24
 67:9 78:2
 supported 65:10
 supposed 56:1
 sure 12:11 13:11
 19:18 21:15 39:4
 40:15 44:24 50:20
 58:25 71:9
 surmise 27:17</p> | <p>surrounding
 25:24
 surveillance 46:11
 66:11 70:12
 suspect 9:20 38:9
 46:13
 suspected 51:23
 suspects 33:4,18
 33:20,25 36:25
 37:5,20 46:7 47:2
 47:11,17 57:4
 suspension 61:1
 suspicion 33:25
 34:6 47:1 51:19
 64:22 70:6
 suspensions 51:15
 sworn 3:2
 system 9:6 10:14
 11:8 12:6 20:8
 21:10,17 22:3,16
 37:24 40:21 63:12</p> | <p>telling 26:15 45:1
 47:25
 ten 6:1,3,7,12
 29:19
 teresa 19:6 20:13
 20:15 36:14 45:19
 45:24 46:1,9 47:4
 56:23 58:9,20
 60:22
 term 6:18 30:2
 testified 3:2 30:17
 32:4 36:5 37:7
 74:12
 testimony 28:16
 50:18
 thank 7:1 15:3,9
 17:15 57:20 59:5
 72:10 74:24 75:3
 thanks 6:23
 thereof 76:10
 thing 13:3 19:9
 20:24 42:13 49:20
 73:18 74:23
 things 23:20 29:15
 29:24 30:4 60:5
 69:7
 think 18:8 23:8
 25:3 30:9,13
 31:18,23 32:4,19
 36:5 37:3,7,17
 38:7 39:21 40:4
 42:17 57:10 65:13
 65:20 66:19 67:9
 68:23 70:24 72:9
 third 7:11 37:12
 37:19 57:3,18
 thomas 1:16 2:4
 39:7 76:3,23
 thought 71:6
 three 12:2 41:12
 42:4,20 43:20,22</p> | <p>44:3 46:10 48:11
 52:12 71:24
 thrown 30:3
 time 1:12 3:18 6:3
 8:20 11:1,3 13:9
 14:15 17:5 21:3
 24:1,16,17 28:24
 30:22 31:8 32:11
 33:20,22 35:5
 37:13 40:16,23
 41:7 44:23 45:1,4
 45:14 46:19 50:6
 62:7 64:12,20
 67:11,23,23 68:8
 70:11 71:10 72:11
 75:4
 times 31:15 42:4
 tnelson 2:6
 today 29:12
 told 8:21 26:20,23
 26:24 28:20 38:14
 68:19 71:19 74:5
 tom 3:5
 top 14:1 19:12
 26:10 63:22
 tote 67:11
 touched 52:9
 town 8:17 69:6,20
 traffic 25:21
 transcript 2:14
 12:21 75:6 76:6
 transported 59:14
 trespass 11:19
 42:12,24 43:20,24
 44:5,13 52:17
 53:5,5 56:12,14
 59:13 61:10,15
 62:17,22 63:18,21
 63:25 69:14 73:19
 trespassed 11:5,6
 41:13,17,25 42:1,4</p> |
|--|---|---|--|

[trespassed - witness]

Page 14

| | | | |
|--|--|--|---|
| 42:15,20 43:22
52:13,25 53:10
56:9,10 69:11
trespassing 43:3
49:11 52:9 57:23
57:24 58:6 60:25
64:16,21
tried 8:24 29:14
56:3 59:16 62:16
74:19
trisha 1:16 76:3,23
trouble 69:23 70:3
70:5
true 76:6
trust 26:23
trusted 26:24
try 3:12,22 4:2
22:4 27:5 33:15
48:6 68:13
tub 23:2
tuesday 63:3
turns 51:20
two 5:11 9:6 12:21
30:16 36:12 37:4
37:5 42:7 43:24
55:22 57:21 59:10
59:23,24 60:23,24
61:4,13,14 64:8
69:14 71:24
type 4:24,25 5:25
19:19 26:6
typed 7:19 16:7 | unaware 37:14
understand 3:10
3:13 50:20
understood 3:15
3:25 4:8 30:8
unknown 33:3,18
33:25 35:1 36:24
37:5,20 46:7,12
47:2 56:2
updated 21:12
use 22:20,20 51:7
uses 62:6
usually 5:2,24
11:19 22:18 25:8
31:5,10 42:10 | violation 56:14
61:10,15
visit 67:15
vs 1:5 | want 11:5,6 13:8
25:1 41:22 72:16
wanted 62:14
warrant 6:24 7:8
7:17,19,23 8:6
10:17 12:16 14:23
14:24 24:17,21
25:5 26:17 27:9
27:15,25 28:5
39:16 56:13 71:18
77:23
warrants 28:10
43:19 61:13,14
73:19
watch 45:21
watched 9:6 45:23
watching 46:10
47:21 48:2
way 7:11 30:10
34:13 36:6 45:9
46:6 68:5,6
we've 9:18 19:8
29:22 39:14 53:18
59:10 61:5,21
62:7 63:4,8 65:9
72:14
week 5:16 25:9
29:21 62:3 63:2,3
63:7
weeks 61:5,11
weight 21:9
went 5:12,17
10:15 11:1 20:6
27:14,16 36:8
41:3 43:14 44:12
45:13 55:24 71:17
whatsoever 28:24
white 56:2
wise 44:25
witness 16:6,23
18:18 39:11,13 |
| | v | w | |
| | valid 63:25
value 40:16
vehicle 37:1,18
53:7
vehicles 36:1
verified 43:8,15
verify 15:13 26:22
27:22 42:15,21
43:13
video 9:5,6,8,14,15
11:8 13:19 16:19
16:21 17:11,13
18:13 23:1 37:22
39:18 40:21 44:8
44:10 45:16,18,22
46:11 47:21 48:1
48:9 50:22 52:22
64:7,8 65:25,25
66:11,12,15 67:1
67:11 68:2,9
70:12,18,20 71:3
73:10 78:4,6,8,10
78:12
view 62:15 | waits 62:10
waives 75:7
wal 1:6 2:7
walgreens 50:11
walked 43:16
walking 52:23
walmart 8:16 11:1
13:25 14:3 23:7
27:18,18,20 28:1,7
28:13,19 29:7
32:6,13 33:21
34:1,11,22 36:8
38:4 40:24 42:1,5
42:20,24 43:9,10
43:23 44:8,12,13
44:15 45:8,13
46:11 47:8,22
50:10,20,23 52:13
53:10 55:8,21
56:1,9 57:4,17,22
59:7 61:5,10,25
62:6 63:10,20,24
64:7,20 65:2,5,17
65:20,24 66:3,10
66:23 67:2,15
68:10,17 69:11
71:23
walter 1:13
walterboro 1:14
4:13 8:17,17 12:1
12:10 20:11 26:1
30:25 47:7,15
51:6 54:8,18,25
55:7 59:5 65:21
66:8 68:7,16
78:18,22 | |
| u
uh 3:23 15:20
22:13 27:12 28:2
30:12 32:3 33:2
35:3 40:10 63:16
uhs 3:24
ultimately 28:7
unable 40:14 | | | |

[witness - youths]

Page 15

| |
|---|
| 48:18 75:5 76:11
77:3
witnesses 18:16
word 7:21,21
words 8:25 15:14
16:7,13 43:14
work 8:22
worked 4:16
worker 34:6 35:1
35:5,9,21
workers 8:22 34:3
34:17,21 35:13
working 10:22,25
11:2 65:9 66:8
works 39:7
worry 26:11
worth 12:2
written 15:14
wrong 8:13 65:20
65:24 68:12
wrote 7:24 |
| x |
| x 77:1,21 |
| y |
| yeah 4:17 11:24
13:11,23 23:11
53:12 54:5 57:7
74:7
years 4:2 5:11,21
6:1,1,1,3,7,12 12:2
29:19,19,20 66:8
youth 4:17 6:10,11
youths 4:23 |

South Carolina Rules of Civil Procedure

Part V. Depositions and Discovery

Court Rule 30

(e) Submission to Witness; Changes; Signing.

When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by him unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within 30 days of its submission to him, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the court holds

that the reasons given for the refusal to sign
require rejection of the deposition in whole or in
part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES
ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE ABOVE RULES ARE CURRENT AS OF APRIL 1,
2019. PLEASE REFER TO THE APPLICABLE STATE RULES
OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.

P.002

FAX No.

AUG/30/2019/FRI 11:10 AM

ARREST WARRANT

2018A1520300340

STATE OF SOUTH CAROLINA

☐ County/

☒ Municipality of

Walterboro

THE STATE

1801556

against

Jacob Seal Murdaugh

Address: 202 Sierra Ln

Walterboro, SC 29488-5005

Phone:

SSN: 248-63-0013

Sex: M

Race: W

Height: 5

9

Weight: 150

DL State: SC

DL #: 011161303

DOB: 6/17/1983

Agency ORI #: SC0150100

Prosecuting Agency:

Walterboro Police Department

Prosecuting Officer:

Keith L Belanger - S00010

Offense: Shoplifting / Shoplifting, value \$2,000 or less

Offense Code:

0528

Code/Ordinance Sec:

16-13-0110(A)

This warrant is CERTIFIED FOR SERVICE in the

☐ County/

☐ Municipality of

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 on

Jacob Seal Murdaugh 1500
10-8-18

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Walterboro Municipal Court
300 Hampton Street
Walterboro, SC 29488

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☐ County/

☒ Municipality of

Walterboro

Personally appeared before me the affiant Keith L Belanger

being duly sworn deposes and says that defendant Jacob Seal Murdaugh

did within this county and state on or about 7/24/2018

State of South Carolina (or ordinance of

☐ County/

☒ Municipality of

Walterboro

Violate the criminal laws of the

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 July 24th, 2018, at or about 0145 Hrs, the Defendant (Jacob Seal Murdaugh) was captured by security camera footage from 2110 Bell's Hwy (Walmart) selecting and placing merchandise items in a shopping cart then exit the business with the cart and items through an open outside Garden Center gate and passing all points where payment could be rendered for the merchandise items. The Defendant's actions were perpetrated to deprive the business of the total cost to the goods.

Signature of Affiant

STATE OF SOUTH CAROLINA

☐ County/

☒ Municipality of

Walterboro

Affiant's Address 242 Hampton Street

Walterboro, SC 29488

Affiant's Telephone

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 7/24/2018

defendant Jacob Seal Murdaugh

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

☐ County/

☒ Municipality of

Walterboro

) as set forth below:

DESCRIPTION OF OFFENSE: Shoplifting / Shoplifting, value \$2,000 or less

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 7/25/2018

Signature of Issuing Judge

Deborah B Kane O'Quinn

Judge Code: 8098

Judge's Address P O Box 709

Walterboro, SC 29488

Judge's Telephone (843)782-1057

Issuing Court:

☐ Magistrate

☒ Municipal

☐ Circuit

ORIGINAL

ORIGINAL

ORIGINAL

18-PD-074
ORIGINAL

AFFIDAVIT

Form Approved by
S.C. Attorney General
April 21, 2003
SCGA 516



Property Item

Property Type: Merchandise
Value: \$64.00
NIC #: Description: HI BOX
Recovered?: True Date of Theft: 7/24/2018
Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$64.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Narrative

I, SGT BELANGER, RESPONDED TO 2110 BELL'S HWY IN REFERENCE TO A POSSIBLE SHOPLIFTING INCIDENT. UPON ARRIVAL AND SPEAKING WITH THE COMPLAINANT (LUNSFORD) IT WAS DISCOVERED THAT FOUR UNKNOWN SUSPECTS ENTERED THE BUSINESS, SELECTED NUMEROUS ITEMS, PLACED THEM IN A SHOPPING CART AND ATTEMPTED TO LEAVE THE BUSINESS WITHOUT RENDERING PAYMENT FOR THE ITEMS. LUNSFORD STATES THE OFFENDERS (FLETCHER / AVANT / HARRISON) / MURDAUGH ATTEMPTED TO WALK OUT OF THE LAWN AND GARDEN AREA OF THE BUSINESS, PASSING ALL POINTS WHERE PAYMENT COULD BE RENDERED, AND THRU AN OUTSIDE GATE THAT CONTRACT MAINTENANCE WORKERS WERE USING. AN UNKNOWN MAINTENANCE WORKER CONFRONTED THE OFFENDERS WHO LEFT THE SHOPPING CART FULL OF ITEMS. THE OFFENDERS WERE SEEN LEAVING THE BUSINESS IN A NEON GREEN FORD FOCUS. THE VEHICLE WAS SEEN BY RESPONDING OFFICERS AT 1539 BELL'S HWY (EZ SHOP #15) AND CONTACT WAS MADE WITH THE OFFENDERS. BOTH FLETCHER AND AVANT ADMITTED TO BEING ON THE BUSINESS' PROPERTY, BUT NOT INSIDE THE BUSINESS. THEY ALSO STATED THE THIRD OFFENDER (HARRISON) WAS WITH THEM AT THE TIME OF THIS INCIDENT BUT WERE UNAWARE OF HIS CURRENT LOCATION. ALL THREE OFFENDERS ARE CURRENTLY TRESPASSED FROM 2110 BELL'S HWY. LUNSFORD WAS UNABLE TO ACCESS THE SECURITY CAMERA FOOTAGE, AND WAS NOT SURE OF THE MONETARY VALUE OF THE ITEMS TAKEN AND RECOVERED AT THE TIME OF THIS REPORT. ONCE THAT INFORMATION IS AVAILABLE, WARRANTS WILL BE FORTHCOMING IF NECESSARY AND THIS REPORT WILL BE AMENDED.

Signatures

Reporting Officer: BELANGER, KEITH L ☐

Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

Approving Officer: ☐

Validating Officer: ☐



7/26/2018 12:28:51 PM



WALTERBORO PUBLIC
SAFETY
WALTERBORO, SC
ORI: SC0150100



SUPPLEMENTAL REPORT

Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

Start Date: 7/24/2018 End Date: 7/24/2018 Disp Date: 7/24/2018 Time Arrived: 02:25
Start Time: 02:20 End Time: 02:45 Disp Time: 02:20

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? True Subject Located? False

Supplemental Information

Filing Date: 7/24/2018

ON TODAY'S DATE 07/24/2018, I, SGT BELANGER, WAS PROVIDED WITH STILL PHOTOS AND A COPY OF THE SECURITY CAMERA FOOTAGE OF THIS INCIDENT. THE STILL PHOTOS SHOW FLETCHER AND HARRISON ENTERING THE BUSINESS TOGETHER BUT LATER SEPARATELY INSIDE THE BUSINESS. AVANT WAS NOT SEEN ON ANY OF THE SECURITY CAMERA CLIPS OR STILL PHOTO, BUT DID ADMIT TO OFFICES SHE WAS ON THE PROPERTY WITH FLETCHER AND HARRISON. MURGAUGH IS SEEN ON SECURITY CAMERA FOOTAGE SELECTING SEVERAL ITEMS AND PLACING THEM INTO A SHOPPING CART AND A BLACK STORAGE BIN INSIDE OF THE CART. HE THEN WALKS TO AN OPEN LAWN AND GARDEN CENTER GATE, PUSHES THE CART OUTSIDE, AND PEEKS BACK INSIDE THE LAWN AND GARDEN CENTER TO APPARENTLY SEE IF ANYONE SAW HIM. HE THEN EXITS THRU THE SAME GATE. THE COST OF THE ITEMS, WHICH WERE RECOVERED WHEN MURDAUGH WAS SEEN AND CHALLENGED BY CONTRACT MAINTENANCE WORKERS REPLACING LIGHTS AND LIGHT FIXTURES AT WALMART, WAS \$1,349.00. WARRANTS WERE ISSUED FOR ALL OFFENDERS.

Signatures

Filing Officer: BELANGER, KEITH; Sergeant;

Entered By: BELANGER, KEITH; Sergeant;

7/26/2018 12:28:51 PM



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_01

7/24/2018 2:08:59 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR01S01358US

Device Serial Number: GS1215B515

Theresa



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_01

7/24/2018 2:16:13 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR01S01358US

Device Serial Number: GS1215B515



Looks like
Gam Parm?
He was dating Ariel
Avant -
not her
quasi? No
because

Digital Video Snapshot

Site: NEW STORE I358

Camera Name: ENTRY_AND_EXIT_GROCERY_04

7/24/2018 12:46:47 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR02S01358US

Device Serial Number: GS1308A742

*Not sure
who this is?
arm hit



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: GARDEN_CENTER_OVERVIEW_FRONT_TO_BACK

7/24/2018 1:45:00 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR08S01358

Device Serial Number: GS1152A067

Arm test



Digital Video Snapshot

Site: NEW STORE 1358

Camera Name: ENTRY_AND_EXIT_GROCERY_05

7/24/2018 1:51:41 AM (Eastern Daylight Time)



Capture Size: 704 x 240 pixels

Device Network Name: DVR02S01358US

Device Serial Number: GS1308A742

*Brian's
Theresa*





**WALTERBORO PUBLIC
SAFETY**
WALTERBORO, SC
ORI: SC0150100



Case Status: Open

Case Number: 1801656

Case Status Date: 7/24/2018

Main Incident Information

Location: 2110 BELL'S HWY (WALMART), WALTERBORO, SC 29488

Start Date: 7/24/2018 End Date: 7/24/2018 Disp Date: 7/24/2018 Time Arrived: 02:25
Start Time: 02:20 End Time: 02:45 Disp Time: 02:20

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? True Subject Located? False
Patrol Zone: Division Assignment:
Officer Assigned:

Offenses

Offense Type: Shoplifting {23C}

Statute: SHOPLIFTING 1ST
OFFENSE \$2,000 OR
LESS {23C} CDR 528

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

Offense Type: Trespass of Real Property {90J}

Statute: TRESPASSING
AFTER NOTICE
{90J}

Location Type: Department/Discount Store
Completed: True Method of Entry:
Type of Criminal Activity 1:
Type of Criminal Activity 2:
Type of Criminal Activity 3:
Location Type 2:
Special Circumstances 2:
Gang Activity:

Entered: Bias Motivation: None
Weapon Type 1:
Weapon Type 2:
Weapon Type 3:
Special Circumstances 1:
Special Circumstances 3:

People

Offenders

OFFENDER: AVANT, ARIEL AMBERLY

Aliases:

| | | | | |
|-------------------------------|--------------------------|-------------|-----------------|--------------|
| Race: W | Sex: F | Height: 507 | Weight: 220 | Ethnicity: N |
| Hair: BLN | Eyes: BRO | Glasses: N | Complexion: FAR | Build: |
| Facial Hair: N | Skin: | Teeth: | Resident: State | |
| DOB: 2/13/1992 | SSN: | | 610-56-4104 | |
| SID #: | FBI #: | | | |
| Driver's License #: 100766326 | License State: SC | | | |
| Place of Birth City: | Place of Birth State: CA | | | |
| Special DOB: | Age Range From: | To: | | |
| Day Phone: 843-898-1323 | Evening Phone: | | | |

Suspected of Use 1: None

Suspected of Use 2:

Suspected of Use 3:

Type 1:

Type 2:

Type 3:

Employer:

UNEMPLOYED

Student:

False

7/26/2018 12:28:51 PM



School:
Legacy Aliases:
Drug Activity:

Maiden Name:

Drug Type:

Address Information

Address Type: Physical
Street 1: 3826 MOUNT CARMEL RD.
City: WALTERBORO
Location Number:
Test1:
Street 2:
State: SC Zip: 29488
Country:

OFFENDER: *FLETCHER, TERESA FAYE*

Aliases:

| | | | | | | | | | |
|----------------------|-----|-------|--------------|-----------------------|-----|-------------|-------------|------------|---|
| Race: | W | Sex: | F | Height: | 503 | Weight: | 100 | Ethnicity: | N |
| Hair: | BLN | Eyes: | BRO | Glasses: | | Complexion: | | Build: | |
| Facial Hair: | | Skin: | | Teeth: | | Resident: | State | | |
| DOB: | | | 10/9/1977 | SSN: | | | 250-75-1379 | | |
| SID #: | | | | FBI #: | | | | | |
| Driver's License #: | | | 007301126 | License State: | | SC | | | |
| Place of Birth City: | | | | Place of Birth State: | | | | | |
| Special DOB: | | | | Age Range From: | | | | To: | |
| Day Phone: | | | 843-599-0329 | Evening Phone: | | | | | |

Suspected of Use 1: None
Type 1:

Suspected of Use 2:
Type 2:

Suspected of Use 3:
Type 3:

Employer:

Student:

False

School:

Maiden Name:

Legacy Aliases:

Drug Activity:

Drug Type:

Address Information

Address Type: Physical
Street 1: 148 TUPON LN
City: WALTERBORO
Location Number:
Test1:
Street 2:
State: SC Zip: 29488
Country:

OFFENDER: *HARRISON, HEYWARD BRYAN*

Aliases:

| | | | | | | | | | |
|----------------------|-----|-------|----------|-----------------------|-----|-------------|-------|------------|---|
| Race: | W | Sex: | M | Height: | 508 | Weight: | 145 | Ethnicity: | N |
| Hair: | RED | Eyes: | HAZ | Glasses: | | Complexion: | | Build: | |
| Facial Hair: | | Skin: | | Teeth: | | Resident: | State | | |
| DOB: | | | 4/4/1985 | SSN: | | | | | |
| SID #: | | | | FBI #: | | | | | |
| Driver's License #: | | | 11400594 | License State: | | SC | | | |
| Place of Birth City: | | | | Place of Birth State: | | | | | |
| Special DOB: | | | | Age Range From: | | | | To: | |
| Day Phone: | | | | Evening Phone: | | | | | |

Suspected of Use 1: None
Type 1:

Suspected of Use 2:
Type 2:

Suspected of Use 3:
Type 3:

Employer:

Student:

False

School:

Maiden Name:

Legacy Aliases:

Drug Activity:

Drug Type:

OFFENDER: *MURDAUGH, JACOB SEAL*

Aliases:

| | | | | | | | | | |
|----------------------|-----|-------|------------|-----------------------|-----|-------------|-------------|------------|---|
| Race: | W | Sex: | M | Height: | 510 | Weight: | 165 | Ethnicity: | N |
| Hair: | BRO | Eyes: | BRO | Glasses: | N | Complexion: | LGT | Build: | |
| Facial Hair: | | Skin: | | Teeth: | | Resident: | State | | |
| DOB: | | | 6/17/1983 | SSN: | | | 248-63-0113 | | |
| SID #: | | | | FBI #: | | | | | |
| Driver's License #: | | | 011161303 | License State: | | SC | | | |
| Place of Birth City: | | | WALTERBORO | Place of Birth State: | | SC | | | |
| Special DOB: | | | | Age Range From: | | | | To: | |
| Day Phone: | | | 908-0290 | Evening Phone: | | | | | |

Suspected of Use 1: None
Type 1:

Suspected of Use 2:
Type 2:

Suspected of Use 3:
Type 3:

Employer:

Student:

False

School:

Maiden Name:

Legacy Aliases:

CARPENTER

Drug Activity:

Drug Type:

Address Information

Address Type: Physical
Street 1: 202 SIERRA LANE
City: WALTERBORO
Location Number:
Test1:

Street 2:
State: SC Zip: 29488
Country:

Victims

VICTIM: WALART

Type: Business
Phone: 843-539-1550 Fax:

Address
Street 1: 2110 BELLE'S HWY
City: WALTERBORO
Street 2:
State: SC Zip: 29488

VICTIM:

Type: Society/Public
Phone: Fax:

Address
Street 1:
City: Street 2:
State: Zip:

Complainants

COMPLAINANT: LUNSFORD, JAN MCCREA

Aliases:

| | | | | |
|-------------------------------|-----------------------|-------------|-----------------|--------------|
| Race: W | Sex: F | Height: 506 | Weight: 142 | Ethnicity: N |
| Hair: BRO | Eyes: BRO | Glasses: N | Complexion: LGT | Build: |
| Facial Hair: N | Skin: | Teeth: | Resident: | |
| DOB: 2/13/1978 | SSN: | | | |
| SID #: | FBI #: | | | |
| Driver's License #: 011471736 | License State: SC | | | |
| Place of Birth City: | Place of Birth State: | | | |
| Special DOB: | Age Range From: | To: | | |
| Day Phone: 843-539-1550 | Evening Phone: | | | |

Suspected of Use 1: None

Suspected of Use 2:

Suspected of Use 3:

Type 1:

Type 2:

Type 3:

Employer:

Student:

School:

Maiden Name:

Legacy Aliases:

Address Information

Address Type: Physical
Street 1: 2110 BELLS HWY
City: WALTERBORO
Location Number:
Test1:

Street 2: WALMART
State: SC Zip: 29488
Country:

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

| | | |
|----------------------------|---|-----------------------------|
| Property Type: Merchandise | Loss Type: Stolen/Etc. | Quantity: 1 |
| Value: \$20.98 | Description: PLASTIC TOTE | |
| NIC #: | Recovered?: True Date of Theft: 7/24/2018 | Date of Recovery: 7/24/2018 |
| Theft SC0150100 | Recovery SC0150100 | Recovery Value: \$20.98 |
| Jurisdiction: | Jurisdiction: | |
| Descriptive Marks: | Customizable Field: | |
| Customizable Field2: | Customizable Field3: | |

Property Item

| | | |
|--------------------------------|---------------------------|-------------|
| Property Type: Household Goods | Loss Type: Stolen/Etc. | Quantity: 1 |
| Value: \$398.00 | Description: PORTABLE SPA | |

NIC #: Recovered? Due Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$398.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Tools Loss Type: Stolen/Etc. Quantity: 1
 Value: \$398.00 Description: CX PILEBRIVER
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$398.00
 Manufacturer: Model: Serial Number:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$3.34 Description: SWEET ROLLS
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$0.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$4.47 Description: FOOD ITEM
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$0.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$4.12 Description: BUD ICE
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$4.12
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$80.00 Description: BB-9E DROID
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100
 Jurisdiction: Jurisdiction: Value: \$80.00
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$29.98 Description: VR HEADSET
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction: Recovered Value: \$29.98
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$7.92 Description: BC 204 31
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$7.92

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$49.72 Description: ROAV AD DAS
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$49.72

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$39.94 Description: MONTEC 1006
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$39.94

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$49.72 Description: ROAV AD DAS
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Recovery Value: \$49.72

Theft SC0150100Recovery SC0150100
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Customizable Field2:

Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$4.24 Description: CAESAR SALAD
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$12.97 Description: DOT SIGHT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$12.97
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
Value: \$20.42 Description: INFLICTOR
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$20.42
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.68 Description: P3 CLST DRK
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery WSC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$0.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100
Jurisdiction: Jurisdiction: Recovery Value: \$1.00
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.58 Description: SK GS KY SW
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$0.00
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.58 Description: SK GS KT SW
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$0.00
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$19.96 Description: ULT STL BROH
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$19.96
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$2.96 Description: 3 HOOK NET
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$2.96
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$59.96 Description: SS STRATUS
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$59.96
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Merchandise Loss Type: Stolen/Etc. Quantity: 1
 Value: \$16.97 Description: LASER SIGHT
 NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
 Theft SC0150100 Recovery SC0150100 Recovery Value: \$16.97
 Jurisdiction: Jurisdiction:
 Descriptive Marks: Customizable Field:
 Customizable Field2: Customizable Field3:

Property Item

Property Type: Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
 Value: \$1.00 Description: CHEF BOYARDE

NIC #: Recovered? true Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$1.00
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$1.00 Description: CHEF BOYARDE
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$1.00
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$1.38 Description: PL MON CHOC
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$0.00
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Consumable Goods Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$1.68 Description: OMP3 DELI
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$0.00
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$29.94 Description: PRINT 2P HAM
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$29.94
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$2.96 Description: 3 HOOK NET
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$2.96
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$2.96 Description: 3 HOOK NET
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$2.96

Jurisdiction: Jurisdiction: Value:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

Property Item

Property Merchandise Loss Type: Stolen/Etc. Quantity: 1
Type:
Value: \$5.42 Description: 22 BOLT
NIC #: Recovered?: True Date of Theft: 7/24/2018 Date of Recovery: 7/24/2018
Theft SC0150100 Recovery SC0150100 Recovery Value: \$5.42
Jurisdiction: Jurisdiction:
Descriptive Marks: Customizable Field:
Customizable Field2: Customizable Field3:

| | | |
|----------------------------------|--------------------------------|-------------------|
| AGENCY I.D.
SCO 150100 | DATE/TIME OF
10-8-83 | IT
1420 |
|----------------------------------|--------------------------------|-------------------|

BOOKING REPORT

| |
|---------------------------------|
| CASE NUMBER
118011456 |
|---------------------------------|

| | | | | | | | | | | | | | |
|---|------------------|-----------------------|----------------------|--------------------|--------------------|--|-------------------------------------|--------------------------|----------------------------|-----------------------|-----------------|---------------------------------|---------------|
| DEFENDANT NAME (LAST, FIRST, MIDDLE)
Munich, Jacob Seal | | | | | | | | | | RACE
W | SEX
M | DATE OF BIRTH
6-17-83 | DOCKET NUMBER |
| AGE
11 | ETH.
W | HEIGHT
5'4" | WEIGHT
150 | HAIR
BLK | EYES
BRO | SOCIAL SECURITY NUMBER
218-63-0013 | VISIBLE SCARS AND MARKS | | NCIC | LO NUMBER | | | |
| ADDRESS (NUMBER AND STREET)
202 Sierra Ln | | | | | | CITY
Waltham | STATE
SC | ZIP CODE
01161 | RESIDENT
J S O U | PHONE NUMBER | | | |
| ALIAS | | PLACE OF BIRTH | | | | DRIVERS LICENSE NUMBER
01161303 | | STATE
SC | | | | | |
| EMPLOYER OR OCCUPATION | | | | NEXT OF KIN | | | | ADDRESS (CITY AND STATE) | | | | | |
| BOOKING OFFICER'S NAME
DUBOISE | | | | | | NUMBER
P-54 | ARRESTING OFFICER
DUBOISE | | AGENCY
WPD | NUMBER
P-54 | | | |
| ARRESTEE ARMED ☐ YES ☐ NO WEAPON TYPE: ☐ SEMI-AUTO ☐ FULL-AUTO ☐ ON VIEW ARREST ☐ SUMMONED ☐ CUSTODY | | | | | | | | | | | | | |
| JUVENILE DISPOSITION: 1. ☐ HANDLED, RELEASED 2. ☐ REFERRED TO OTHER AUTHORITY *J-This Jurisdiction. S-State. O-Out of State. U-Unknown. | | | | | | | | | | | | | |
| ADDITIONAL CASE NUMBERS | | | | | | | | | | | | | |
| IF HOLDING FOR ANOTHER AGENCY, CIRCLE CHARGE - A,B,C | | | | | | | | | | | | | |

| CHARGE I.D. | A | B | C | | | |
|----------------|------------------------|--------|------|--------|------|--------|
| CHARGE | 2018A1520360340 | | | | | |
| STATUTE | | | | | | |
| BOND AMOUNT | | | | | | |
| BOND TYPE | | | | | | |
| REL. DATE | | | | | | |
| DISPOSITION | | | | | | |
| SENTENCE | DAYS | AMOUNT | DAYS | AMOUNT | DAYS | AMOUNT |
| TIME SERVED | | | | | | |
| GOOD TIMES | | | | | | |
| BALANCE | | | | | | |
| PAID | | | | | | |
| RECEIPT NUMBER | | | | | | |

| | | | | |
|--|------|-------------------|--------|--------------------|
| RELEASE DATE | TIME | RELEASING OFFICER | NUMBER | AGENCY RELEASED TO |
| SIGNATURE OF RECEIVING OFFICIAL x Cpl. Spry | | | | |
| REMARKS: LIST ANY REMARKS BELOW | | | | |

| | | | |
|---------------------------------------|------|---|------|
| DEFENDANT'S PERSONAL PROPERTY RECEIPT | | TOTAL CASH AT TIME OF ARREST → \$0 | |
| QUANTITY | ITEM | QUANTITY | ITEM |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

I HEARBY STATE THAT THE PROPERTY LISTED ABOVE CONSTITUTES ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

x **[Signature]**
DEFENDANT'S SIGNATURE AT TIME OF ARREST**[Signature]**
OFFICER

I HEREBY STATE, ON THE DATE OF MY RELEASE, THAT THE ABOVE LISTED PROPERTY WAS RETURNED TO ME, IN SATISFACTION OF ALL CLAIMS TO PROPERTY ON MY PERSON AT THE TIME OF MY ARREST.

X



Walterboro Municipal Court
CASE HISTORY FOR CASE 2018A1520300340
The State of South Carolina VS Jacob Seal Murdaugh

FILED DATE: 10/9/2018
INDICTMENT NUMBER:

CASE TYPE: CR/Criminal - Bond
ASSIGNED JUDGE: Payne, R Morrison M
DISPOSITION JUDGE: Payne, R Morrison M
ARRESTING AGENCY: Walterboro Police Department

STATUS: Disposed

CASE PARTIES:

Defendant Murdaugh, Jacob Seal
202 Sierra Ln, Walterboro, SC 29488-5005

Officer Belanger, Keith L
242 Hampton Street, Walterboro, SC 29488-

Bond Entity Murdaugh, Jacob Seal
202 Sierra Ln, Walterboro, SC 29488-5005

Defendant Attorney Hudson-Scott, Ashley
218 Cam Street, PO Box 1038, Walterboro, SC 29488

Victim Walmart Store #1358
2110 Bells Highway, Walterboro, SC 29488

CASE HISTORY FOR CASE 2018A1520300340

Murdaugh, Jacob Seal
202 Sierra Ln

Age: 36
DL#: 011161303

DOB: 6/17/1983
SSN: 248-63-0013

Walterboro, SC 29488-5005

| CHARGE | VIOL. DATE | DISPOSITION | DISP. DATE |
|---|------------|--------------------------|------------|
| 0528 Shoplifting / Shoplifting, value \$2,000 or less | 7/24/2018 | Dismissed No Prosecution | 11/6/2019 |

| COST | ORIGINAL | BALANCE DUE | DISBURSED | PAY PRIORITY |
|--|----------|-------------|-----------|--------------|
| Charge: Shoplifting / Shoplifting, value \$2,000 or less | | | | |
| Fine to General Fund | \$0.00 | \$0.00 | \$0.00 | 999 |
| Victim Services Asm 38.0013% / 5.783 | 0.00 | 0.00 | 0.00 | 999 |
| Victim Conviction Surcharge \$100 / \$21 | 0.00 | 0.00 | 0.00 | 999 |
| Law Enforcement Funding Surcharge \$: | 0.00 | 0.00 | 0.00 | 999 |
| State Assessment | 0.00 | 0.00 | 0.00 | 999 |
| Total: | \$0.00 | \$0.00 | \$0.00 | |

| DATE | TIME | EVENT DESCRIPTION |
|-----------|----------|---|
| 10/9/2018 | 7:59 AM | Court event: Bond Hearing |
| 10/9/2018 | 12:00 AM | Filing recorded: Archived Faretta Warnings |
| 10/9/2018 | 12:00 AM | Filing recorded: Defendant Information Regarding Rights |

Print Date: 12/20/2019
Print Time: 4:36:14PM
Requested By: C15NHARDY

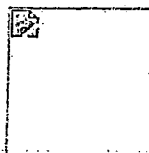
CaseHistory.rpt V6.1



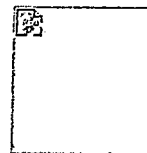
Certified to be True and Correct
Copy of the original document on file
with the Walterboro Municipal Court.
[Signature]
Clerk/Assistant Clerk of Court
Date 12.20.19

10/11/21, 1:36 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1800204

Case Status Date: 2/7/2018

Main Incident Information

Location: 2110 BELL'S HWY, WALTERBORO, SC 29488

Start Date: 1/27/2018 End Date: 1/27/2018 Disp Date: 1/27/2018 Time Arrived: 13:59
Start Time: 13:48 End Time: 14:30 Disp Time: 13:48

NCIC INQ? False NCIC INQ Date: NCIC ENTD? False NCIC ENTD Date:
Subject Identified? True Subject Located? False



10/11/21, 1:38 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Statute: TRESPASSING
AFTER NOTICE
{90J}

Offense Type: Trespass of Real Property {90J}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: HARRISON, HEYWARD BRYAN

Age At Entry: 32

Drug Activity:

Drug Type:

City: CHARLESTON

State: SC

OFFENDER: SANDERS, TAYLOR VICTORIA

Age At Entry: 22

Drug Activity:

Drug Type:

City: WALTERBORO

State: SC

Victims

VICTIM: Society/Public

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

There is no property associated with this report.

Narrative

I, SGT BELANGER, AND OTHER OFFICERS RESPONDED TO 2110 BELL'S HWY IN REFERENCE TO AN INDIVIDUAL (SANDERS) ATTEMPTING RETURN AN ITEM WITH A RECEIPT FROM A DIFFERENT STORE. PRIOR TO ARRIVAL WE WERE INFORMED THE EXCHANGE WAS REFUSED BY THE STORE AND A SECOND INDIVIDUAL (HARRISON) WAS STANDING OUTSIDE THE BUSINESS, BY THE GENERAL MERCHANDISE EXIT. UPON OFFICER ARRIVAL HARRISON WAS SEEN RUNNING THRU THE WALMART PARKING LOT TOWARD MURPHY OIL. ONCE AT MURPHY OIL, I ATTEMPTED TO MAKE CONTACT WITH HARRISON WHO FLED FROM THE OPPOSITE SIDE OF THE BUILD TOWARD THE SUPER 8 MOTEL. HARRISON WAS TRESPASSED FROM WALMART ON 09/22/2017. A WARRANT WILL BE COMPLETED.

Signatures

10/11/21, 1:36 PM

NIBRS Report

Reporting Officer: BELANGER, KEITH L [S13]

Assisting Officer: ☐

Follow-Up Officer: ☐

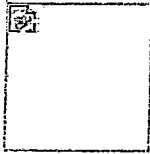
Follow-Up Assisting Officer: ☐

Approving Officer: ☐

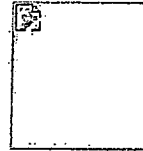
Validating Officer: ☐

10/11/21, 1:56 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT**
WALTERBORO, SC.
ORI: SC0150100



Case Status: Cleared By Arrest

Case Number: 1800753

Case Status Date: 4/7/2018

Main Incident Information

Location: 1286 SNIDERS HWY (BAYMONT INN) WALTERBORO, SC 29488

Start Date: 4/6/2018 End Date: 4/6/2018
Start Time: 22:20 End Time: 22:25

Disp Date: 4/6/2018
Disp Time: 23:39

Time Arrived: 23:46

NCIC INQ? False NCIC INQ Date:
Subject Identified? True

NCIC ENTD? False
Subject Located?

NCIC ENTD Date:
True

10/11/21, 1:56 PM

NIBRS Report

Patrol Zone:

Division Assignment:

Officer Assigned:

Offenses

Statute: PETIT LARCENY
UNDER \$2,000 16-13-
0030 (A) (23H) CDR
3419

Offense Type: All Other Larceny {23H}

Location Type: Hotel/Motel/Etc.

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Statute: DEFRAUDING AN
INNKEEPER {26A}

Offense Type: False Pretenses / Swindle / Confidence Game {26A}

Location Type: Hotel/Motel/Etc.

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: HARRISON, HEYWARD BRYAN

Age At Entry: 33

Drug Activity:

Drug Type:

OFFENDER: FLETCHER, TERESA FAYE

Age At Entry: 40

Drug Activity:

Drug Type:

City: WALTERBORO

State: SC

Victims

VICTIM: BAYMONT INN & SUITES

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

Property Radios/TVs/VCRs

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$250.00

Description: 32 INCH LG TELEVISION

NIBRS Report.

Recovered?: True

Date of Theft:

4/6/2018 Date of

4/7/2018

Theft Jurisdiction:SC0150100Recovery

SC0150100

Recovery:

Recovery Value: \$250.00

Manufacturer: LG

Jurisdiction:

Model:

Serial Number: 802RMCJ195531

Descriptive Marks:

Customizable Field:

Customizable Field2:

Customizable Field3:

ON APRIL 6, 2018 I WAS DISPATCHED TO 1286 SNIDERS HWY. WALTERBORO, SQ (BAYMONT INN& SUITES) IN REFERENCE TO A TENANT STEALING A 32 INCH LG. TELEVISION FROM ROOM 243. UPON ARRIVAL I MET WITH PRERAK BHAVIAT "PK" (POINT OF CONTACT) WHO SHOWED VIDEO FOOTAGE OF HEYWARD HARRISON (OFFENDER) TAKING THE TELEVISION AND PUTTING IT INTO A BLACK DODGE 1500 TRUCK. PRERAK BHAVIAT ALSO STATED THAT ROOM 243 WAS UNDER THE NAME TERESA FLETCHER (OFFENDER) WHO INCIDENTALLY DID NOT PAY FOR THE \$80.64 FOR THE ROOM AND LEFT WITH HEYWARD HARRISON. SHORTLY AFTER OFFICERS CLEARED FROM THIS CALL, OFFICERS MADE CONTACT WITH THE SUSPECTS AT WAL-MART (SEE OCA # 1800754) RECOVERED THE PROPERTY AND TRANSPORTED OFFENDERS TO COLLETON COUNTY DETENTION CENTER. AFFIDAVITS WERE COMPLETED FOR PETTY LARCENY AND DEFRAUDING AN INN KEEPER.

Reporting Officer: SHIPP, CHARLES [1-64]

Assisting Officer: PRUITT, WILLIAM CODY []

Follow-Up Officer: ☐

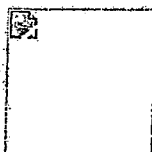
Follow-Up Assisting Officer: ☐

Approving Officer: ☐

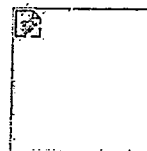
Validating Officer: ☐

10/11/21, 1:56 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1800754

Case Status Date: 4/7/2018

Main Incident Information

Location: 2110 BELLS HWY (WALMART) 29488

Start Date: 4/7/2018 End Date: 4/7/2018
Start Time: 00:15 End Time: 01:40

Disp Date: 4/7/2018
Disp Time: 00:20

Time Arrived: 00:20

NCIC INQ? False NCIC INQ Date:
Subject Identified? True

NCIC ENTD? False
Subject Located?

NCIC ENTD Date:
True

10/11/21, 1:58 PM

NIBRS Report

Theft Jurisdiction: SC0150100 Recovery

SC0150100

Recovery Value: \$300.00

Jurisdiction:

Manufacturer: LG

Model: 32LC5DC

Serial

802RMCJ195531

Number:

Descriptive Marks:

Customizable Field:

Customizable Field2:

Customizable Field3:

Narrative

WHILE ON PATROL, I OBSERVED THE OFFENDER AND TWO OTHER INDIVIDUALS WALKING THROUGH THE PARKING LOT TO ENTER THE BUSINESS. I ALSO OBSERVED A BLACK DODGE 1500 EXITING THE PARKING LOT THAT WAS A SUSPECT VEHICLE IN REFERENCE TO OCA# 1800753. I ADVISED ADDITIONAL UNITS OF THE SUSPECT ENTERING WALMART AND I THEN CONDUCTED A TRAFFIC STOP ON A 2003 DODGE 1500 SCTAG# DWN967 AFTER THE OFFENDER DISREGARDED THE TRAFFIC LIGHT OF UPCHURCH LN AND BELLS HWY. UPON SPEAKING WITH THE OPERATOR, I OBSERVED THE STOLEN TELEVISION LOCATED ON THE REAR SEAT. THE OPERATOR WAS DETAINED AND A SEARCH OF THE VEHICLE ALLOWED ME TO TAKE POSSESSION OF THE STOLEN PROPERTY. SGT. BELANGER MADE CONTACT WITH THE OFFENDER AT THE BUSINESS WHERE DISPATCH CONFIRMED HE WAS PREVIOUSLY TRESPASSED FROM THIS LOCATION. SGT. BELANGER ARRESTED AND TRANSPORTED HIM TO COLLETON COUNTY DETENTION CENTER FOR TRESPASSING AND A HOLD WAS PLACED FOR THE PREVIOUSLY COMMITTED LARCENY. THE OPERATOR OF THE VEHICLE WAS CITED FOR THE TRAFFIC VIOLATION AND RELEASED. THE STOLEN PROPERTY WAS RETURNED TO BAYMONT INN TO THE MANAGER ON SHIFT.

Signatures

Reporting Officer: BALLARD, WILLIAM ROBERT [S-22]

Assisting Officer: BELANGER, KEITH L [S13]

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

Approving Officer: ☐

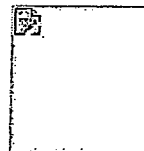
Validating Officer: ☐

10/11/21, 1:40 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1801171

Case Status Date: 5/26/2018

Main Incident Information

Location: 2110 BELLS HWY WALTERBORO, SC 29488

| | | | |
|-----------------------|---------------------|----------------------|---------------------|
| Start Date: 5/26/2018 | End Date: 5/26/2018 | Disp Date: 5/26/2018 | Time Arrived: 13:42 |
| Start Time: 13:10 | End Time: 13:45 | Disp Time: 13:26 | |

| | | | |
|--------------------------|----------------|-----------------------|-----------------|
| NCIC INQ? False | NCIC INQ Date: | NCIC ENTD? False | NCIC ENTD Date: |
| Subject Identified? True | | Subject Located? True | |

10/11/21, 1:40 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Statute: SHOPLIFTING 1ST
OFFENSE \$2,000 OR
LESS {23C} CDR 528

Offense Type: Shoplifting {23C}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Statute: POSSESSION OF
AMPHETAMINE
{35A}

Offense Type: Drug / Narcotic Violations {35A}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1: Possessing/Concealing

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: *FLETCHER, TERESA FAYE*

Age At Entry: 40

Drug Activity: Possessing/Concealing

Drug Type:

Amphetamine/Meth

City: WALTERBORO

State: SC

Victims

VICTIM: *Society/Public*

VICTIM: *WALMART*

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

Property Type: *Merchandise*

Loss Type: Stolen/Etc.

Quantity: 1

Type:

Value: \$100.60

Description: MISC. MERCHANDISE

NIC #:

Recovered?: False

Date of Theft:

5/26/2018 Date of Recovery:

Theft Jurisdiction:

Recovery Jurisdiction:

Recovery Value:

10/11/21, 1:40 PM

NIBRS Report

Descriptive Marks:
Customizable Field2:

Customizable Field:
Customizable Field3:

Property Item

| | | | | | |
|----------------------|--|---------------------|-------------------|----------------------|---|
| Property Type: | Drugs/Narcotics | Loss Type: | Seized | Quantity: | 1 |
| Value: | Description: ONE SYRINGE WITH LIQUID SUBSTANCE | | | | |
| NIC#: | Recovered?: False | Date of Theft: | Date of Recovery: | | |
| Theft Jurisdiction: | Recovery Jurisdiction: | Recovery Value: | | | |
| Drug Type: | Amphetamine/Meth | Estimated Quantity: | 2 | Measure: Fluid Ounce | |
| Descriptive Marks: | Customizable Field: | | | | |
| Customizable Field2: | Customizable Field3: | | | | |

Narrative

I, CPL O'QUINN, WAS DISPATCHED TO WALMART IN REFERENCE TO A SHOPLIFTING IN PROGRESS. UPON ARRIVAL, CONTACT WAS MADE WITH THE OFFENDER OUTSIDE THE BUSINESS NEAR LAWN AND GARDEN. THE OFFENDER IMMEDIATELY STATED THAT SHE WOULD SHOW A RECEIPT FOR THE ITEMS SHE HAD. WHILE SHE WAS DIGGING THROUGH HER PURSE LOOKING FOR SAID RECEIPT, I OBSERVED MULTIPLE PIECES OF MERCHANDISE INSIDE THE BAG. I SPOKE WITH THE COMPLAINANT WHO RELATED THAT HE OBSERVED THE OFFENDER PLACE THE ITEMS IN THE PURSE, PROCEED THROUGH THE LAWN AND GARDEN EXIT, AND FAILED TO RENDER PAYMENT FOR THE ITEMS. THE OFFENDER WAS DETAINED AND BROUGHT BACK TO THE LOSS PREVENTION OFFICE. THERE SHE RELATED THAT SHE STOLE MULTIPLE ITEMS. SHE WAS FURTHER READ HER MIRANDA RIGHTS AND SHE RELATED WHAT THE INDIVIDUAL ITEMS WERE THAT SHE STOLE. THE MERCHANDISE IS VALUED AT \$100.60. SHE WAS PLACED ON TRESPASS NOTICE, ADVISED SHE WAS UNDER ARREST AND TRANSPORTED TO THE JAIL. A THOROUGH SEARCH OF THE OFFENDER'S PURSE WAS ALSO COMPLETED AND I LOCATED A RED AND BLUE SUNGLASSES CASE. UPON REMOVING IT FROM THE PURSE, THE OFFENDER STATED THAT I DIDN'T WANT TO KNOW WHAT WAS IN THERE. ONCE OPENING THE CASE, IT WAS DETERMINED IT WAS A SYRINGE CONTAINING A CLEAR LIQUID SUBSTANCE IN WHAT THE OFFENDER RELATED WAS "ICE." I ADVISED HER AGAIN THAT SHE WAS STILL UNDER HER MIRANDA WARNING AND SHE RELATED THAT SHE WANTED TO BE TRUTHFUL AND STATED AGAIN THAT THE SUBSTANCE WAS METHAMPHETAMINE. A HOLD WAS THEN PLACED ON THE OFFENDER, PENDING AFFIDAVIT FOR WARRANT. BEST BAG WAS ALSO COMPLETED AND TURNED INTO EVIDENCE.

Signatures

Reporting Officer: O'QUINN, JACOB [S-14]

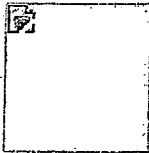
Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

10/11/21, 1:39 PM

NIBRS Report



**WALTERBORO POLICE
DEPARTMENT
WALTERBORO, SC
ORI: SC0150100**



Case Status: Cleared By Arrest

Case Number: 1801792

Case Status Date: 8/9/2018

Main Incident Information

Location: 2110 BELLS HWY WALTERBORO, SC 29438

| | | | |
|----------------------|--------------------|---------------------|---------------------|
| Start Date: 8/9/2018 | End Date: 8/9/2018 | Disp Date: 8/9/2018 | Time Arrived: 15:20 |
| Start Time: 15:00 | End Time: 15:10 | Disp Time: 15:10 | |

| | | | |
|---------------------------|----------------|------------------|-----------------|
| NCIC INQ? False | NCIC INQ Date: | NCIC ENTD? False | NCIC ENTD Date: |
| Subject Identified? False | | Subject Located? | False |

10/11/21, 1:39 PM

NIBRS Report

Patrol Zone:
Officer Assigned:

Division Assignment:

Offenses

Offense Type: Trespass of Real Property {90J}

Statute: TRESPASSING
AFTER NOTICE
{90J}

Location Type: Department/Discount Store

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Offense Type: Non-Reportable {90T}

Statute: DUS 2ND AND
GREATER {90T}

Location Type: Parking Lot/Parking Garage

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1:

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Department/Discount Store

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

Offense Type: Drug Equipment Violations {35B}

Statute: POSSESSION OF
NARCOTIC
EQUIPMENT {35B}

Location Type: Parking Lot/Parking Garage

Completed: True Method of Entry:

Entered:

Bias Motivation: None

Type of Criminal Activity 1: Possessing/Concealing

Weapon Type 1:

Type of Criminal Activity 2:

Weapon Type 2:

Type of Criminal Activity 3:

Weapon Type 3:

Location Type 2:

Department/Discount Store

Special Circumstances 1:

Special Circumstances 2:

Special Circumstances 3:

Gang Activity:

People

OFFENDER: *FLETCHER, TERESA FAYE*

Age At Entry: 40

Drug Activity: Possessing/Concealing

Drug Type:

Marijuana

City: WALTERBORO

State:

SC

OFFENDER: *SABATINO, ANGELA SUE*

Age At Entry: 35

Drug Activity:

Drug Type:

City: WALTERBORO

State:

SC

Victims

VICTIM: *Society/Public*

10/11/21, 1:39 PM

NIBRS Report

Complainants

There are no Complainants associated with this report.

Witnesses

There are no Witnesses associated with this report.

Property

Property Item

| | | | | | |
|----------------------|-------------------------|------------------------|------------------------------|----------------------|---|
| Property Type: | Drug/Narcotic Equipment | Loss Type: | Seized | Quantity: | 1 |
| Value: | \$1.00 | Description: | MARIJUANA PIPE AND METH PIPE | | |
| NIC #: | | Recovered?: | False | Date of Theft: | |
| Theft Jurisdiction: | | Recovery Jurisdiction: | | Date of Recovery: | |
| Descriptive Marks: | | | | Recovery Value: | |
| Customizable Field2: | | Customizable Field: | | Customizable Field3: | |

Narrative

I, CPL O'QUINN, WAS DISPATCHED TO WALMART IN REFERENCE TO A TERESA FLETCHER CURRENTLY ON INSIDE THE STORE THAT HAD BEEN PLACED ON TRESPASS. DISPATCH CONFIRMED THE TRESPASS NOTICE WAS ISSUED ON MAY 26, 2018. I WAS FURTHER AWARE OF TWO ACTIVE ARREST WARRANTS ON THE SUBJECT, ONE FOR LARCENY AND ONE FOR TRESPASSING. UPON ARRIVAL, THE SUBJECT WAS OBSERVED LEAVING THE PROPERTY IN A BURGUNDY MITSUBISHI ECLIPSE. A TRAFFIC STOP WAS CONDUCTED AND FLETCHER WAS REMOVED FROM THE VEHICLE AND DETAINED. THE PASSENGER, SABATINO WAS ALSO REMOVED FROM THE VEHICLE AS THE ODOR OF MARIJUANA WAS DETECTED EMITTING FROM INSIDE. A SEARCH OF THE VEHICLE REVEALED A BLUE AND GREEN BOWL PIPE COMMONLY USED FOR THAT OF SMOKING MARIJUANA WITH BURNT GREEN LEAFY RESIDUE IN THE BOWL. THERE WAS ALSO A BLUE GLASS PIPE COMMONLY USED IN THE SMOKING OF METHAMPHETAMINES LOCATED IN THE VEHICLE AS WELL. FLETCHER WAS ALSO FOUND TO BE DRIVING UNDER SUSPENSION, 2ND OFFENSE. FLETCHER WAS PLACED UNDER ARREST AND TRANSPORTED TO THE JAIL WHERE SHE WAS BOOKED FOR TRESPASSING AFTER NOTICE, DUS 2ND, ARREST WARRANT FOR TRESPASSING, AND ARREST WARRANT FOR PETIT LARCENY. SHE WAS FURTHER ISSUED A SUMMONS FOR THE PARAPHERNALIA THAT WAS LOCATED. SABATINO WAS ALSO ISSUED A SUMMONS FOR THE PARAPHERNALIA AND RELEASED ON SCENE.

Signatures

Reporting Officer: O'QUINN, JACOB [S-14]

Assisting Officer: ☐

Follow-Up Officer: ☐

Follow-Up Assisting Officer: ☐

EXHIBIT III

1 STATE OF SOUTH CAROLINA
2 IN THE COURT OF COMMON PLEAS
3 COUNTY OF COLLETON

4 Jacob Murdaugh,
5 Plaintiff,

6 vs.

Transcript of Record
2019-CP-15-00949

7 Walmart Stores East, LP,
8 Jan Lunsford, and John Doe,
9 Defendant.

10
11 November 03, 2021
12 Walterboro, South Carolina

13 B E F O R E:

14 The HONORABLE BENTLEY PRICE
15

16 A P P E A R A N C E S:

17 Thomas T. Nelson, Representing the plaintiff
18 Robert C. Blain, Representing the defendant
19
20
21

22 SHARON G. HARDOON, CSR
23 Official Circuit Court Reporter, III
24
25

1 THE COURT: Jacob Murdaugh vs. Walmart.

2 MR. BLAIN: Good morning, Your Honor.

3 THE COURT: Good morning, How are you?

4 MR. BLAIN: Doing well.

5 MR. NELSON: Good. We have back-to-back
6 motions before the Court this morning.

7 THE COURT: That's all right.

8 Motion for summary judgment.

9 MR. BLAIN: Yes, Your Honor. It's my
10 motion. Robert Wayne on behalf of the defendants.
11 May it please the Court?

12 THE COURT: Yes, sir.

13 MR. BLAIN: Jacob Murdaugh -- no relation to
14 the prominent legal family in this state.
15 Mr. Murdaugh is trying to hold Walmart liable for a
16 misidentification during a good faith report of a
17 shoplifting at the Walterboro Walmart store.

18 Do you mind if I take off my mask,
19 Your Honor?

20 THE COURT: Whatever you all are
21 comfortable with. It's up to you all.

22 MR. BLAIN: Mr. Murdaugh is trying to
23 hold Walmart responsible for a misidentification
24 made in a good faith report of a shoplifting
25 incident that happened at the Walterboro store --

1 a good faith report to law enforcement. The law
2 is clear. The defendants are not responsible for
3 investigating and analyzing evidence that they
4 provide in good faith to the police. They are not
5 culpable for relaying information to law
6 enforcement in verifying that information. That's
7 the job of the police to do the investigation for
8 placing the arrest. The defendants simply
9 reporting a theft to the police can't be grounds
10 for tort liability under any of the five causes of
11 action the plaintiff has alleged here.

12 A brief rundown of the facts, Your Honor.
13 Jacob Murdaugh was in Walmart around 2:00 a.m. on
14 the night in question. He was in the store for
15 about 25 minutes. Didn't make any purchases.
16 Left the store without being detained, stopped,
17 questioned, any interaction whatsoever with any
18 Walmart employee.

19 Interestingly, Mr. Murdaugh was with
20 three companions; one male, two females. And all
21 three are well known to the police and to Walmart
22 for prior shoplifting incidents at that very same
23 Walmart store. All three companions had been band
24 and trespassed from that Walmart store.

25 It is undisputed that a shoplifting

1 incident did occur at the same night at the same
2 time that Mr. Murdaugh and his three companions
3 were inside the store.

4 A third party observed an unidentified
5 white male attempting a push out of a full
6 shopping cart and stopped that gentleman. The
7 unidentified man fled into the parking lot, and
8 the third party reported that he fled in a neon
9 green vehicle. That information was related to
10 Walmart, who then contacted law enforcement to
11 report an attempted shoplifting.

12 Walterboro police stopped the neon green
13 vehicle just down the road, and the two female
14 companions -- plaintiff's two female companions
15 were inside that neon green vehicle. They were
16 charged with trespassing, a violation of the prior
17 band that they had at the Walmart store.

18 At that point, Walmart cooperated with
19 law enforcement. They provided a video
20 surveillance and still frames from that
21 surveillance showing all the folks inside the
22 store who were believed to be involved in this
23 shoplifting incident at the time. And so Walmart
24 attempted in good faith to cooperate with the
25 police investigation.

1 Based on the police investigation, the
2 Walterboro police took out an arrest warrant for
3 the plaintiff, Mr. Jacob Murdaugh, for
4 shoplifting. Two months later -- for two months
5 he's oblivious to all this going on. So two
6 months later, he's arrested in a routine traffic
7 stop. At the criminal hearing, the charges were
8 dismissed with no prosecution when the arresting
9 officer -- dismissed with no prosecution with the
10 consent of Walmart when the arresting officer and
11 the judge recognized that Mr. Murdaugh, the
12 plaintiff, was not the same gentleman shown -- the
13 white unidentified male shown on surveillance
14 video pushing out the shopping cart.

15 The Supreme Court has looked at nearly
16 identical facts. There's a case that's on all
17 four here. The Huffman v. Sunshine Recycling
18 case, which is 462 SC 262 was decided in 2019.
19 And, in that case, a woman, Miss Huffman, who was
20 mistakenly arrested on suspicion of selling metal
21 that had been stolen from the utility company.
22 The facility provided surveillance video and
23 information to identify Miss Huffman who was
24 arrested and later determined to not be the proper
25 suspect, the thief.

1 Judge Maite Murphy granted summary
2 judgment in that case. The arrestee, Miss Huffman
3 appealed, and then it made it all the way up to
4 the Supreme Court. The Supreme Court affirmed
5 summary judgment in favor of the defendants on
6 false imprisonment and malicious prosecution
7 claims. And Supreme Court was clear: The victim
8 of a crime has no duty to investigate and analyze
9 evidence in the same manner as law enforcement, no
10 duty to verify information provided in good faith
11 to law enforcement, and simply cooperate with law
12 enforcement in relaying information believed to be
13 true is not evidence the victim induced or caused
14 the arrest.

15 That's what Walmart did here. That's the
16 same facts. Walmart cooperated with law
17 enforcement. Walmart relayed information in a
18 good faith belief that they were assisting the
19 police investigation. That cooperation with law
20 enforcement is not evidence of -- that Walmart
21 somehow caused Mr. Murdaugh's arrest.

22 Now, Mr. Nelson will surely -- who's a
23 great lawyer, will surely inform the Court that
24 the arresting officer was recently deposed, and
25 that arresting officer testified that Walmart

1 identified Jacob Murdaugh as the white male
2 shoplifter.

3 Now, even assuming that is true, it
4 doesn't create a dispute of a material fact.
5 That's key. The Supreme Court in this
6 Huffman v. Sunshine Recycling case, when it
7 affirmed summary judgment, the Supreme Court was
8 clear: The victim of a crime is not liable when
9 it cooperates with law enforcement and relays
10 information believed to be true at the time.

11 Even if that information is later
12 discovered to be incorrect, just like it was in
13 the Huffman v. Sunshine Recycling case, it's still
14 not grounds to hold the victim of the crime
15 responsible for relaying it to law enforcement.

16 The Huffman case really honed in on the
17 key public policy issue here. It sought to avoid
18 any chance that they could risk chilling public
19 cooperation with a law enforcement investigation.
20 They obviously want victims to be forthcoming.
21 They want victims to relay all the information
22 that may be relevant to the case. Even if the
23 police later investigate and determine it's not
24 accurate or not relevant, they want to encourage
25 the public to be cooperative. That's why the

1 Huffman court, the Supreme Court said, the
2 defendants have no duty to verify the evidence,
3 and they cannot be held liable for simply
4 reporting the crime and cooperating with the
5 police.

6 Therefore, Walmart is respectfully
7 asking -- requesting summary judgment on all five
8 causes of action. Those five causes of action and
9 the specifics of the elements and the arguments
10 pertaining to each cause of action are laid out in
11 defendant's memo in support, which was filed in
12 September. Those causes of action, false
13 imprisonment, malicious prosecution, assault and
14 battery, defamation, and negligence.

15 There's no duty to analyze the evidence
16 and verify. To find such a duty, to deny summary
17 judgment, would be imposing what the Huffman court
18 called an unprecedented duty. It's not supporting
19 the law. And, therefore, Walmart respectfully
20 asks for summary judgment on all the causes of
21 action, and we appreciate your time.

22 Thank you.

23 THE COURT: All right. Thank you, sir.

24 All right. Mr. Nelson.

25 MR. NELSON: Thank you, judge. So, yes,

1 since Mr. Blain filed this motion, we have deposed
2 the officer, so I'm not -- as to with regard to
3 what he put in his memorandum, I think everything
4 has changed. The officer came out and said, I
5 made this arrest because the Walmart manager told
6 me that Jacob Murdaugh committed the act of
7 shoplifting.

8 I won't get into the photos. There are
9 photos two white males. That's about the extent
10 of similarities between these two guys; the actual
11 shoplifter and Mr. Murdaugh.

12 The officer that did the investigation,
13 he was called to the scene. He showed up. He
14 looked at the guy that was on the video that
15 actually had the shopping cart. He didn't know
16 who it was, but Miss Lunsford told him under his
17 deposition -- in his deposition -- in his
18 deposition he said, Miss Lunsford told him
19 unequivocally that is Jacob Murdaugh. In the
20 light most favorable to us, she made that report.

21 When you look at the Huffman case that
22 Mr. Blain was just talking about, I disagree a
23 little bit about what it says in relation to this
24 case. They rehash the point: The notion that a
25 private individual may face potential liability

1 for false imprisonment is recognized in
2 South Carolina. And then they said: It was well
3 settled that where a private person induces an
4 officer by request, direction, or command to
5 unlawfully arrest another, he is liable for false
6 imprisonment.

7 There was two defendants -- well, there's
8 three defendants in Huffman. One was the
9 Sheriff's Department. They settled, so they
10 weren't part of the appeal.

11 Now, the two private entities that were
12 involved, one summary judgment was affirmed. The
13 other one, it was reversed.

14 As to the party that Sunshine -- that
15 Mr. Blain was just talking about, they did not
16 call the cops. The cops came to them. They asked
17 questions. They asked for records. They asked
18 for receipts. They asked for video. The Sunshine
19 defendant simply just responded to all the
20 requests for information. That's why they were
21 let out.

22 The other party that was kept in, he was
23 the one that called the cops. He was the one that
24 was, kind of, taking the bull by the horns and
25 trying to push an arrest in one person's

1 direction. He was held in. This one is more like
2 that other defendant, where Walmart called the
3 cops, asked for the warrant. So I think for all
4 those reasons here, the false -- Huffman does not
5 apply.

6 As to responding to his memorandum, I did
7 not prepare a memorandum today because a lot of
8 what they put in there was based on the premise
9 that we did not know what the police were going to
10 say. We did not have this actual unequivocal
11 statement by the Walmart manager.

12 When I deposed the Walmart manager, she
13 said she doesn't even remember the incident. She
14 doesn't remember. I mean, it was literally, "I
15 don't know," "I don't know," "I don't know." It
16 was a very short deposition.

17 If Your Honor is inclined to grant this
18 motion based upon on that memorandum, I would like
19 the opportunity to file one in reply. I thought
20 we were going to have a little more argument here
21 today, but, again, the cases just don't apply that
22 he cited.

23 In the defamation case, he talks about
24 Bell vs. Abbeville, he talks about a qualified
25 privilege, but they said the burden was on him.

1 Here, clearly, a publication was made, but the
2 burden was on the party to show that the qualified
3 privilege was when the Walmart manager could
4 not -- well, she doesn't even remember the
5 incident. She can't make that allegation or that
6 affirmative defense.

7 And that's what I have.

8 THE COURT: All right. Anything in
9 response, Mr. Blain?

10 MR. BLAIN: Yes, Your Honor. Briefly to
11 discuss the Huffman v. Sunshine Recycling case,
12 you know, in some respects Mr. Nelson is quite
13 right, there are two defendants. Summary judgment
14 was affirmed on one and reversed on the other. I
15 think the facts of that case clearly show Walmart
16 is most akin to Sunshine Recycling, the company
17 where summary judgment was affirmed. And that's
18 because Sunshine was the entity that provided the
19 police with video surveillance and other
20 information to identify the suspect, to identify
21 Miss Huffman. That's what the argument is here.

22 They're saying that Mr. Murdaugh is
23 arguing that Walmart provided information to the
24 police and identified him. It's the same facts as
25 the Huffman v. Sunshine case, and that's why it's

1 so key that the Huffman court, the Supreme Court
2 said, simply cooperating with law enforcement in
3 relating information, the recycling company,
4 Sunshine believed to be true is not evidence to
5 support a claim for false imprisonment.

6 To briefly touch on the defamation
7 argument, the only publication that Walmart made,
8 was to law enforcement for the purpose of
9 prosecuting and investigating a crime. That's
10 clearly a qualified privilege. Evaluating whether
11 a publication is privilege is a matter of law for
12 Your Honor to decide. The case law is clear.
13 That's briefed in our memo.

14 Mr. Nelson is also right, things have
15 changed since we filed the memo back in September,
16 but the material facts have not changed. There is
17 a dispute as to whether Miss Lunsford identified
18 Jacob Murdaugh or not. Even assuming Walmart did
19 identify Jacob Murdaugh, there's still no claim,
20 there's still no material fact because a good
21 faith cooperation with law enforcement, providing
22 information in good faith that you believe to be
23 at the true is just simply not grounds for tort
24 liability.

25 Thank you.

1 THE COURT: All right. I'll take it
2 under advisement, but I'll give you the answer by
3 the end of the day. All right?

4 MR. NELSON: Appreciate it. Thank you.

5 MR. BLAIN: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 (The hearing was concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF REPORTER

I, SHARON G. HARDOON, Official Circuit Court Reporter, III for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of Common Pleas for Colleton County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

February 23, 2022



Sharon G. Hardoon, CSR
Official Circuit Court Reporter, III

EXHIBIT IV

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

JACOB MURDAUGH,

Appellant/Plaintiff,

vs.

WALMART STORES EAST, LP, AND
JAN LUNSFORD JOHN DOE,

Respondents/Defendants.

APPELLATE CASE NO: 2022-00141
COMMON PLEAS CASE NO.:
19-CP-~~15~~-00949

AFFIDAVIT OF THOMAS NELSON

PERSONALLY APPEARED BEFORE ME, Thomas C. Nelson, who after being duly sworn, deposes and says:

1. My name is Thomas Nelson, and I am the attorney for the Appellant/Plaintiff in the captioned action. I submit this affidavit as my factual account of the proceedings that have led to Respondents/Defendants filing a Motion to Strike Matters from Appellant's Designation of Matter filed for this case which is currently in the Court of Appeals.

PROCEDURAL BACKGROUND

2. This case stems from allegations that Respondent/Defendant Walmart informed law enforcement that Appellant/Plaintiff committed the offense of shoplifting in the Walmart store in Walterboro, South Carolina. The allegations are that a different individual pushed a shopping cart full of unpurchased items out of the store. Law enforcement obtained an arrest warrant for Appellant/Plaintiff. Approximately two months later, it appears that Appellant/Plaintiff was stopped for a traffic offense and arrested for the shoplifting offense. A municipal judge dismissed the shoplifting charge after the law enforcement officer conceded at a court hearing that the person caught on surveillance pushing the shopping cart out of the store was not Appellant/Plaintiff.

3. I filed a Complaint concerning these allegations on behalf of Appellant/Plaintiff in the Court of Common Pleas in Colleton County on December 4, 2019. After an initial round of paper discovery was completed and the depositions of Appellant/Plaintiff and Respondent/Defendant Jan Lunsford were taken, Respondents/Defendants filed a motion for summary judgment on July 8, 2021. On numerous occasions, counsel for Respondents/Defendants and I discussed taking the deposition of Sgt. Keith Belanger, the law enforcement officer who responded to Respondents/Defendants' shoplifting complaint and obtained the arrest warrant for Appellant/Plaintiff, but neither of us were initially able to contact Sgt. Belanger to coordinate his deposition.

4. Respondents/Defendants' summary judgment motion was initially scheduled for September 21, 2021. One week prior, on September 14, 2021, Respondents/Defendants filed a memorandum in support of their motion for summary judgment and attached portions of the depositions of Appellant/Plaintiff and of Jan Lunsford. Appellant/Plaintiff was able to notice the deposition of Sgt. Belanger for October 14, 2021, and by consent of the parties, the summary judgment motion was continued to allow for this deposition. **See Exhibits 1 and 2.** The deposition of Sgt. Belanger was taken as scheduled on October 14, 2021.

5. On November 3, 2021, this Court heard Respondents/Defendants' motion for summary judgment and, on December 3, 2021, issued an order granting Respondents/Defendants' motion on all causes of action, effectively ending the case. I served a motion for reconsideration on December 13, 2021, and this motion was accepted by the Court and filed on December 14, 2021. This Court denied the motion for reconsideration by Order dated January 11, 2022. I served and filed his Notice of Appeal on February 9, 2022.

6. I served Appellant/Plaintiff's initial brief and designation of matter on May 23, 2022. Among other things, the designation of matter requested that the Deposition of Sgt. Keith Belanger be included in the Record on Appeal. After consulting with me initially on May 26, 2022, Respondents/Defendants filed a Motion to Strike Matters from Appellant's Designation of Matter on June 3, 2022. In this motion, Respondents/Defendants took the position that Sgt. Belanger's deposition was not a part of the record at the summary judgment hearing.

RECORD CREATED AT SUMMARY JUDGMENT HEARING

7. It always was and still is my intention for this deposition to be part of the record:
- a. We continued the September 21, 2021 summary judgment hearing for the sole purpose of taking this deposition.
 - b. There were references to this deposition by both Respondents/Defendants' counsel and myself during the hearing. Respondents/Defendants' counsel first acknowledged some of Sgt. Belanger's testimony in the transcript from the hearing. [See Transcript of Hearing, attached as **Exhibit 3**, Page 6, line 22 – Page 7, line 4] Respondents/Defendants' counsel acknowledged that "things have changed" since filing of the memorandum on September 14, 2021, referencing the Deposition of Sgt. Belanger. [Page 13, lines 14-16] My opening remarks referred to this deposition. [Page 8, line 25 – Page 9, line 7]
 - c. While preparing my response to the Motion to Strike Matters from Appellant's Designation of Matter, I reviewed the hard file for this case (as opposed to utilizing the documents as saved to our server) for the first time since the summary judgment hearing and noticed that the sealed original and two copies of Sgt. Belanger's deposition were in the file. These extra copies were printed

for the summary judgment hearing, and I intended for one of these copies to be provided to the Honorable Bentley D. Price at the hearing. Normally, I would have the original plus three (3) copies for a hearing (one for the court, one for opposing counsel, and one for myself). However, it is possible that I only brought two either believing that opposing counsel would already have a copy, or believing that I could open the sealed original if needed. I cannot conclude based upon my investigation whether I brought two or three copies or whether provided one to the lower court.

8. I do not have a recollection of exactly what was handed up at the hearing by the parties. Perhaps I was of the mistaken belief that Respondents/Defendants' counsel included it in his package. Perhaps I simply failed to provide it to Judge Price because I was focused on the arguments. Regardless, I believe this deposition should have been considered by the court because there are critical facts testified to in this deposition. I could have provided one of my extra copies to the court, and if I did not, it is clearly by my mistake, inadvertence, and/or excusable neglect. I believe that it would be unfair to Appellant to have his dismissed due to such a simple technical error

MOTION AND RELIEF

9. The motions this affidavit accompanies first asks the lower to clarify whether this deposition was part of its record at this hearing. If so, I intend to include it in the record on appeal. If not, the motion asks lower to grant the Rule 60(b) motion and allow for a rehearing of the summary judgment motion while considering Sgt. Belanger's deposition.

AFFIANT SAYS NO MORE.


Thomas C. Nelson

SWORN to and subscribed before me)
this 13th day of June 2022)

Michele R. McManis)
NOTARY PUBLIC FOR SOUTH CAROLINA)

My commission expires: 5/1/2029)

NOTARY SEAL

EXHIBIT 1

Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Date: Wednesday, September 15, 2021 at 2:45:35 PM Eastern Daylight Time

From: Robert Blain

To: Thomas Nelson

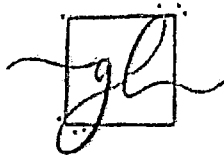
Attachments: image009.jpg, image010.png, image011.jpg, image012.png, image013.jpg, image014.png, image015.jpg, image016.png, image017.jpg, image018.png, image019.jpg

Tom,

I am willing to consent to a continuance of the SJ motion next week. I recognize I only got my Memo filed yesterday (only a week prior to the hearing), and I don't mean to put you behind the ball with any responsive filing. Since we have a plan to depose the Waltherboro officer soon, I am willing to continue the hearing in order to have time for discovery. Let' me know what you think. Thanks

Robert C. Blain

GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE. Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

From: Thomas Nelson <tnelson@charlestonlaw.net>
Sent: Monday, September 13, 2021 3:20 PM

To: Robert Blain <rblain@gaffneylewis.com>

Subject: Re: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Please block your calendar for October 14th. I am setting the depo date for 10:00 a.m. that day.

Thomas C. Nelson, Esq.

Futeral & Nelson, LLC

1004 Anna Knapp Blvd., Suite 3

Mount Pleasant, South Carolina 29464

(843) 284-5500

(fax) 284-5501

www.charlestonlaw.net



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

From: Robert Blain <rblain@gaffneylewis.com>

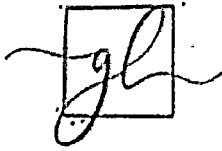
Date: Monday, September 13, 2021 at 1:02 PM

To: Thomas Nelson <tnelson@charlestonlaw.net>

Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Sounds good. I take it that there's still been no response on the Walterboro officer? After our emails about mediation, I asked my assistant to try contacting the City of Walterboro, but no response just yet.

Robert C. Blain
GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

From: Thomas Nelson <tnelson@charlestonlaw.net>

Sent: Monday, September 13, 2021 12:59 PM

To: Robert Blain <rblain@gaffneylewis.com>

Subject: Re: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

I'm not ready to make a concession like that at this time. However, if you have a case or something that says I'm a dead loser on those, I'm happy to consider it, and if you do, I'm sure it will be mentioned in your memo. I look forward to receiving it.

Thomas C. Nelson, Esq.
Futeral & Nelson, LLC
1004 Anna Knapp Blvd., Suite 3
Mount Pleasant, South Carolina 29464
(843) 284-5500
(fax) 284-5501
www.charlestonlaw.net



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.

5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

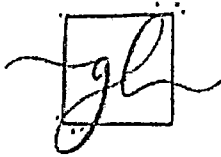
From: Robert Blain <rblain@gaffneylewis.com>
Date: Monday, September 13, 2021 at 12:51 PM
To: Thomas Nelson <tnelson@charlestonlaw.net>
Subject: RE: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Tom,

I can agree to continue the motion until after the officer's deposition if you consent to dismissal of the causes of action for false imprisonment, defamation/slander/libel, assault & battery, and negligence/gross negligence. That would leave malicious prosecution and vicarious liability as the remaining causes of action. I plan to file a memo in support of Defendants' MSJ later today or tomorrow. I'll be sure to email you a copy.

Robert C. Blain

GAFFNEYLEWIS LLC
(803) 875-1920 New Phone #
www.gaffneylewis.com



GAFFNEYLEWIS LLC

NAMWOLF



Please consider the environment before printing this email.

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

-----Original Message-----

From: Thomas Nelson <tnelson@charlestonlaw.net>

Sent: Monday, September 13, 2021 11:27 AM

To: Robert Blain <rblain@gaffneylewis.com>

Subject: FW: Motion "MSUMJM-Motion/Summary Judgment" for Case "2019CP1500949-Jacob Murdaugh VS Walmart Stores East Lp , defendant, et al" was added to a Motions Roster for 9/21/2021 at 9:30 AM

Robert,

One of my arguments against summary judgment will be that discovery is not yet completed. I wanted to see if you would agree to continue your motion until after the officer's deposition is taken. Let me know.

Thanks,

Tom

Thomas C. Nelson, Esq.

Futeral & Nelson, LLC

1004 Anna Knapp Blvd., Suite 3

Mount Pleasant, South Carolina 29464

(843) 284-5500

(fax) 284-5501

[www.charlestonlaw.net <https://url.emailprotection.link/?a2MreUHz6t8ijhbaQG35Z6MLZ5Uicf15S8Zi0YMifvaA~>](https://url.emailprotection.link/?a2MreUHz6t8ijhbaQG35Z6MLZ5Uicf15S8Zi0YMifvaA~>)

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the front door of our office (not the exterior door to our building).
4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

On 9/10/21, 4:24 PM, "Courtmail15_DoNotReply@sccourts.org" <Courtmail15_DoNotReply@sccourts.org> wrote:

The September 21, 2021 Motion Roster is now online.

Hearings will be in person at the Colleton County Courthouse. Please do not call the Clerk's office with updates. UPDATES WILL NOT BE ACCEPTED BY PHONE. Please e-mail any updates to lweiss@colletoncounty.org and bpricelc@sccourts.org

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

## **EXHIBIT 2**

**Subject:** RE: Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster  
**Date:** Wednesday, September 15, 2021 at 3:56:05 PM Eastern Daylight Time  
**From:** Price, Bentley Law Clerk (Aimee Intagliata)  
**To:** Thomas Nelson, Robert Blain, lweiss@colletoncounty.org  
**CC:** Jamie Wilson, Caroline Lankford-Beasley, DeBerry, H. Steven Law Clerk (Caleb Thompson)  
**Attachments:** image001.png, image002.jpg, image003.png, image004.jpg

Good afternoon all,

I spoke with Judge Price and he is fine with continuing the motion to the next term of court.

Lori, will you please place this motion on the next available term of court after Judge DeBerry's term next week?

I've added Caleb Thompson, Judge DeBerry's law clerk, on this email so he is aware.

Thank you,  
Aimee

---

**From:** Thomas Nelson <tnelson@charlestonlaw.net>  
**Sent:** Wednesday, September 15, 2021 3:09 PM  
**To:** Robert Blain <rblain@gaffneylewis.com>; lweiss@colletoncounty.org; Price, Bentley Law Clerk (Aimee Intagliata) <bpricelc@sccourts.org>  
**Cc:** Jamie Wilson <JWilson@gaffneylewis.com>; Caroline Lankford-Beasley <CLankford-Beasley@gaffneylewis.com>  
**Subject:** Re: Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

I concur.

**Thomas C. Nelson, Esq.**  
Futeral & Nelson, LLC  
1004 Anna Knapp Blvd., Suite 3  
Mount Pleasant, South Carolina 29464  
(843) 284-5500  
(fax) 284-5501  
[www.charlestonlaw.net](http://www.charlestonlaw.net)



Attorneys Serving the Lowcountry

Our law firm is practicing social distancing in accordance with the recommendations of the CDC and SC DHEC. This means we are limiting face-to-face interaction in the following ways:

1. Beginning March 18, 2020, client meetings will take place by telephone.
2. Beginning March 18, 2020, our office will be locked to outside guests.
3. Documents that need to be delivered should be sent electronically or slipped under the

front door of our office (not the exterior door to our building).

4. If you must come in the office (need something notarized or to prepare for a hearing) we will make special accommodations in advance.
5. If you need to schedule an appointment, a special accommodation, or have any questions, please call us at (843) 284-5500.

---

**From:** Robert Blain <[rblain@gaffneylewis.com](mailto:rblain@gaffneylewis.com)>

**Date:** Wednesday, September 15, 2021 at 3:06 PM

**To:** "[lweiss@colletoncounty.org](mailto:lweiss@colletoncounty.org)" <[lweiss@colletoncounty.org](mailto:lweiss@colletoncounty.org)>; "Price, Bentley Law Clerk (Aimee Intagliata)" <[bpricecl@sccourts.org](mailto:bpricecl@sccourts.org)>

**Cc:** Thomas Nelson <[tnelson@charlestonlaw.net](mailto:tnelson@charlestonlaw.net)>, Jamie Wilson <[JWilson@gaffneylewis.com](mailto:JWilson@gaffneylewis.com)>, Caroline Lankford-Beasley <[CLankford-Beasley@gaffneylewis.com](mailto:CLankford-Beasley@gaffneylewis.com)>

**Subject:** Murdaugh v. Walmart - 2019-CP-15-00949 - Tues. 9/21 Motions Roster

Good afternoon Ms. Weiss and Ms. Intagliata, -

I represent Defendants in the above-referenced case. Defendants' Motion for Summary Judgment is #5 on Judge DeBerry's September Motions roster in Colleton County on Tuesday (9/21) at 9:30 AM.

The parties jointly request the Court continue this motion hearing until the next term of court. This request is to allow additional time for a discovery deposition that has been difficult to schedule and is central to the case. I have copied opposing counsel on this email. We appreciate your consideration of this request.

Thanks,  
Robert

*Robert C. Blain*

**GAFFNEYLEWIS LLC**

(803) 875-1920 New Phone #

[www.gaffneylewis.com](http://www.gaffneylewis.com)



**GAFFNEYLEWIS LLC**

**NAMWOLF**





*Please consider the environment before printing this email.*

CONFIDENTIAL COMMUNICATION: The information contained in this message may contain legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this transmission is strictly prohibited. If you have received this communication in error, please notify us by telephone or email immediately and return the original message to us or destroy all printed and electronic copies. Nothing in this transmission is intended to be an electronic signature nor to constitute an agreement of any kind under applicable law unless otherwise expressly indicated. Intentional interception or dissemination of electronic mail not belonging to you may violate federal or state law.

IRS CIRCULAR 230 NOTICE: Any federal tax advice contained in this communication (or in any attachment) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending any transaction or matter addressed in this communication.

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

EXHIBIT 3

1 STATE OF SOUTH CAROLINA
2 IN THE COURT OF COMMON PLEAS
3 COUNTY OF COLLETON

4 Jacob Murdaugh,
5 Plaintiff,

6 vs. Transcript of Record
2019-CP-15-00949

7 Walmart Stores East, LP,
8 Jan Lunsford, and John Doe,
9 Defendant.

10
11 November 03, 2021
12 Walterboro, South Carolina

13 B E F O R E:

14 The HONORABLE BENTLEY PRICE
15

16 A P P E A R A N C E S:

17 Thomas T. Nelson, Representing the plaintiff
18 Robert C. Blain, Representing the defendant
19
20
21

22 SHARON G. HARDOON, CSR
23 Official Circuit Court Reporter, III
24
25

1 THE COURT: Jacob Murdaugh vs. Walmart.

2 MR. BLAIN: Good morning, Your Honor.

3 THE COURT: Good morning, How are you?

4 MR. BLAIN: Doing well.

5 MR. NELSON: Good. We have back-to-back
6 motions before the Court this morning.

7 THE COURT: That's all right.

8 Motion for summary judgment.

9 MR. BLAIN: Yes, Your Honor. It's my
10 motion. Robert Wayne on behalf of the defendants.
11 May it please the Court?

12 THE COURT: Yes, sir.

13 MR. BLAIN: Jacob Murdaugh -- no relation to
14 the prominent legal family in this state.
15 Mr. Murdaugh is trying to hold Walmart liable for a
16 misidentification during a good faith report of a
17 shoplifting at the Walterboro Walmart store.

18 Do you mind if I take off my mask,
19 Your Honor?

20 THE COURT: Whatever you all are
21 comfortable with. It's up to you all.

22 MR. BLAIN: Mr. Murdaugh is trying to
23 hold Walmart responsible for a misidentification
24 made in a good faith report of a shoplifting
25 incident that happened at the Walterboro store --

1 a good faith report to law enforcement. The law
2 is clear. The defendants are not responsible for
3 investigating and analyzing evidence that they
4 provide in good faith to the police. They are not
5 culpable for relaying information to law
6 enforcement in verifying that information. That's
7 the job of the police to do the investigation for
8 placing the arrest. The defendants simply
9 reporting a theft to the police can't be grounds
10 for tort liability under any of the five causes of
11 action the plaintiff has alleged here.

12 A brief rundown of the facts, Your Honor.
13 Jacob Murdaugh was in Walmart around 2:00 a.m. on
14 the night in question. He was in the store for
15 about 25 minutes. Didn't make any purchases.
16 Left the store without being detained, stopped,
17 questioned, any interaction whatsoever with any
18 Walmart employee.

19 Interestingly, Mr. Murdaugh was with
20 three companions; one male, two females. And all
21 three are well known to the police and to Walmart
22 for prior shoplifting incidents at that very same
23 Walmart store. All three companions had been band
24 and trespassed from that Walmart store.

25 It is undisputed that a shoplifting

1 incident did occur at the same night at the same
2 time that Mr. Murdaugh and his three companions
3 were inside the store.

4 A third party observed an unidentified
5 white male attempting a push out of a full
6 shopping cart and stopped that gentleman. The
7 unidentified man fled into the parking lot, and
8 the third party reported that he fled in a neon
9 green vehicle. That information was related to
10 Walmart, who then contacted law enforcement to
11 report an attempted shoplifting.

12 Waltherboro police stopped the neon green
13 vehicle just down the road, and the two female
14 companions -- plaintiff's two female companions
15 were inside that neon green vehicle. They were
16 charged with trespassing, a violation of the prior
17 band that they had at the Walmart store.

18 At that point, Walmart cooperated with
19 law enforcement. They provided a video
20 surveillance and still frames from that
21 surveillance showing all the folks inside the
22 store who were believed to be involved in this
23 shoplifting incident at the time. And so Walmart
24 attempted in good faith to cooperate with the
25 police investigation.

1 Based on the police investigation, the
2 Walterboro police took out an arrest warrant for
3 the plaintiff, Mr. Jacob Murdaugh, for
4 shoplifting. Two months later -- for two months
5 he's oblivious to all this going on. So two
6 months later, he's arrested in a routine traffic
7 stop. At the criminal hearing, the charges were
8 dismissed with no prosecution when the arresting
9 officer -- dismissed with no prosecution with the
10 consent of Walmart when the arresting officer and
11 the judge recognized that Mr. Murdaugh, the
12 plaintiff, was not the same gentleman shown -- the
13 white unidentified male shown on surveillance
14 video pushing out the shopping cart.

15 The Supreme Court has looked at nearly
16 identical facts. There's a case that's on all
17 four here. The Huffman v. Sunshine Recycling
18 case, which is 462 SC 262 was decided in 2019.
19 And, in that case, a woman, Miss Huffman, who was
20 mistakenly arrested on suspicion of selling metal
21 that had been stolen from the utility company.
22 The facility provided surveillance video and
23 information to identify Miss Huffman who was
24 arrested and later determined to not be the proper
25 suspect, the thief.

1 Judge Maite Murphy granted summary
2 judgment in that case. The arrestee, Miss Huffman
3 appealed, and then it made it all the way up to
4 the Supreme Court. The Supreme Court affirmed
5 summary judgment in favor of the defendants on
6 false imprisonment and malicious prosecution
7 claims. And Supreme Court was clear: The victim
8 of a crime has no duty to investigate and analyze
9 evidence in the same manner as law enforcement, no
10 duty to verify information provided in good faith
11 to law enforcement, and simply cooperate with law
12 enforcement in relaying information believed to be
13 true is not evidence the victim induced or caused
14 the arrest.

15 That's what Walmart did here. That's the
16 same facts. Walmart cooperated with law
17 enforcement. Walmart relayed information in a
18 good faith belief that they were assisting the
19 police investigation. That cooperation with law
20 enforcement is not evidence of -- that Walmart
21 somehow caused Mr. Murdaugh's arrest.

22 Now, Mr. Nelson will surely -- who's a
23 great lawyer, will surely inform the Court that
24 the arresting officer was recently deposed, and
25 that arresting officer testified that Walmart

1 identified Jacob Murdaugh as the white male
2 shoplifter.

3 Now, even assuming that is true, it
4 doesn't create a dispute of a material fact.
5 That's key. The Supreme Court in this
6 Huffman v. Sunshine Recycling case, when it
7 affirmed summary judgment, the Supreme Court was
8 clear: The victim of a crime is not liable when
9 it cooperates with law enforcement and relays
10 information believed to be true at the time.

11 Even if that information is later
12 discovered to be incorrect, just like it was in
13 the Huffman v. Sunshine Recycling case, it's still
14 not grounds to hold the victim of the crime
15 responsible for relaying it to law enforcement.

16 The Huffman case really honed in on the
17 key public policy issue here. It sought to avoid
18 any chance that they could risk chilling public
19 cooperation with a law enforcement investigation.
20 They obviously want victims to be forthcoming.
21 They want victims to relay all the information
22 that may be relevant to the case. Even if the
23 police later investigate and determine it's not
24 accurate or not relevant, they want to encourage
25 the public to be cooperative. That's why the

1 Huffman court, the Supreme Court said, the
2 defendants have no duty to verify the evidence,
3 and they cannot be held liable for simply
4 reporting the crime and cooperating with the
5 police.

6 Therefore, Walmart is respectfully
7 asking -- requesting summary judgment on all five
8 causes of action. Those five causes of action and
9 the specifics of the elements and the arguments
10 pertaining to each cause of action are laid out in
11 defendant's memo in support, which was filed in
12 September. Those causes of action, false
13 imprisonment, malicious prosecution, assault and
14 battery, defamation, and negligence.

15 There's no duty to analyze the evidence
16 and verify. To find such a duty, to deny summary
17 judgment, would be imposing what the Huffman court
18 called an unprecedented duty. It's not supporting
19 the law. And, therefore, Walmart respectfully
20 asks for summary judgment on all the causes of
21 action, and we appreciate your time.

22 Thank you.

23 THE COURT: All right. Thank you, sir.

24 All right. Mr. Nelson.

25 MR. NELSON: Thank you, judge. So, yes,

1 since Mr. Blain filed this motion, we have deposed
2 the officer, so I'm not -- as to with regard to
3 what he put in his memorandum, I think everything
4 has changed. The officer came out and said, I
5 made this arrest because the Walmart manager told
6 me that Jacob Murdaugh committed the act of
7 shoplifting.

8 I won't get into the photos. There are
9 photos two white males. That's about the extent
10 of similarities between these two guys; the actual
11 shoplifter and Mr. Murdaugh.

12 The officer that did the investigation,
13 he was called to the scene. He showed up. He
14 looked at the guy that was on the video that
15 actually had the shopping cart. He didn't know
16 who it was, but Miss Lunsford told him under his
17 deposition -- in his deposition -- in his
18 deposition he said, Miss Lunsford told him
19 unequivocally that is Jacob Murdaugh. In the
20 light most favorable to us, she made that report.

21 When you look at the Huffman case that
22 Mr. Blain was just talking about, I disagree a
23 little bit about what it says in relation to this
24 case. They rehash the point: The notion that a
25 private individual may face potential liability

1 for false imprisonment is recognized in
2 South Carolina. And then they said: It was well
3 settled that where a private person induces an
4 officer by request, direction, or command to
5 unlawfully arrest another, he is liable for false
6 imprisonment.

7 There was two defendants -- well, there's
8 three defendants in Huffman. One was the
9 Sheriff's Department. They settled, so they
10 weren't part of the appeal.

11 Now, the two private entities that were
12 involved, one summary judgment was affirmed. The
13 other one, it was reversed.

14 As to the party that Sunshine -- that
15 Mr. Blain was just talking about, they did not
16 call the cops. The cops came to them. They asked
17 questions. They asked for records. They asked
18 for receipts. They asked for video. The Sunshine
19 defendant simply just responded to all the
20 requests for information. That's why they were
21 let out.

22 The other party that was kept in, he was
23 the one that called the cops. He was the one that
24 was, kind of, taking the bull by the horns and
25 trying to push an arrest in one person's

1 direction. He was held in. This one is more like
2 that other defendant, where Walmart called the
3 cops, asked for the warrant. So I think for all
4 those reasons here, the false -- Huffman does not
5 apply.

6 As to responding to his memorandum, I did
7 not prepare a memorandum today because a lot of
8 what they put in there was based on the premise
9 that we did not know what the police were going to
10 say. We did not have this actual unequivocal
11 statement by the Walmart manager.

12 When I deposed the Walmart manager, she
13 said she doesn't even remember the incident. She
14 doesn't remember. I mean, it was literally, "I
15 don't know," "I don't know," "I don't know." It
16 was a very short deposition.

17 If Your Honor is inclined to grant this
18 motion based upon on that memorandum, I would like
19 the opportunity to file one in reply. I thought
20 we were going to have a little more argument here
21 today, but, again, the cases just don't apply that
22 he cited.

23 In the defamation case, he talks about
24 Bell vs. Abbeville, he talks about a qualified
25 privilege, but they said the burden was on him.

1 Here, clearly, a publication was made, but the
2 burden was on the party to show that the qualified
3 privilege was when the Walmart manager could
4 not -- well, she doesn't even remember the
5 incident. She can't make that allegation or that
6 affirmative defense.

7 And that's what I have.

8 THE COURT: All right. Anything in
9 response, Mr. Blain?

10 MR. BLAIN: Yes, Your Honor. Briefly to
11 discuss the Huffman v. Sunshine Recycling case,
12 you know, in some respects Mr. Nelson is quite
13 right, there are two defendants. Summary judgment
14 was affirmed on one and reversed on the other. I
15 think the facts of that case clearly show Walmart
16 is most akin to Sunshine Recycling, the company
17 where summary judgment was affirmed. And that's
18 because Sunshine was the entity that provided the
19 police with video surveillance and other
20 information to identify the suspect, to identify
21 Miss Huffman. That's what the argument is here.

22 They're saying that Mr. Murdaugh is
23 arguing that Walmart provided information to the
24 police and identified him. It's the same facts as
25 the Huffman v. Sunshine case, and that's why it's

1 so key that the Huffman court, the Supreme Court
2 said, simply cooperating with law enforcement in
3 relating information, the recycling company,
4 Sunshine believed to be true is not evidence to
5 support a claim for false imprisonment.

6 To briefly touch on the defamation
7 argument, the only publication that Walmart made,
8 was to law enforcement for the purpose of
9 prosecuting and investigating a crime. That's
10 clearly a qualified privilege. Evaluating whether
11 a publication is privilege is a matter of law for
12 Your Honor to decide. The case law is clear.
13 That's briefed in our memo.

14 Mr. Nelson is also right, things have
15 changed since we filed the memo back in September,
16 but the material facts have not changed. There is
17 a dispute as to whether Miss Lunsford identified
18 Jacob Murdaugh or not. Even assuming Walmart did
19 identify Jacob Murdaugh, there's still no claim,
20 there's still no material fact because a good
21 faith cooperation with law enforcement, providing
22 information in good faith that you believe to be
23 at the true is just simply not grounds for tort
24 liability.

25 Thank you.

1 THE COURT: All right. I'll take it
2 under advisement, but I'll give you the answer by
3 the end of the day. All right?

4 MR. NELSON: Appreciate it. Thank you.

5 MR. BLAIN: Thank you, Your Honor.

6 THE COURT: You're welcome.

7 (The hearing was concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF REPORTER

I, SHARON G. HARDOON, Official Circuit Court Reporter, III for the State of South Carolina at Large, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the hearing of the captioned case, relative to appeal, in the Court of Common Pleas for Colleton County, South Carolina.

I do further certify that I am neither kin, counsel, nor interest to any party hereto.

February 23, 2022



Sharon G. Hardoon, CSR
Official Circuit Court Reporter, III

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

JUN 15 2022

SC Court of Appeals

APPEAL FROM COLLETON COUNTY
In the Court of Common Pleas

The Honorable Bently Price, Circuit Court Judge

Case No.: 2019-CP-15-0949
Appellate Case No.: 2022-000141

Jacob Murdaugh, ... Appellant

v.

Walmart Stores East, LP, Jan Lunsford, and John Doe, Defendants,

Of whom Walmart Stores East, LP and Jan Lunsford are the Respondents

**PROOF OF SERVICE OF
APPELLANT'S RESPONSE TO RESPONDENTS' MOTION TO STRIKE MATTERS
FROM APPELLANT'S DESIGNATION OF MATTER
AND
MOTION FOR LIMITED REMAND TO ALLOW THE LOWER COURT TO HEAR
APPELLANT'S MOTION FOR RELIEF FROM JUDGMENT AND/OR
CLARIFICATION**

I certify that I have served the following on the attorney for Respondents, Robert C. Blain, Esquire on June 13, 2022, via first class mail, addressed as follows:

Robert C. Blain, Esquire
GAFFNEYLEWIS, LLC
3700 Forest Drive, Suite 400
Columbia, South Carolina 29204
rblain@gaffneylewis.com

Document to be served: Appellant's Response to Respondents' Motion to Strike Matters From Appellant's Designation of Matter and Motion for Limited Remand to Allow the Lower Court to Hear Appellant's Motion for Relief from Judgment and/or Clarification.

FUTERAL & NELSON, LLC

A handwritten signature in black ink, appearing to read 'T. C. Nelson', written over a horizontal line.

Thomas C. Nelson, Esquire
S.C. Bar ID 71178
1004 Anna Knapp Blvd. Suite 3
Mt. Pleasant, South Carolina 29464
Telephone (843) 284-5500
Facsimile (843) 284-5501
Email to: tnelson@charlestonlaw.net
Attorney for Appellant

Dated: June 13, 2022



Futeral & Nelson LLC

1004 Anna Knapp Boulevard
Mount Pleasant, South Carolina 29464

Mailing Address:

P.O. Box 1385
Mount Pleasant, South Carolina 29465
Tel: 843-284-5500 | Fax: 843-284-5501
charlestonlaw.net

June 13, 2022

South Carolina Court of Appeals
Attn: Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED

JUN 15 2022

SC Court of Appeals

RE: Murdaugh v. Walmart Stores East, LP, Jan Lunsford, and John Doe
Case No.: 2019-CP-15-00949
Appellant Case No.: 2022-000141

Dear Sir/Madam:

Please find enclosed the *Appellant's Response to Respondent's Motion to Strike Matters from Appellant's Designation of matter and Motion for Limited Remand to Allow the Lower Court to Hear Appellant's Motion for Relief from Judgment and/or Clarification and Proof of Service*. Enclosed please find our firm's check for Clerk of Court Fee in the amount of \$50.00

Thank you for your attention to this matter. If you have any questions or need any additional information, please feel free to contact our office.

Sincerely,

Michelle McManigal
Paralegal to Thomas C. Nelson
mmcmanigal@charlestonlaw.net

/mm

Enclosures

cc: Robert Blain, Esquire



Futeral & Nelson LLC
1004 Anna Knapp Boulevard, Suite 3
Mount Pleasant, South Carolina, 29464



UNITED STATES POSTAGE
PITNEY BOWES
02 1P \$ 018.50⁰⁰
0304757315 JUN 13 2022
MAILED FROM ZIP CODE 29464

RECEIVED

JUN 15 2022
SC Court of Appeals

SC Court of Appeals
Attn: Clerk of Court
1220 Senate Street
Columbia, SC 29201