

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

Ex. Rel.: State of South Carolina,

v.

Richard Alexander Murdaugh,

Defendant.

**COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT**

Indictment Nos.: 2022-GS-15-00592
2022-GS-15-00593
2022-GS-15-00594
2022-GS-15-00595

MOTION TO REDACT

Juror #785, by and through their undersigned counsel, moves for an Order sealing or requiring redaction of all personal information, specifically Juror #785's name, which was not redacted in statements or documents filed in support of the Attorney General's *Response to Defendant's Motion for a New Trial and Motion to Strike* ("Response"). This problem has been communicated to the Attorney General's Office in the attached letter (*Exhibit A*). As of the time of this writing, however, the State has failed to respond and has not remedied the disclosure of Juror #785's information, which is personal and of a private nature, having no pertinent value in the public domain. Further, the information relative to the identity of Juror #785, which the State neglected to redact, could lead to an increased risk of public attention from third parties and such failure to redact is inconsistent with the trial court's directives aimed at preserving juror anonymity. For these reasons, the undersigned respectfully requests an Order of the Court requiring the redaction of the information, of which the Attorney General's Office must be aware.

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COLLETON CO GS. REBECCA H. HILL

[signature block on following page]

RECEIVED

Jan 03 2024

S.C. SUPREME COURT

Respectfully submitted,



Joseph M. McCulloch, Esq. (SC Bar #3760)

Kathy B. Schillaci, Esq. (SC Bar No.: 17248)

William P. DuBose, Esq. (SC Bar No.: 105745)

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Columbia, South Carolina
this 14th day of November, 2023.

NOV 16 2023 PM 3:38
COLLETON CO GS, REBECCA H. HILL

EXHIBIT A

McCULLOCH & SCHILLACI
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KATHY SCHILLACI
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November 10, 2023

Mr. S. Creighton Waters, Esq.
SC Attorney General's Office
P.O. Box 11549
Columbia, South Carolina 29211
cwaters@scag.gov

RE: Requested SLED Interviews

Dear Creighton:

As you know, I represent Jurors 785 and 630, and I am writing to you to address the logistics of my clients' future interviews as well as some serious concerns raised by the Attorney General's Office's *Response to Defendant's Motion for a New Trial and Motion to Strike* ("Response").

To begin, in reviewing the response, I am gravely concerned about the Attorney General's Office's failure to redact my client's first name from [REDACTED]. As a result, Juror #785's unique first name is now published nationwide by various news outlets in conjunction with being "the juror that was ejected from the trial." That bell cannot be unrung. The actions of the Attorney General's Office in publishing my client's name potentially violates her privacy and subjects my client to not only unwanted contacts but unknown dangers from third parties obsessed with the Murdaugh case. I am researching the remedy here but encourage your Office to refrain from any further publication of juror names.

Next, I am troubled by the accusation in the Response that Juror #785 was "removed for dishonestly concealing her own improper communications about the case." Response at 1. Respectfully, it is an unnecessary and inflammatory disparagement of a citizen who served as a juror, in fulfillment of a civic duty, putting his or her life on hold through six (6) weeks of trial. As your Office knows, in dismissing Juror #785, Judge Newman made a point to publicly announce he was in no way suggesting that Juror #785 "intentionally did anything wrong, but in order to preserve the integrity of the process and in fairness to all of the parties involved, [he was] going to replace [Juror #785] with one of the [alternate] jurors." Tr. 5741:3-20. Judge Newman also noted that "by all accounts," Juror #785 was "a great juror" who smiled consistently and was attentive throughout the process. Tr. 5741:3-20. The trial judge's findings as to Juror #785 are

clearly at odds with your office's characterization of my client. As stated in your Office's Response, "Jury duty is a cornerstone civic duty, and needless exposure of jurors to litigative stress and impeachment by zealous attorneys, particularly in a case [] with this level [of] public exposure, can only serve to further discourage citizens from willingly participating in this duty." Response p. 6. I could not agree more. The unnecessarily harsh expression of the Attorney General's Office's opinion in its Response, however, can hardly be an encouragement to prospective jurors to serve and faithfully adhere to their oath, as my clients have done in coming forward to share their experience as members of this jury.

Lastly, I appreciate your call last Friday, as well as the two prior calls from SLED, regarding scheduling an interview with my clients. As I previously explained to SLED, and in our call, my clients are agreeable to being interviewed by the appropriate agency about interactions with the Colleton County Clerk of Court during their participation as jurors in the Murdaugh trial. Nonetheless, I am not clear on the purpose of SLED's requested interviews at this early stage—whether as part of a preliminary criminal investigation into jury interference or as part of an effort to assist the Attorney General's Office in diffusing the Murdaugh defense motions. This lack of clarity coupled with the Response's accusatory tone in relation to my clients causes me concern about the objectivity of an investigation conducted by your office.

While I have respect for you as a person and as a litigator, we should be able to agree that the Attorney General's Office, having prosecuted the Murdaugh case for six long weeks, and SLED, having led the Murdaugh investigation, cannot reasonably be neutral in these matters. This is not a criticism but rather a reality of our adversarial system. I note that the Attorney General's Office in its Response included recent juror interviews that are not public and were presumably provided to the Attorney General's Office by SLED. Regardless of the intentions of your Office, it gives the appearance that SLED and the Attorney General's Office are working in coordination in a defense of your successful guilty verdict.

We will await word from the South Carolina Supreme Court for direction about how these matters will be investigated, by what agency, and overseen by whom. Upon those directions, my clients are committed in assisting the appropriate authorities in the investigation and hopefully bring this matter to a speedy resolution. Public confidence in our judicial system and the integrity and assurance of a fair trial should be the goal for all of us.

Thank you, and as soon as we have clarity of process, my clients stand ready to accommodate a request for interview from a nominated and hopefully objective investigator.

Sincerely,



Joseph M. McCulloch

JMM/erg

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

**COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT**

Ex. Rel.: State of South Carolina,

Indictment Nos.: 2022-GS-15-00592

2022-GS-15-00593

v.

2022-GS-15-00594

Richard Alexander Murdaugh,

2022-GS-15-00595

Defendant.

CERTIFICATE OF SERVICE

I, Elizabeth Gunter, paralegal for McCulloch & Schillaci, Attorneys at Law, with offices located at 1116 Blanding Street, Columbia, South Carolina, hereby certify that on this 14th day of November, 2023, I have served a copy of the **Motion to Redact** in connection with the above-captioned matter, by email and U.S. first-class mail, postage pre-paid to the below named parties at their address of record:

S. Creighton Waters, Esq.
SC Attorney General's Office
P.O. Box 11549
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COLLETON CO GS, REBECCA H. HILL


Elizabeth Gunter, Paralegal

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KATHY SCHILLACI
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November 14, 2023

Colleton County Clerk of Court
101 Hampton Street
P.O. Box 620
Walterboro, SC 29488

RE: State v. Richard A. Murdaugh
Warrant Nos.: 2022-GS-15-00592; -00593; -00594; -00595

Dear Clerk of Court:

Enclosed please find the original and one copy of the **Motion to Redact** in connection with the above-referenced case. Please clock-in and file the original and clock-in and return the copy in the enclosed self-addressed, pre-stamped envelope. I greatly appreciate your assistance. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Joseph M. McCulloch

JMM/erg
Enclosure(s)

cc: Creighton Waters, Assistant Attorney General
Richard A. Harpootlian
James M. Griffin

NOV 16 2023 PM 3:37
COLLETON CO GS, REBECCA H. HILL

STATE OF SOUTH CAROLINA)	IN THE COURT OF GENERAL SESSIONS
)	FOR THE FOURTEENTH JUDICIAL CIRCUIT
COUNTY OF COLLETON)	
State of South Carolina,)	Case Nos: 2022-GS-15-00592
)	2022-GS-15-00593
)	2022-GS-15-00594
v.)	2022-GS-15-00595
)	
Richard Alexander Murdaugh,)	STATE'S RESPONSE TO DEFENDANT'S
)	MOTION FOR A NEW TRIAL; AND
Defendant.)	STATE'S MOTIONS TO STRIKE
)	

Richard Alexander Murdaugh ("Murdaugh") was convicted for the murders of his wife Maggie Murdaugh and son Paul Murdaugh by a jury before this Court in Colleton County on March 2, 2023. This Court sentenced Murdaugh to consecutive sentences of life without parole on March 3, 2023. After filing a notice of appeal, and during the pendency of that appeal, Murdaugh filed in the Court of Appeals of South Carolina on September 5, 2023, a "Motion to Suspend Appeal and for Leave to File Motion for New Trial." On October 17, 2023, the Court of Appeals granted the request to hold the appeal in abeyance and remanded the matter to this Court to permit Murdaugh to file his motion pursuant to Rule 29(b), SCCrimP. Murdaugh so filed with the Colleton County Clerk of Court on October 27, 2023.

Murdaugh broadly claims that he is entitled to a new trial based upon allegations that the Clerk of Court of Colleton County, Becky Hill, improperly attempted to influence the jury's decision. In support of his claim, Murdaugh offers affidavits from one juror who participated in deliberations, one who was removed for dishonestly concealing her own improper communications about the case, and two hearsay affidavits from his counsel's paralegal. Murdaugh additionally advances a sweeping conspiratorial theory about wholly irrelevant Facebook posts with scant evidence to support it. The State responds as follows:

I. LAW AND PROCEDURE: Colorable Claims of After-Discovered Improper External Influence on a Jury May Necessitate a Judicially-Conducted Inquiry to Confirm the Validity of the Verdict as Free from External Influence, through which Defendant Must Show Actual Prejudice.

The law permits, but skeptically receives motions for new trials based on after-discovered evidence, and never does the law permit highly motivated convicts to put their own jury on trial. "There can be no doubt that motions of this sort should be received with the utmost caution, because, as it is said by a learned judge, there are but few cases tried in which something new may not be hunted up, and also because it tends to perjury[.]" *State v. Mathis*, 174 S.C. 344, 177 S.E. 318, 320 (1934) (quoting *State v. David*, 14 S.C. 428, 432 (1881)). "[I]t would have a mischievous tendency, after all the evidence on the part of the state had been fully disclosed, to allow one, with his life in danger, an opportunity, by the assistance of confederates, to procure unprincipled witnesses to contradict the evidence on the part of the state, and thereby defeat the ends of justice." *Id.* (quoting *State v. Harding*, 2 S.C.L. (1 Bay) 267 (1800)).

Nonetheless, criminal defendants have a right to a fair and impartial jury, and private communications or contact with jurors during a criminal trial about the matter pending before them may necessitate an evidentiary hearing and, if the defendant can show actual prejudice, a new trial. *State v. Kelly*, 331 S.C. 132, 502 S.E.2d 99 (1998); *see also Smith v. Phillips*, 455 U.S. 209, 215 (1982) ("This Court has long held that the remedy for allegations of juror partiality is a hearing in which the defendant has the opportunity to prove actual bias."); *State v. Green*, 432 S.C. 97, 100, 851 S.E.2d 440, 441 (2020) (unanimously declining to adopt *Remmer v. United States*, 347 U.S. 227 (1954) and its presumptive prejudice standard in every instance of improper contact, and reversing the

lower court opinion that did so)¹. Not every inappropriate comment by a member of court staff to a juror rises to the level of constitutional error. *Green*, 432 S.C. at 100, 851 S.E.2d at 441; *State v. Cameron*, 311 S.C. 204, 207-08, 428 S.E.2d 10, 12 (Ct. App. 1993).² “Were that the rule, few trials would be constitutionally acceptable.” *Phillips*, 455 U.S. at 217. Additionally, jurors are presumed to follow the law as instructed to them, to include instructions of what constitutes proper evidence to consider in deliberations, and such instructions are usually deemed to have cured the erroneous exposure to improper evidence or argument. *State v. Grovenstein*, 335 S.C. 347, 353, 517 S.E.2d 216, 219 (1999).

Where a defendant knows or could have known of a constitutional issue at the time of trial, the defendant is obliged to timely raise that issue to the Court’s attention or else waive it on future appeals. *State v. Powers*, 331 S.C. 37, 42-43, 501 S.E.2d 116, 118 (1998); *State v. McWee*, 322 S.C. 387, 472 S.E.2d 235 (1996); *State v. Byram*, 326 S.C. 107, 113, 485 S.E.2d 360, 363 (1997); *State v. McWee*, 322 S.C. 387, 391, 472 S.E.2d 235, 238 (1996).

¹ To whatever extent Murdaugh may insist on *Remmer* as controlling, Federal courts are hardly consistent in interpreting and applying it. Compare *United States v. Frost*, 125 F.3d 346, 377 (6th Cir. 1997) (Holding that not all communications with jurors warrant a hearing and that the defendant must show that unauthorized contact created actual juror bias); *United States v. Johnson*, 954 F.3d 174, 179 (4th Cir. 2020) (If a defendant makes a threshold showing of a “credible allegation” that an unauthorized juror contact was made, they are entitled to a rebuttable presumption of prejudice and an evidentiary hearing to determine what actually transpired and whether what actually happened was harmless). The U.S. Supreme Court’s statement in *Smith v. Phillips* that defendant must prove actual bias abrogates *Remmer* to whatever extent it suggests otherwise. See *Smith*, 455 U.S. at 215-16 (remedy is a chance to prove actual bias, not implied bias). Finally, a significant portion of the Supreme Court of the United States has suggested that *Remmer* pronounces no constitutional rule at all. See *Shoop v. Cunningham*, 598 U.S. ___, 143 S.Ct. 37 (2022) (Thomas, J.; Alito, J.; Gorsuch, J.; dissenting from denial of PWC) (“Not only did *Remmer* not clearly establish the Sixth Circuit’s ‘any colorable claim’ rule, it is not even clear that *Remmer* established any constitutional rule. . . . One could just as naturally—perhaps more naturally—read *Remmer* as a case about new-trial motion practice under the Federal Rules of Criminal Procedure than as one about the requirements of constitutional due process.”).

² Murdaugh also cites to *Cameron* but in that portion of the opinion which does not state the legal standard, but rather quotes a portion of a 4th Circuit Court of Appeals opinion inconsistent with the standard acknowledged by *Cameron* and more subsequently clarified in *Smith* and most recently in *Green*. Murdaugh must show both that the alleged improper communications occurred *and* that jurors were actually biased as a result.

Where a defendant does not learn of a constitutional violation until after trial, the defendant is obliged to seek relief within one year of the actual discovery of the violation or when it could have been discovered through reasonable diligence, or within one year of the sending of the remittitur from appeal. See Rule 29(b), SCCrimP (as much in context of after-discovered evidence); S.C. Code Ann. § 17-27-45 (in the context of the Uniform Post-Conviction Procedure Act).³

A *prima facie* showing that a defendant is entitled to relief is necessary before an evidentiary hearing can be granted. *State v. Butler*, 261 S.C. 355, 358, 200 S.E.2d 70, 71 (1973); *State v. Farris*, 51 S.C. 176, 28 S.E. 370 (1897); *State v. Green*, 46 S.C. 566, 27 S.E.2d 663 (1896). A jury poll may cure any procedural irregularities, and confirm that each juror approves of the verdict returned and that no one has been coerced or induced to agree to a verdict to which he or she does not actually assent. 89 C.J.S. Trial § 1002; *State v. Linder*, 276 S.C. 304, 308-09, 278 S.E.2d 335, 338 (1981).

If that *prima facie* showing is made, the resultant "evidentiary hearing" is a strictly limited, judicially-conducted affair, particularly as concerns examination of the jurors. The competency of jurors as witnesses is strictly circumscribed by the Rules of Evidence:

Upon an inquiry into the validity of a verdict or indictment, a juror may not testify as to any matter or statement occurring during the course of the jury's deliberations or to the effect of anything upon that or any other juror's mind or emotions as influencing the juror to assent to or dissent from the verdict or indictment or concerning the juror's mental processes in connection therewith, except that a juror may testify on the question whether extraneous prejudicial information was improperly brought to the jury's attention or whether any outside influence was improperly brought to bear upon any juror. Nor may a juror's affidavit or evidence of any statement by

³ Murdaugh's motion is filed pursuant to Rule 29(b), SCCrimP, which pertains to "evidence" typically conceived as facts which could have been presented to a jury at trial relevant to guilt or innocence. Cf. *State v. Caskey*, 273 S.C. 325, 256 S.E.2d 737 (1979) ("(1) Is such as would probably change the result if a new trial was had; (2) Has been discovered since the trial; (3) Could not by the exercise of due diligence have been discovered before the trial; (4) Is material to the issue of guilt or innocence; and, (5) Is not merely cumulative or impeaching.").

the juror concerning a matter about which the juror would be precluded from testifying be received for these purposes.

Rule 606(b), SCRE; *see also State v. Gray*, 438 S.C. 130, 882 S.E.2d 469 (Ct. App. 2022) (quoting *State v. Pittman*, 373 S.C. 527, 553, 647 S.E.2d 144, 157 (2007)) (“Generally, juror testimony is not allowed regarding the deliberations of the jury or internal influences.”).

Both the Supreme Court and Court of Appeals commended the trial court’s “deft handling” in *Green* for the process it followed in investigating its own allegations of improper communication between a bailiff and a member of the jury. “The trial court questioned each juror and the bailiff, which proved ‘there was no reasonable possibility the [bailiff’s] comments influenced the verdict.’” *Green*, 432 S.C. at 100, 851 S.E.2d at 441. More specifically, the Honorable Donald B. Hocker, immediately after publishing the verdict,⁴ cleared the courtroom of all present save the lawyers involved in the case, the Clerk, and the Judge’s staff, then brought out each juror individually and polled them on the record, asking the following questions (with minor variations):

Was your verdict guilty on both charges and is that still your verdict?⁵

Was your verdict based one-hundred percent on the testimony, evidence, and law presented at this trial?

Was your verdict influenced in any manner by any communications with any of the bailiffs or any other person outside of the twelve member jury?

Did you have any communication with any of the bailiffs or with a third-party not part of the jury, and if so please relay to the Court what those communications were.

State v. Green, App. Case No. 2017-001332, Record on Appeal at 554-69. Similarly, in *State v. Kelly*, upon learning that a juror had introduced “a religious pamphlet concerning God’s view on capital punishment” to the rest of the jury, the trial court individually questioned

⁴ In the present case, we are now many months, “documentaries,” and juror interviews removed from the verdict, and so the question of “is that still your verdict” is not one of probative value.

⁵ See fn. 3, above.

the jurors "to determine who, if anyone, had read the pamphlet and what information was contained in the pamphlet." *Kelly*, 331 S.C. at 139-40, 502 S.E.2d at 103-04. The trial court also conducted the questioning in *State v. Bryant*, using questions submitted by the parties after they learned of improper contact with jurors by an investigator. 354 S.C. 390, 393-94, 581 S.E.2d 157, 159 (2003).

Thus, the established practice is that when considering allegations of inappropriate communications, the Court should *voir dire* the complaining juror, each juror who engaged in the final deliberations, and the alleged improper communicator (in this case, the Clerk) with a mind to at least (1) whether the communication actually occurred and, if so, its context and substance; (2) the number of jurors exposed to the improper communication; (3) the weight of the evidence properly before the jury; and (4) the likelihood that curative measures were effective in reducing the prejudice. *See State v. Harris*, 340 S.C. 59, 530 S.E.2d 626 (2000) (listing the last three factors); *State v. Green*, 427 S.C. 223, 229, 830 S.E.2d 711, 713 (Ct. App. 2019) ("The trial court then brought each juror out separately for individual questioning on the record.").

But for proposed questions submitted and subject to judicial pre-approval, the Court should not permit interrogation of the jurors by the parties or their attorneys. Jurors are citizens who have committed a tremendous service to their community and country through the sacrifice of time and effort to weigh on the most serious issue that can be put to them: a man's guilt and his freedom. Jury duty is a cornerstone civic duty, and needless exposure of jurors to litigative stress and impeachment by zealous attorneys, particularly in a case of with this level public exposure, can only serve to further discourage citizens from willingly participating in this duty.

II. TRIAL: Near the End of Murdaugh's Trial, Separately Sourced Reports of Improper Discussions and Social Media Posts Were Brought to the Court and Investigated, Resulting in the Excusal of Juror 785, Who Now Raises Allegations He or She Expressly Denied to the Court When Examined.

Portions of the trial transcript illuminate or are otherwise relevant to resolving the allegations now raised by Murdaugh. The State excerpts and summarizes them as follows:

- a. The Court consistently instructed jurors to not discuss the case, and to only consider the competent evidence presented in the courtroom.**

Once the jury was selected, the Court promptly admonished the original eighteen jurors that "[i]t is important for you to know that you are not to discuss the case with each other or with anyone else, and not to endeavor to find out any information about this case other than what you will see herein the jury – in the courtroom." (Tr. 411, ll. 12-16). After a break, and during the Court's preliminary instructions, it again emphasized the importance of not discussing the case and accepting only the evidence presented in the courtroom:

Until I tell you that it's time to do so, you cannot discuss the case with anyone, including your fellow jurors. You cannot discuss the case with family, friends, or anyone else. The attorneys in the case, you cannot discuss it with them or any parties or anyone else that might be connected with the case. Should you discover that a fellow juror is violating that oath and that order, you are to bring that to my attention.

Now, it's also – and it's vital that you do not seek information outside of the courtroom during the case. That means that you're not to search internet websites, watch television reports, news reports, any other form of social media accounts of the case because you are sworn to decide this case based on the facts as you determine them to be, and based on the evidence presented in the case, as well as the law as I give it to you.

(Tr. 417-18).

Consistently throughout the trial, and even at points during jury selection, the Court reminded and admonished jurors to not discuss the case. (Tr. 99, ll. 10-12; Tr. 127, ll. 13-20; Tr. 177, ll. 22-25; Tr. 452, ll. 12-18; Tr. 502, ll. 2-4; Tr. 566, ll. 9-11; Tr. 627, ll. 14-15;

Tr. 710, ll. 18-19; Tr. 810, ll. 21-23; Tr. 840, ll. 6-8; Tr. 861, ll. 18-20; Tr. 908, ll. 24-25; Tr. 1001, ll. 6-8; Tr. 1125-26; Tr. 1251, ll. 10-12; Tr. 1513, ll. 3-5; Tr. 1535, ll. 13-18; Tr. 1694, ll. 24-25; Tr. 1950, ll. 20-21; Tr. 1966, ll. 11-14; Tr. 2140, ll. 14-15; Tr. 2228, ll. 23-25; Tr. 2304, ll. 13-15; Tr. 2480, ll. 15-17; Tr. 2542, ll. 17-18; Tr. 2649, ll. 12-14; Tr. 2877, ll. 22-24; Tr. 2933, ll. 16-18; Tr. 3005, ll. 18-20; Tr. 3034, ll. 4-5; Tr. 3058, ll. 4-5; Tr. 3231, ll. 1-2; Tr. 3322, ll. 9-10; Tr. 3352, ll. 6-8; Tr. 3384, ll. 14-16; Tr. 3451, ll. 19-20; Tr. 3553, ll. 13-14; Tr. 3831, ll. 8-9; Tr. 3883, ll. 4-6; Tr. 3904, ll. 9-10; Tr. 3923, ll. 7-8; Tr. 3972, ll. 20-21; Tr. 4048, ll. 2-4; Tr. 4130, ll. 15-21; Tr. 4202, ll. 12-14; Tr. 4271, ll. 12-13; Tr. 4310, ll. 13-14; Tr. 4394, ll. 21-25; Tr. 4462, ll. 14-16; Tr. 4534, ll. 13-14; Tr. 4593, ll. 20-21; Tr. 4693, ll. 12-14; Tr. 4748, ll. 17-19; Tr. 4774, ll. 21-22; Tr. 4890, ll. 16-20; Tr. 4966, ll. 20-24; Tr. 5014, ll. 18-20; Tr. 5065, ll. 5-6; Tr. 5084, ll. 8-12; Tr. 5147, ll. 20-21; Tr. 5280, ll. 16-17; Tr. 5359, ll. 22-23; Tr. 5526, ll. 10-12; Tr. 5656, ll. 2-5; Tr. 5668, ll. 20-25; Tr. 5816, ll. 13-15; Tr. 5851, ll. 8-11).⁶

In its charge to the jury at the end of the case, the Court instructed the jury they were to accept only the evidence presented, and that they were the sole judges of credibility:

You are to consider only the testimony which has been presented from this witness stand, along with other exhibits that – and evidence presented during the trial. Any other evidence or exhibits which have been made a part of the record you may consider, along with any stipulations made by counsel.

You are also the judges, the sole judges of the credibility, that is the believability, of the witnesses who have testified and of the evidence offered.
[. . .]

It becomes your duty as jurors to analyze and to evaluate the evidence, and determine that evidence, which convinces you of its truth. [. . .]

(Tr. 5853-84). In addition to the *dozens* of times the Court told the jury “do not discuss the case,” prior to the close of evidence, the Court again instructed jurors: “If your deliberations

⁶ The State cannot confirm that *every* admonition to the jury to not discuss the case is here cited from the 5,895-page transcript, however the Court consistently admonished the jury with “do not discuss the case” upon breaks in the proceedings, and the citations here provided represent an index of such verbiage.

necessitate an overnight break, you may use these [electronic] devices as necessary, but you may not use them to communicate with anyone about the case until the case is over.” (Tr. 5862, ll. 18-21). The Court further instructed jurors that an overnight break in deliberations was a possibility, and that if they so broke that they were not to seek information and should avoid the use of electronic devices. (Tr. 5862-64).

b. Certain statements attributed to Clerk Hill by Juror 630 closely resemble statements made in Court by the State.

The parties made their opening statements on Wednesday, January 25, 2023. The State, as part of its own opening statements, advised the jury:

You’re going to see video statements of Alex Murdaugh. You’re going to see a body-worn camera of him at the scene when law enforcement arrives and hear what he says, and hear what he says about that night. You’re going to hear three recorded statements on video that he gave with law enforcement, and you’re going to hear how things progressed about what he says, and what he says he did that night. *Watch those closely. Watch his expressions. Listen to what he’s saying. Listen to what he’s not saying.* Use that common sense. Does this seem right or does something seem a little off? Does something seem a little off about this?

(Tr. 426, ll. 7-18) (emphasis added). The jurors so complied, and were closely attentive throughout the trial.

At the end of its initial closing argument, the State implored the jury to not let Murdaugh fool them:

This is what he did. This is what he did right here. This defendant, on the other hand, has fooled everyone, everyone. Everyone who thought they were close to him. Everyone who thought they knew he was – who he was, he’s fooled them all. And he fooled Maggie and Paul, too, and they paid for it with their lives. *Don’t let him fool you, too.*

(Tr. 5668, ll. 7-13) (emphasis added). Later, the State, in its final closing argument, returned to the subject of body language while addressing the testimony of Mushelle Shelley Smith:

Do you think she knew right then? And that’s real. That’s real. Shelly is real. You saw her. *Body language is so important in life. Body Language.*

Mr. Waters was talking about with the defendant, all of our *body language*.
Did you see Shelly's?

(Tr. 5828, ll. 6-10) (emphasis added). The jurors were not fooled, paid attention to body language, and convicted Murdaugh.

c. **The Court thoroughly investigated allegations of improper communications by Juror 785 and ultimately dismissed the juror for those communications, but gave no weight to the supposed Facebook post reported to the Court by Clerk Hill in a conversation which was placed on the record.**

On Tuesday, February 28, 2023, after the conclusion of the reply examination of Kenny Kinsey, the Court initiated an *in camera* hearing regarding an e-mail that raised juror concerns. (Tr. 5526-27). In sum and substance, the e-mail represented that the unidentified author heard from an unidentified co-worker that said co-worker's landlord was a juror who said Murdaugh was innocent, and that said juror "works at the monkey farm." (Tr. 5527, ll. 2-10). Murdaugh's counsels advised the Court to disregard the e-mail as mere noise in a high profile case, but the State expressed concern about the allegation of a clear violation of the Court's instructions to the jury and noted there were still alternate jurors. (Tr. 5527-32). Counsel Griffin speculated without support that the e-mail was an orchestrated effort to get the juror removed. (Tr. 5532, ll. 13-14).

The Court then informed the parties of its exchange with Clerk Hill, who had evidently learned of the e-mail:

THE COURT: Okay. She – after I showed you all this email, we came back here, and the clerk came in and asked whether we had heard the same thing about a juror, about the juror, and we were in the midst of trying to figure out who the juror was that this pertained to since it did not indicate a juror number. It just said someone who worked at the monkey farm. So, the clerk then said that she was reading her Facebook messages over the weekend.

Gabby, help me out with the fact. Did she say over the weekend?

LAW CLERK: She said on Friday she was going through her timeline on Facebook and saw the post from this man who was supposed to be the ex-husband.

THE COURT: Yeah, [EX-HUSBAND], the ex-husband of this juror, and he – his post was that she was discussing the case with various people. I think that's what Becky said.

LAW CLERK: Correct.

THE COURT: We asked Becky to – the clerk, to make a copy, or get a copy of the Facebook that she was referring – the post that she was referring to. She came back a little while later and said that it had been deleted by this [EX-HUSBAND], and that she brought – printed out what remains on his post, which was him stating that he – he posted an ugly post which he deleted.

[. . . substance of a Facebook apology post, humorous exchange between Mr. Meadors & Mr. Harpootlian . . .]

THE COURT: But the clerk said that she read the post where he was discussing that his ex-wife, the juror, has been discussing the case. Now, I – it was just very curious. We were talking about the e-mail, and the clerk came in and was talking about a Facebook post, and they both – and she said the juror works at the monkey farm. I was here trying to figure out what juror works at the monkey farm, and this juror number 785 works with at [BUSINESS NAME], Yemassee, South Carolina, which is the monkey farm.

[. . . discussion of what the “monkey farm” is . . .]

THE COURT: And the clerk – the clerk said the juror that they were posting about was a juror, [Juror 785], who works at the monkey farm, and this email referenced the juror who works at the monkey farm.

(Tr. 5533-36). Counsel Griffin suggested bringing in Juror 785; the Court agreed and noted its desire to also hear from Clerk Hill, who was not present at that time but had mentioned the Facebook post earlier that day. (Tr. 5536, ll. 5-13).

After some discussions by the parties as to appropriate procedure and the desire of the complainant to remain anonymous, as well as other trial procedural matters, the Court conducted an *in camera* examination of Juror 785 “to discuss any conversations that [Juror 785] have had with anybody about being on jury duty.” (Tr. 5550-51). As part of a brief discussion about a missive allegedly posted to Facebook by Juror 785's ex-spouse, Juror 785 noted that Clerk Hill had alerted her to the alleged post. (Tr. 5551-53). The Court specifically followed up and asked:

THE COURT: So, has she [Clerk Hill] discussed the case with any of – any of the jurors? Has the clerk discussed anything about the case with anyone on that jury?

JUROR: Not that I'm aware of.

(Tr. 5553, ll. 22-25). Counsel Griffin, then satisfied, accepted Juror 785's explanations and argued he or she remained a competent juror. (Tr. 5555, ll. 18-22). Upon the State's expressed desire to know the identities of the persons who reported the improper contact to the Court, the Court again summoned Juror 785 and elicited additional information sufficient to identify the persons with whom the juror allegedly had the improper conversation: two of Juror 785's tenants, hereafter referred to as "Male Tenant" and "Female Tenant". (Tr. 5555-62). Shortly after 9 p.m. that evening, agents with the South Carolina Law Enforcement Division located them, interviewed them separately, and prepared memoranda and recordings reflecting the interviews.

On March 1, 2023, the twenty-seventh day of trial, the tenants met with ADAG David Fernandez and DAG Donald J. Zelenka and executed affidavits consistent with their statements to law enforcement the night before, which stated that Juror 785 had delivered a refrigerator to them on Saturday, February 18, 2023, and briefly discussed the case. After the jury view and the State's initial closing, the Court convened another *in camera* hearing to review the affidavits and examine Juror 785's tenants. The Court asked Male Tenant about his affidavit, and Male Tenant explained that he offered his opinion about the case to Juror 785, who had disclosed their role as a juror while speaking to Female Tenant while they were delivering a refrigerator. (Tr. 5676, ll. 4-18). Juror 785 had replied to Male Tenant that "she hadn't decided either way because it was, you know. It was kind of early in the case, I guess, you know, that she made no decisions if he was guilty or if he wasn't guilty." (Tr. 5676, ll. 20-25). The State then reviewed with Male Tenant his affidavit line by line, which he confirmed as accurate. (Tr. 5677-79). When counsel Harpootlian asked

Male Tenant to elaborate on Line 9 of the affidavit, in which Male Tenant recalled that Juror 785 “stated that she didn’t believe there was any evidence to make her think the Defendant was guilty at that time,” Male Tenant expressed that he took her to mean she had not made up her mind. (Tr. 5586-87).

The Court next examined Female Tenant. Female Tenant explained that Juror 785 disclosed while delivering the refrigerator that they were on the jury, which prompted Male Tenant to offer his opinion as to Murdaugh’s guilt. (Tr. 5694, ll. 2-25). Female Tenant recalled Juror 785 replied “well, I can’t talk about it. She said, but as of now nothing – reasonable doubt could make me say he’s guilty.” (Tr. 5694-95). When pressed by counsel Harpootlian for as direct a restatement as Female Tenant could muster, Female Tenant recalled Juror 785 said “[t]hat she could not without, you know, a doubt or whatever say he was guilty.” (Tr. 5695, ll. 21-24). Juror 785 did not explain to Female Tenant why she held that position. (Tr. 5695-96). Female Tenant reaffirmed her recollection in her affidavit, that Juror 785 “indicated that she didn’t believe there was evidence beyond a shadow of a doubt or beyond a reasonable doubt that Mr. Murdaugh committed the crimes he is alleged to have committed[.]” (Tr. 5696-97).

After hearing arguments from attorneys for each of the parties, the Court noted that “[i]n many cases, typically without any inquiry this juror would be gone, you know, without anything further. The juror would be gone without any discussion[. . . b]ecause she’s discussing the case and was ordered not to discuss the case. Even if she discussed it for a very short period of time, she’s having a discussion, so much so that this person understands that it shouldn’t be – shouldn’t have taken place and sent this e-mail.” (Tr. 5708-09). The Court then summoned Clerk Hill to discuss the supposed Facebook post. (Tr. 5709-10).

Clerk Hill explained to the Court that she briefly saw a post the preceding Friday on "Walterboro Word of Mouth" which she attributed to a juror's ex-spouse which said "that h3 noticed that his ex-wife was saying that she was on the jury and saying stuff about how her verdict was going to be, and that he was the ex-husband, but she was known for talking way too much. And then I just kept on scrolling because that was enough for me. I've gotten enough." (Tr. 5710, ll. 13-23). Clerk Hill "figured" the post referred to Juror 785 and alerted the Court after learning the Court had received an e-mail the following Monday. (Tr. 5711, ll. 1-7). When Clerk Hill tried to find the post again at the Court's directive, she could not, but found another post by another account with the ex-spouse's name that apologized for deleting a post made while drunk and possessed by Satan. (Tr. 5711, ll. 6-18).

After some discussion about the feasibility of finding the devil-afflicted suspected ex-husband, the Court asked if the parties wished to locate him. (Tr. 5711-12). Counsel Harpootlian very clearly declined: "I think not, Judge. I think if you would just accommodate me, bring [Juror 785] in, ask [them] about the specifics of the conversation. If [Juror 785] says yes, I'll have no complaints whatsoever." (Tr. 5712, ll. 20-23).

The Court complied with counsel Harpootlian's request, again summoned Juror 785, informed them the Court had met with the tenants, and asked if the juror could recall anything further about the conversation. (Tr. 5713-14). Juror 785 acknowledged delivering the refrigerator and that the tenants had expressed opinions to her about the trial, but denied expressing any of the juror's thoughts to the tenants. (Tr. 5714-15). After discussing Juror 785's ruse to claim they were in "Facebook jail" during trial, and irrelevant particulars of their employment, counsel Harpootlian astutely observed the Juror 785 placed their spouse at the scene of the conversation. (Tr. 5715-23).

Juror 785 called their spouse, put them on speaker, and upon brief examination by the Court, Juror 785's Spouse said the juror "was talking with my tenant's girlfriend, I think. And, you know, I know they talked about the trial, but I don't know to what extent, if you know what I mean." (Tr. 5724-25). The Spouse further explained "nobody was saying like, you know, guilty or innocent, but they were talking about some of the facts that had come out in the case either way, you know." (Tr. 5726, ll. 7-10). The Spouse also acknowledged talking if there was any excitement in Juror 785's day each evening, but that they did not talk details. (Tr. 5727-28).

Finally, the Court granted counsel Harpootlian the opportunity to confront Juror 785 directly with their tenants' affidavits, which the juror denied as inaccurate. (Tr. 5733-34). Once Juror 785 was excused, and after a very brief discussion of the witnesses, counsel Harpootlian declared "I'm not going to argue anymore about this. I'm going to defer – it's your call, your judgment." (Tr. 5734-35). "Your Honor, I'm not going to argue with whatever you do. Okay." (Tr. 5737, ll. 7-8).

The following morning March 2, 2023, after reviewing the video recordings of the interviews of the tenants, the Court excused Juror 785 from service for offering her opinion regarding evidence received up to the point of and during the conversations with the tenants. (Tr. 5737-39). Counsel Harpootlian affirmatively declined to take any exception to the ruling. (Tr. 5739, ll. 15-25). Juror 785 was summoned to the courtroom, advised of the Court's ruling, and upon inquiry about "[a] conversation [this] morning with Ms. Becky," the Court emphasized its ruling had nothing to do with anything brought up about the juror's ex-spouse. (Tr. 5740-43). Juror 785's possessions, to include a dozen eggs, were retrieved from the jury room and Juror 254 was promoted from alternate to the panel. (Tr. 5743-45).

The Jury, which never deliberated with Juror 785 or alternate Juror 741, convicted Murdaugh of killing his wife and son. (Tr. 5870-71). Upon inquiry by the Court, Counsel Harpootlian requested the jury be individually polled; the Court so polled and each individual juror affirmed "guilty" was their verdict and was remained their verdict. (Tr. 5872-74).

Less than one week later, attorney Joe McCulloch, represented to media that Juror 785 did not wish to speak publicly about the case and did not wish to be contacted. Rachel Sharp, *Infamous 'egg juror' in Alex Murdaugh's murder trial asks to be left alone*, The Independent, March 8, 2023.⁷ At some point unknown to the State, McCullough also assumed representation of Juror 630, and so represents each of the Jurors who have provided affidavits to Murdaugh.

III. STATE'S MOTIONS TO STRIKE

In support of his motion, Murdaugh provides various affidavits which are deficient under the South Carolina Rules of Evidence. Notwithstanding any effort by the State to grapple with the affidavits in its arguments in Sections IV and V, below, the State must respectfully move to strike portions of Murdaugh's Motion for a New Trial as follows:

a. The State Moves to Strike as Inadmissible Hearsay the Affidavits of paralegal Holli Miller.

In support of his motion, Murdaugh provides two affidavits from Counsel Harpootlian's paralegal Holli Miller which largely purport to reflect statements made to or otherwise in her presence by two jurors, Juror 741 and Juror 326. See Motion for New Trial, Exh. B & Exh. J.

⁷ Accessible at <https://www.the-independent.com/news/world/americas/crime/alex-murdaugh-egg-juror-trial-b2296532.html> as of November 6, 2023.

Hearsay is a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted. Rule 801(c), SCRE. Hearsay is not admissible. Rule 802, SCRE.

An affidavit from Miller is not tantamount to an affidavit from the juror themselves, and constitutes textbook hearsay. Accordingly, the State moves to strike in part as inadmissible hearsay Motion for a New Trial Exhibit B at lines 4-11, Exhibit J at lines 2-9, and any such part of the motion that relies thereon.

b. The State Moves to Strike as Inadmissible Under Rule 606(b), SCRE, All Such Material As Regards Internal Functions and Deliberations of the Jury.

In support of his Motion, Murdaugh provides four affidavits which purport to reflect statements made by jurors which, in part, pertain only to juror mental processes and interactions with one another. *See* Motion for New Trial, Exh. A, B, H, and J.

As previously noted, jurors may neither testify nor may the Court accept affidavits which pertain to any matter or statement occurring during the course of the jury's deliberations or to the effect of anything upon that or another juror's mind or emotions, excepting claims of outside influence or extraneous outside information. Rule 606(b), SCRE; *see also State v. Gray*, 438 S.C. 130, 882 S.E.2d 469 (Ct. App. 2022) (denying without a hearing a defendant's motion for a new trial and refusing requested inquiries as prohibited by Rule 606 because they would cause jurors to reveal the subject matter of their deliberations).

Remarks in the affidavits regarding juror's thoughts about the evidence or one another are not properly admissible or even relevant to the ultimate claim raised. Accordingly, the State moves to strike in part as improper juror testimony Motion for a New Trial Exhibit A at lines 4-6; Exhibit B at lines 7, 8, and 10; Exhibit H at lines 14-15; Exhibit J at lines 5-7; and any such part of the motion that relies thereon.

c. The State Moves to Strike All Such Material As Regards Murdaugh's Claims Regarding the Facebook Post(s), Book Deal, and Post-Trial Media Interactions as Immaterial, Impertinent, and Scandalous.

The greater part of Murdaugh's motion is dedicated to an outlandish theory that Clerk Hill deliberately fabricated the existence of a Facebook post implicating Juror 785 in order to get them removed from the jury, force an outcome, and thereby profit from fame and fortune.

To be clear, in an attached affidavit Clerk Hill affirms she made no such deliberate fabrication, and she denies fabricating any Facebook post. (Exhibit A – Affidavit of Mary Rebecca Hill). Indeed, the machinations alleged do not even begin to make sense. Under Murdaugh's theory, Clerk Hill heard the Court had received an e-mail which implicated a specific juror, then in *immediate* response on the fly reported a fictitious Facebook post to implicate that same juror, then conspired with another staffer to quickly and by sheer coincidence be lucky enough to find an apologetic post by somebody with the same name as the juror's spouse, which she then reported to the Court in an effort to get an uncertain juror removed so as to ensure *some* outcome that would support a book deal she did not at the time have. Only Alex Murdaugh could conceive of such a confounded gambit as even remotely plausible, and he is projecting his own calculating, manipulative psyche onto a dedicated public servant in an effort to save himself.

Strategically, Murdaugh's inclusion of the Facebook post narrative appears to be a desperate effort by Murdaugh to pre-emptively impeach Clerk Hill; to bring into dispute irrelevant facts in order to support his Petition for a Writ of Prohibition pending in the Supreme Court of South Carolina; and to beef up what would otherwise be a thin, blandly legal filing not likely to draw attention to the various media efforts of his legal team.

Whatever Murdaugh's motivation, the Court expressly did not rely on the alleged Facebook posts in removing Juror 785. (Tr. 5740-43). Therefore, whether Clerk Hill saw

the alleged post, is mistaken as to the alleged post, or even fabricated it is of no consequence to the validity of Murdaugh's conviction or the actual claim raised by Murdaugh of improper external influence upon the jury. Accordingly, the State moves to strike entirely Motion for a New Trial Exhibits E, F, G, and L; and moves to strike in part Motion for a New Trial Exhibit H at lines 3-9, 13, and 17-21; and any such part of the motion that relies thereon.

IV. ARGUMENT 1: Even Assuming *Ad Arguendo* that All Facts Averred in Murdaugh's Motion are True, the Motion Fails to Make a *Prima Facie* Showing That He Is Entitled to an Evidentiary Hearing or Relief.

Although Murdaugh's Motion for a New Trial makes various allegations as part of its attempt to craft a breathtaking conspiracy narrative, it ultimately boils down to a single constitutional allegation: Clerk Hill told jurors not to believe Defendant, thereby violating his right to an impartial jury. Accordingly, even if the State assumes *ad arguendo* that all of the competent elements⁸ of the affidavits provided are earnestly given,⁹ the relevant analysis is as demonstrated by the questioning in *State v. Green*: (1) was the juror's verdict guilty; (2) was the juror's verdict based on the evidence presented; (3) was the juror's verdict influenced the alleged outside communication; (4) did the juror have any communications about the case outside of deliberations with the jury? All of the other details are irrelevant window-dressing.

Only one juror who participated in deliberations—Juror 630—ties to Clerk Hill any statements remotely consistent with Murdaugh's allegation of improper external influence: "not to be fooled," "watch him closely," "look at his actions," and "look at his movements." See Motion for New Trial, Exh. A at ll. 2-3. Even assuming for the sake of argument that

⁸ See Section III, *supra*.

⁹ It is difficult for the State to assume *ad arguendo* that they are all true as they are not consistent with one another or with the trial record.

Juror 630's recollection is accurate, and that he or she are not mis-remembering arguments expressly made by the State, Juror 630 does not attribute their verdict to the statements of Clerk Hill, but rather avers that he or she voted guilty, despite some questions, "because [Juror 630] felt pressured by the other jurors." See Motion for New Trial, Exh. A at line 10. That a juror felt pressured by other jurors is not a valid basis to impeach a verdict. See, generally *State v. Franklin*, 341 S.C. 555, 534 S.E.2d 716 (Ct. App. 2000) (due process not implicated where other jurors verbally abused a holdout juror for at least four hours). Nor does Juror 630's complaint of feeling pressured by other jurors constitute evidence that he or she or any other juror voted to convict because they were influenced by comments they allegedly heard from Clerk Hill.

Murdaugh offers an affidavit which purports to represent statements made by Juror 326, although the affidavit is that of Counsel Harpootlian's paralegal, Holli Miller. Even if the State accepts *ad arguendo* that Miller's affidavit is the equivalent of an affidavit from Juror 326 themselves,¹⁰ it is unavailing to Murdaugh: Juror 326 contradicts Juror 630 and recalled no such comments by Clerk Hill regarding Murdaugh's credibility. What Juror 326 did recall was a warning that the jurors would witness disturbing images, which is a neutral "trigger warning," and not one which puts a thumb on the scales of justice. To be sure, the jurors did review disturbing images.

No affidavit attached to Murdaugh's motion from or about a deliberating juror shows any effect on the verdict – even including Juror 630. Nothing else offered by Murdaugh helps meet his burden of making a *prima facie* showing. Neither Juror 785 nor Juror 741¹¹ participated in deliberations and thus cannot aver that their deliberations were influenced.

¹⁰ A hearsay affidavit is still hearsay, and is not competent evidence. See Section III.a., *supra*.

¹¹ Like Juror 326, the purported representations of Juror 741 are offered through Miller's hearsay and are not competent evidence. See Section III.a., *supra*.

Absent any representation that a deliberative juror's decision that Murdaugh was guilty was actually influenced by the improper communications alleged, Murdaugh has failed to make the *prima facie* showing necessary to justify so much as an evidentiary hearing, let alone a new trial. Accordingly, Murdaugh's Motion for a New Trial should be summarily denied.

V. ARGUMENT 2: Should the Court Deem an Evidentiary Hearing Necessary, the State Expects the Material Allegations will be Shown to be Not Credible.

In the alternative, in the event the Court concludes Murdaugh has made a showing sufficient to necessitate an evidentiary hearing in this matter, the State expects that sworn testimony to the Court will prove the allegations to be unfounded and not credible. Since Murdaugh's filing in the S.C. Court of Appeals, agents with the South Carolina Law Enforcement Division have successfully interviewed most of the jurors and the final alternate juror: one juror declined to discuss the case or deliberations (Juror 578), and two jurors are represented by attorney Joe McCullough (Jurors 630 and 785), who at the time of this writing has yet to consent to an unconditional interview with his clients. Clerk Hill denies commenting to the jury regarding Murdaugh's defense or testimony. (Exhibit A – Affidavit of Mary Rebecca Hill).

Upon information and belief, SLED's investigation into the allegations of jury tampering produced the following answers from the jurors who deliberated:

Juror #	Hear Remarks on Evidence by Clerk Hill?	See 1-on-1 Chats by Clerk Hill with Juror(s)?	Other Concerns?
Juror 193	No - Maybe generally pay attention	No	If anything, people were overly cautious.
Juror 254	Watch Murdaugh's body language	No	No
Juror 326	No – Graphic material warning	Yes - Saw chat re: financial/child support	No
Juror 530	No	No	No

Juror 544	No - Generally pay attention, look at body language, and be observant.	No	Juror 630 is a tenant of Juror 785, who is upset. Warned by Counsel Harpootlian of a subpoena if they did not talk.
Juror 572	No	No	No
Juror 578	Declined to discuss the case or deliberations		
Juror 589	No	No	Spouse warned by Harpootlian of a subpoena if they did not talk.
Juror 630	No interview at the time of this writing		
Juror 729	No - Generally pay attention; heard no body language comments.	Yes - Had chat re: financial/child support; saw Clerk chat with others	Denied statements regarding them in Aff'd of Juror 785. Uncomfortable when Harpootlian waved the gun around.
Juror 826	No	No	No
Juror 864	No	No	It was Creighton Waters in court argument who told jury to watch body language.

(Exhibit B – Redacted Written Statements of Jurors). *Perhaps most importantly, none of the jurors who willingly interviewed with SLED reported feeling any pressure or influence to reach their verdict.*

In addition to the jurors, SLED interviewed court staff. Jury coordinator Willard Polk Jr. reported that he was the interface between the jurors and the court and did not hear Clerk Hill or any other person attempt to influence the jurors. No other court staff witnessed any external influence on the jury either. **(Exhibit C – Redacted Written Statements of Certain Court Staff).**

Altogether, the allegations raised in the affidavits provided by Murdaugh can be explained as a combination of simple mistakes and, unfortunately, a non-credible affiant.

As noted previously, a brief review of the record reflects that the verbiage Juror 630 recalled is, as Juror 864 noted, more properly attributable to arguments of The State. See Section 2.b., *supra*. The State argued to the jury to not be “fooled” by Murdaugh, the State advised the jury to watch Murdaugh “closely” in the context of his video recorded statements, and the State emphasized the importance of body language. *Id.*

Juror 785, purportedly the landlord to Juror 630, was removed from the jury after the Court determined he or she improperly conversed about the case with other tenants during trial in contravention of the Court’s dozens of admonitions not to do so. Juror 785 only recalled the “fooled by” language which was actually articulated by the State in its closing argument the day before Juror 785 was dismissed. See Section 2.b., *supra*.

But most importantly, the Court specifically asked Juror 785 during the *in camera* hearing if Clerk Hill had discussed the case with her or any other jurors to her knowledge, and Juror 785 replied “not that I’m aware of.” (Tr. 5553, ll. 22-25). It strains credulity to believe that Juror 785 would not be aware of Clerk Hill’s supposed statements when specifically asked by the Court at a time proximate to when they were allegedly made but would suddenly recall them many months later after learning Clerk Hill published a book. The remainder of Juror 785’s affidavit reports incredible one-on-one conversations with Clerk Hill which, aside from Juror 785’s inconsistent but more credible denial to the Court, pertain only to the wholly irrelevant Facebook post. Finally, contrary to Juror 785’s affidavit in support of the motion for a new trial, the tenants of Juror 785 affirmed the statements they made in their affidavits at trial and *in camera* testimony.

Alternate Juror 741 would not sign an affidavit as requested by Murdaugh’s counsels and was evidently reluctant to do so. See Alex Murdaugh’s Defense Team Seeks New Trial Amid Jury Tampering Reports at 18:34-19:16, *The Untold Story with Martha*

MacCallum (2023).¹² Juror 741 told SLED investigators that Clerk Hill told the jurors that the “defense is about to do their side and don’t let them confuse or convince you. They may say things to confuse you.” However, neither Juror 630 nor Juror 785 clearly corroborate Juror 741’s recollection, and no other juror even comes close to doing so. Juror 741 told SLED that she was aware that Clerk Hill wrote critically of her attentiveness during trial, and additionally noted that Clerk Hill told her after trial that no members of the media wished to speak with her.

The greater weight of anticipated juror and court staff testimony is that Clerk Hill made no materially improper comments. The State denies Murdaugh is entitled to relief and anticipates that any evidentiary hearing will only reaffirm the validity of his conviction for the murders of Maggie and Paul Murdaugh.

Furthermore, even *if* Clerk Hill made any improper comments to the jury, the State has found no juror who will aver that anything Clerk Hill said or did influenced their verdict. The Court clearly instructed jurors to consider only the competent evidence presented to them, and to apply the law as the Court gave it to them—the jury presumptively and affirmatively did so. Each individual juror reaffirmed their verdict when polled by the Court and none reported any influence from any court staff. The Court’s instructions to consider only the competent evidence, and individual polling procedure after the verdict was returned, served to disabuse jurors of any misconceptions which may have developed over the weeks long trial and cure any errors which may have otherwise resulted.

¹² Accessible at <https://radio.foxnews.com/2023/09/08/alex-murdaughs-defense-team-seeks-new-trial-amid-jury-tampering-reports/> and <https://podcasts.apple.com/us/podcast/the-untold-story-with-martha-maccallum/id1446630562?i=1000627199993> as of November 5, 2023.

CONCLUSION

WHEREFORE, the State respectfully requests that this Court summarily deny Murdaugh's motion for a new trial or, barring that, convene an evidentiary hearing consistent with that conducted in *State v. Green* and, upon hearing the testimony of the jurors and witnesses presented, find Murdaugh's allegations to be not credible and deny his motion for a new trial.

Respectfully submitted,

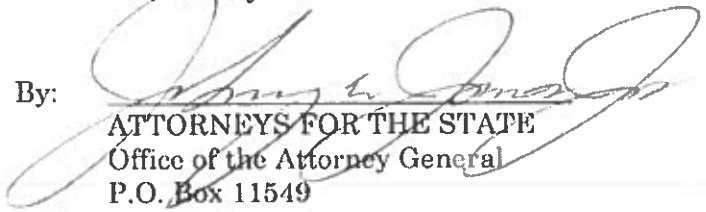
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NOV 7 2023 AM 8:05
COLLETON CO GS, REBECCA H. HILL

Exhibit A

(Signed Affidavit of Mary Rebecca Hill)

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
)
)
_____)

AFFIDAVIT OF
MARY REBECCA HILL

Personally appeared before me, the undersigned Notary Public duly authorized to administer oaths, Mary Rebecca Hill, who, being duly sworn, deposes and says:

1. I am over the age of eighteen (18), and I have the legal and mental competency to give this sworn affidavit and give sworn testimony in court.

2. This affidavit is submitted at the request of the Attorney General of South Carolina to address specific allegations contained in affidavits attached as exhibits to Mr. Murdaugh's Motion for New Trial filed October 27, 2023.

3. There are numerous misrepresentations and false statements contained within the Motion for New Trial to which I was not requested to specifically address. As such, this affidavit is not intended to address every allegation contained within the Motion for New Trial.

4. After being elected in 2020, I have served as the Clerk of Court in Colleton County.

5. I was the elected Clerk of Court for Colleton County during the case of *State of South Carolina v. Richard Alexander Murdaugh*.

6. I have reviewed Mr. Murdaugh's Motion for New Trial filed October 27, 2023.

7. As to the allegations contained within the Affidavit of Juror #630:

a. I did not tell the jury "not to be fooled" by evidence presented by Mr. Murdaugh's attorneys.

b. I did not instruct the jury to "watch him closely."

c. I did not instruct the jury to "look at his actions."

MRH

- d. I did not instruct the jury to "look at his movements."
 - e. I did not say to the jury, "this shouldn't take us long."
 - f. When Juror #826 asked to speak with me, the conversations took place in the jury room hall within earshot of Bailiff, Bill Polk. The conversations did not involve the evidence, witnesses, or substance of the trial.
8. As to the allegations within the Affidavit of Holli Miller discussing an alleged conversation with Juror #741:
- a. I did not have private conversations with Juror #826 in a bathroom.
 - b. My conversations with Juror #826 did not involve the evidence, witnesses, or substance of the trial.
 - c. During the trial, I did not tell members of the jury that the media would want to interview them at the end of the trial.
 - d. During the trial, I did not hand out business cards of media personnel.
 - e. I did not tell jurors: "Y'all are going to hear things that will throw you all off. Don't let this distract or mislead you."
9. As to the allegations within the Affidavit of Juror #785:
- a. I did not tell jurors not to be "fooled by" the evidence presented by Alex Murdaugh's attorneys.
 - b. I did not ask Juror #785 whether Juror #785 was inclined to vote guilty or not guilty.
 - c. I did not tell Juror #785 that SLED and Colleton County Sheriff's Office personnel went to her ex-husband's house.
 - d. I did not tell Juror #785 that I would "reinstate" a restraining order against her ex-husband.
 - e. I did not state to Juror #785 that "the Murdaughs" probably "got to him."
 - f. I did not ask Juror #785 about her opinions regarding Mr. Murdaugh's guilt.
 - g. I did not ask Juror #785 "well, what makes you think he's guilty?"

YMER

- h. I did not discuss the evidence presented at trial with Juror #785.
- i. I did not tell Juror #785 that everything that Mr. Murdaugh said had been lies.
- j. I did not tell Juror #785 to "forget about the guns, they will never be seen again."
- k. I did not ask Juror #785 about the views of the rest of the jury.
- l. I did not tell Juror #785 that if the foreperson would "just go in and ask for a raise in hands this would be over and done with."
- m. I did not inform Juror #785 that "everyone needs to be on the same page."
- n. I did not fabricate, nor did I create any Facebook post related to Juror #785.

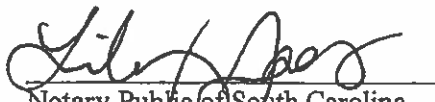
10. As to the allegations within the Affidavit of Holli Miller discussing an alleged conversation with Juror #326:

- a. I did not tell jurors they were prohibited from taking a smoke break during deliberations.

FURTHER AFFIANT SAYETH NAUGHT.


MARY REBECCA HILL

Sworn to and subscribed before me
on this 10th day of November 2023


Notary Public of South Carolina
My Commission Expires: 11/10/23

MENT

Exhibit B

(Written Statements of Jurors)



JURY # 193
VOLUNTARY STATEMENT

CASE # 32-23-026
LEAD # _____

[REDACTED]

DATE AND TIME OF INTERVIEW

LOCATION OF INTERVIEW

INTERVIEWING AGENT DEPARTMENT INTERVIEWING AGENT DEPARTMENT
C. W. [REDACTED] SLED Tiffany Tortorello SLED

I, [REDACTED] understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the [REDACTED] grade in school.

No I was not coerced to give my verdict, I came to the decision of my own free will

No, I did not feel anything was said to influence my decision making

I did not witness any private conversations pertaining to the trial, and was not approached by anyone

I did not witness any jurors speak privately about the trial

I did not feel pressured to come to a quick verdict, or that I was required to reach a verdict in a certain time frame

I have not spoken to the defence team

To my knowledge, no juror attempted to begin deliberations early

[REDACTED]

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained

Date: 09/14/2023 Time: 7:44 PM [REDACTED]

Signature of person giving voluntary statement
WITNESS: [Signature] WITNESS: Tiffany Tortorello

I certify that I have been given a copy of this statement consisting of 1 pages.



JUROR # 254
VOLUNTARY STATEMENT

CASE # 32-23-0126

LEAD # _____

[REDACTED]

DATE AND TIME OF INTERVIEW

LOCATION OF INTERVIEW

INTERVIEWING AGENT J. McDaniel	DEPARTMENT SLED	INTERVIEWING AGENT Paul P. Knight	DEPARTMENT SLED
-----------------------------------	--------------------	--------------------------------------	--------------------

I, [REDACTED] understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the [REDACTED] grade in school.

This was my first time as a juror and I found that this experience was very rewarding as a civic duty. During the time, we as a jury were treated with respect and received anything that we requested. The only time that I had interaction with anyone was through the bailiff. Other than one time when we as a jury was waiting to go into the court room and a comment was made to "watch his body language." At that time I didn't take it any way other than to watch his body language. That comment didn't persuade me of the decision that I ultimately made during deliberations.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9-13-23 Time: 10:10 [REDACTED]

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.



Juror # 326
VOLUNTARY STATEMENT

CASE # 33-23-026
LEAD # _____



DATE AND TIME OF INTERVIEW 9-6-23 2:09 pm

INTERVIEWING AGENT S/A Paul B. Knight	DEPARTMENT SLED	INTERVIEWING AGENT S/A Jacob Medaris	DEPARTMENT SLED
--	--------------------	---	--------------------

I, _____ understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the _____ grade in school.

I believe that my interaction with Mrs. Hill the court clerk was limited to information from the judge on about important events such as graphic material or how long of a break we would get. I do not believe she acted outside her role as court clerk and acted in a very professional manner.



I have read each page of this statement consisting of _____ page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9-6-2023 Time: 2:14 PM

WITNESS: Paul B. Knight WITNESS: Jacob Medaris

I certify that I have been given a copy of this statement consisting of 1 pages.



JUROR #530 VOLUNTARY STATEMENT

CASE # 32-23-0126
LEAD # _____

LAST NAME	FIRST NAME	MIDDLE NAME	AGE	DOB
[REDACTED]				
BY EXPOS CONTRIBUTION		DATE AND TIME OF INTERVIEW		
[REDACTED]		9-6-2023 5:30pm		
INTERVIEWING AGENT	DEPARTMENT	INTERVIEWING AGENT	DEPARTMENT	
Clamsin	SLED	SIA Allison Davis	SLED	

I, [REDACTED] understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the [REDACTED] grade in school.

I did not at any point feel pressured to make a decision throughout the trial, nor did anyone attempt to sway my decision by [REDACTED] any means of communication. At no point in time throughout the trial did anyone attempt to have a one-on-one conversation with me for any purpose regarding the trial. To the best of my knowledge, there was no court official or employee that questioned myself or other jurors regarding the trial or its outcome. To this date, I have not been contacted by the defense regarding the new allegations or other topics. Throughout the trial, I did not observe anything that I perceived to be unethical by any court employee.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9-6-2023 Time: 5:30pm [REDACTED] voluntary statement

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.



JURY # 544
VOLUNTARY STATEMENT

CASE # 32-23-0126

LEAD #

[REDACTED]

D [REDACTED]		DATE AND TIME OF INTERVIEW 9/8/23 9:45 am	
L [REDACTED]		[REDACTED]	
INTERVIEWING AGENT J. McDaniel	DEPARTMENT SLED	INTERVIEWING AGENT Paul B. Knight	DEPARTMENT SLED

I, [REDACTED] understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the [REDACTED] grade in school.

While on the Jury Miss Hill never made me feel as though she was trying to sway me either way innocent or guilty. Miss Hill spoke to us as a group in regards to what type of things we would like for snacks breakfast and lunch. Miss Hill mentioned if we were sequestered that we would be staying at a hotel and we would be given time to gather our things to stay at the hotel, she also stated that an agent or officer would be with us the entire time. I felt she stated this to us as trying to keep us informed of what may or could happen. I was never made to feel pressured to say or do anything by anyone court employees or co jurors. I never witnessed any jurors going into a room alone with Miss Hill.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct

Date: 9.8.23 Time: 10:25 AM [REDACTED]

WITNESS: [Signature]

WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.



JUVV# 572
VOLUNTARY STATEMENT

CASE # 32-23-0126
LEAD #

[REDACTED]

[REDACTED]		DATE AND TIME OF INTERVIEW	
LOCATION OF INTERVIEW			
INTERVIEWING AGENT	DEPARTMENT	INTERVIEWING AGENT	DEPARTMENT
[REDACTED]	SLED	Tiffany Tortorello	SLED

I, [REDACTED] understand I do not have to say anything, and I volunteer the information I give if it may serve. I can read and write and completed the [REDACTED] grade in school.

No, I was not coerced to give any answers, my decision was of my own, no court employee influenced my decision. I did not have any private conversation, other than myself talking to Mrs. Becky Hill about me not using the stairs because of my knee injury. I did not witness any private conversations amongst the other jurors. I did not hear or witness anyone or any court official stating to us the jurors, that we should not listen to the witnessess or it shouldn't take long etc. No one made me feel that I had to arrive to a quick verdict, and if I didn't I or the jurors would not be able to leave. No one from the defense team ever reached out to me pre-trialing to the Murdaugh trial. [REDACTED] stated one morning on the van [REDACTED] told her we were going to "Mozelle", and we told her no discussions.

[REDACTED]

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9-14-2023 Time: 6:07 pm [REDACTED] Signature of person giving voluntary statement

WITNESS: [Signature] WITNESS: Tiffany Tortorello

I certify that I have been given a copy of this statement consisting of 1 pages.



JURY # 589

VOLENTARY STATEMENT

CASE # 32-23-0126

LEAD #

NAME	DEPARTMENT
STREET ADDRESS	

DATE AND TIME OF INTERVIEW	9/8/23 10:30
INTERVIEWING AGENT	DEPARTMENT
Tiffany Tortorella	SLED

I understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can understand, read and write and completed the grade in school.

I was a member of the jury. When we would go down to the jury room. People would go to the rooms but here they arrived to see or. Most of them stayed in the same room from the beginning. McHill would come in periodically to see if we needed anything and check on us. I did not feel rushed for any part to make my decision.

Q: Did McHill ask questions about your responses?
 A: No she did not.

Q: Did McHill pressure you to speak to [redacted]?
 A: I felt no pressure to speak. I had my mind made up.

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9.8.23 Time: 10:28

WITNESS: Tiffany Tortorella WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.



JUROR # 729
VOLUNTARY STATEMENT

CASE # 32-23-0126
 LEAD #

[REDACTED]

DATE AND TIME OF INTERVIEW 9/12/23 3:15 pm	
INTERVIEWING AGENT [REDACTED]	DEPARTMENT [REDACTED]
INTERVIEWING AGENT [REDACTED]	DEPARTMENT [REDACTED]

I understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purpose it may serve. I cannot read and write and completed the [REDACTED] grade in school.

During a 6 week trial I found that with two different rooms, there would be a lot of gossip between strangers. Each room was filled with men & women. The room I was in was a quiet room while the other room was louder and filled with conversations of work & private life. I spoke with Becky Hill on a couple occasions about my financial burden and that I needed to speak with the judge. Smoke breaks were a day, sometimes more. She did come speak to others but I didn't hear the conversations. During the trial I had a very uncomfortable feeling as the defence attorney would ~~bring~~ the gun around as if he has never held one before. During our smoke breaks we would talk about lunch or what we are missing at work. There was always someone to talk to or someone to talk to. After 6 weeks it came time for deliberation. I gave that an anonymous vote. Followed by open discussions and questions. I think feel and smooth, but I felt no pressure. It was set in my decision. After a more discuss our thoughts we voted again. Every vote came back guilty. We checked multiple times to see if all were comfortable with the decision. This we needed to reach we would hear. On the day of sentencing, we were approached by the judge and Mrs Hill who asked if we wanted to do an interview. We told her no. She seemed disappointed but let it go.

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9/13/23 Time: 5:26 pm [REDACTED]
 Signature of person giving voluntary statement

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 2 pages.

JURY # 729
VOLUNTARY STATEMENT
SUPPLEMENTAL

CASE # 39-23-0126

LEAD #

Statement of: Continued

Q: Did you ever hear anyone tell the jury "not to be misled or fooled by evidence presented in Mr. Mordant's defense?"

A: I did not hear anyone say not to be misled or fooled by the evidence.

Q: Did MS. Hill ever ask you your opinion in regard to the trial?

A: No, I did not have conversations with MS. Hill like that during the trial.

Q: Did you ever feel pressured to make admissions prior to deliberation?

A: At no point during the trial did I feel pressured to make my decision.

[Redacted area]

Date: 9/13/23 Time: 5:26pm

Person giving statement to place initials behind last word of statement as appears on last page.

ing voluntary statement.



Juror # 826
VOLUNTARY STATEMENT

CASE # 33-23-0626
LEAD #

LAST NAME FIRST NAME MIDDLE NAME AGE DOB
[REDACTED]

DATE AND TIME OF INTERVIEW
9-6-2023 3:00pm

INTERVIEWING AGENT JIA Allison Davis DEPARTMENT SLED INTERVIEWING AGENT Clemison J Wink DEPARTMENT SLED

I understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the grade in school.

Q: Did you feel pressured at any point during the trial to make a decision? A: NO

Q: Did any court official or court employee persuade you or any other juror one way or another as it pertains to guilt or innocence?
NO

Q: Did any court official or court employee have a one on one conversation with you or any of the jurors? NO

Q: Did anyone attempt to contact you after the trial regarding the trial? NO except for the media

Q: Did you see anything during the trial that you perceived to be inappropriate or unethical?
NO, not that I recall

[REDACTED]

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9-6-2023 Time: 1505
Signature of person giving voluntary statement

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 2 pages.



JUVOR # 864
VOLUNTARY STATEMENT

CASE # 32^{cow}-23-026
LEAD # _____

[REDACTED]

DATE AND TIME OF INTERVIEW

LOCATION OF INTERVIEW

INTERVIEWING AGENT DEPARTMENT INTERVIEWING AGENT DEPARTMENT
[REDACTED] SLEDS Tiffany Tactorello SLEDS

I, [REDACTED] understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I (can) cannot read and write and completed the [REDACTED] grade in school.

No one pressured me to make my decision of guilty.
No one influenced me to make any decision or said anything to cause me to come to a guilty verdict.
I did not have or witness anyone having a private conversation about the case.
I was not told that I would not be able to leave until I make a decision.
No one from the defense ever called or came by my house.

I did hear [REDACTED] say we are going to [REDACTED] Mojell.

[REDACTED]

I have read each page of this statement consisting of 1 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contain

Date: 9/14/23 Time: 6:49am [REDACTED] ent

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.

Exhibit C

(Written Statements of Court Staff)



VOLUNTARY STATEMENT

CASE # 32-13-0026

LEAD #

LAST NAME Weiss	FIRST NAME Lori	MIDDLE NAME Lyn	[REDACTED]
[REDACTED]			
[REDACTED]			
[REDACTED]		DATE AND TIME OF INTERVIEW 9/6/23	
INTERVIEWING AGENT [REDACTED]	DEPARTMENT [REDACTED]	INTERVIEWING AGENT A. [REDACTED]	DEPARTMENT [REDACTED]

I, Lori L. Weiss understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can read and write and completed the 12th grade in school.

I did not observe Ms. Hill or any other Court Employee speak with any Jurors during the course of the Murdaugh trial except the bailiff that was assigned to them.

I was asked to look through social media for a post regarding a Juror speaking out. None was found an apology post that may or may not have been associated was located and given to Ms. Hill.

~~Act~~

I have read each page of this statement consisting of _____ page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: 9/6/23 Time: _____ Signature of person giving voluntary statement: Lori L. Weiss

WITNESS: [Signature] WITNESS: [Signature]

I certify that I have been given a copy of this statement consisting of 1 pages.

CASE # 32-23-0126

VOLUNTARY STATEMENT

LEAD #

LAST NAME Polk Jr.	FIRST NAME Willard	MIDDLE NAME H	[REDACTED]
DATE AND TIME OF INTERVIEW 9/6/23 2:00 PM			
INTERVIEWING AGENT Benjamin Ross	DEPARTMENT SLED	INTERVIEWING AGENT Tiffany Tortorello	DEPARTMENT SLED

I, Willard H. Polk Jr. understand I do not have to say anything, and I volunteer the following information of my own free will, for whatever purposes it may serve. I can not read and write and completed the 12TH GRADE in school.

DURING THE Alex MURDAUGH TRIAL I SERVED AS THE JURY COORDINATOR. MY RESPONSIBILITIES CONSISTED MAINLY AS BEING THE PRIMARY INTERFACE BETWEEN THE JURORS AND COURT OFFICIALS LIKE ANY MEDICAL OR PERSONAL ISSUES ETC.

IN MY JURY COORDINATOR POSITION I DID NOT PERSONALLY HEAR ANYONE INTERFACE WITH AND TRY TO INFLUENCE THE JURORS.

I DID NOT HEAR THE CLERK OF COURT REBECCA HILL TRY TO INFLUENCE THE JURORS. MY JURY RESPONSIBILITIES KEPT ME BUSY AND I DIDN'T HEAR ANYONE TRY TO INFLUENCE THEM. THIS TRIAL WAS VERY IMPORTANT FOR ALEX MURDAUGH AND THE COLLETON COUNTY COURTHOUSE SO I TRIED TO KEEP EVERYTHING PROFESSIONAL AND PROBLEM FREE. THE JURORS BECAME LIKE FAMILY AFTER BEING TOGETHER FOR SIX WEEKS. I HAVE NOT SEEN OR TALKED TO ANY OF THE JURORS SINCE THE TRIAL

I have read each page of this statement consisting of 2 page(s), each page of which bears my signature, and corrections, if any, bears my initials, and I certify that the facts contained herein are true and correct.

Date: Sept 6 2023 Time: 2:53 PM Signature of person giving voluntary statement: Willard H. Polk Jr.

WITNESS: Benjamin L. Ross WITNESS: Tiffany Tortorello

I certify that I have been given a copy of this statement consisting of 2 pages.



32-22-0126

VOLUNTARY STATEMENT
SUPPLEMENTAL

CASE # 32-23-0126
LEAD # _____

Statement of, Continued

Q: Did you ever hear any court official / clerk of court tell the jury "not to be misled or fooled by evidence presented in Mr. Murdaugh's defense"?

A: I DID NOT HAVE KNOWLEDGE OF ANYONE ASKING THE ABOVE QUESTION

Q: Did you ever get told by jury members or hear anyone tell the jury members from the outset of their deliberations that it "shouldn't take them long"?

A: I DID NOT HEAR ANYONE ASK A JUROR THE ABOVE QUESTION

Q: Did you ever observe Ms. Hill speaking with jurors privately?

A: I DID NOT EXCEPT FOR TWO ISSUES ONE WAS A PERSONAL FEMALE ISSUE AND ONE WAS A CHILD SUPPORT ISSUE WITH A MALE JUROR. I WAS PRESENT WITH HER FOR BOTH OF THESE ISSUES. THESE OCCASIONS WERE AT THE VERY BEGINNING OF THE WORK.

Q: Were the jurors allowed smoke breaks once deliberation started? yes/no?

A: I DID NOT TAKE THE JURORS ORV SMOKE BREAKS ONCE DELIBERATION STARTED, THIS HAS ALWAYS BEEN THE POLICY SINCE I BEGAN WORKING WITH JURIES, WHP

WHP

WHP

Date: Sept 6, 2023 Time: 2:54

William D. Pollock

Signature of person giving voluntary statement

Person giving statement to place initials behind last word of statement as appears on last page.

**STATE OF SOUTH CAROLINA
COUNTY OF COLLETON**

State of South Carolina,

v.

Richard Alexander Murdaugh,

Defendant.

**COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT**

Indictment Nos. 2022-GS-15-00592, -593,
-594, and -595

MOTION FOR A NEW TRIAL

Defendant Richard Alexander Murdaugh, through undersigned counsel, pursuant to Rule 29(b) of the South Carolina Rules of Criminal Procedure, hereby moves the Court for a new trial after discovering that the Clerk of Court tampered with the jury by advising them not to believe Murdaugh's testimony and other evidence presented by the defense, pressuring them to reach a quick guilty verdict, and even misrepresenting critical and material information to the trial judge in her campaign to remove a juror she believed to be favorable to the defense.¹

Specifically, during trial the Colleton County Clerk of Court, Rebecca Hill, instructed jurors not to be "misled" by evidence presented in Mr. Murdaugh's defense. She told jurors not to be "fooled by" Mr. Murdaugh's testimony in his own defense. Ms. Hill had frequent private conversations with the jury foreperson, a Court-appointed substitution for the foreperson the jury elected for itself at the request of Ms. Hill. During the trial, Ms. Hill asked jurors for their opinions about Mr. Murdaugh's guilt or innocence. Ms. Hill invented a story about a Facebook post to remove a juror she believed might not vote guilty. Ms. Hill pressured the jurors to reach a quick verdict, telling them from the outset of their deliberations that it "shouldn't take them long." Ms. Hill did these things to secure a book deal for herself and media appearances that would not happen

¹ On October 17, 2023, the South Carolina Court of Appeals issued an Order holding Murdaugh's appeal in abeyance and remanded the case for consideration of this Motion for New Trial.

in the event of a mistrial. Ms. Hill betrayed her oath of office for money and fame. Once these facts are proven, the law does not allow the Court any discretion about how to respond. It must grant a new trial.

I. Statement of Facts

Mr. Murdaugh was indicted for the murder of his wife Maggie and son Paul on July 14, 2022. His murder trial began January 23, 2023. The presiding judge was the Honorable Clifton Newman. The trial ran for six weeks, ending with convictions on the evening of March 2, 2023, and sentencing on March 3, 2023. The State rested its case-in-chief and the defense began its case on Friday, February 17, 2023.

Court was not held on February 20, which was President's Day. After returning from the holiday, Ms. Hill began to enter the jury rooms often. Aff. of Juror No. 630 ¶ 7, Aug. 14, 2023 (attached as **Exhibit A**). As the defense began its case, Ms. Hill told jurors, "Y'all are going to hear things that will throw you all off. Don't let this distract you or mislead you." Aff. of Holli Miller *re Juror No. 741* ¶ 6, Sep. 1, 2023 (attached as **Exhibit B**). Additionally, Ms. Hill and Juror No. 826, the new jury foreperson, on multiple occasions went to another room to have private conversations lasting five or ten minutes. Ex. A ¶ 8. Sometimes they would go into the jury room's single-occupancy bathroom together. Ex. B ¶ 4. Foreperson Juror No. 826 never said anything about the content of those conversations to other jurors. Ex. A ¶ 8. Ms. Hill even instructed jurors they could not ask Foreperson Juror No. 826 about the conversations. Ex. B ¶ 4.

Two days later, on Thursday, February 23, and continuing through the next day, Mr. Murdaugh testified in his own defense. Before he began his testimony, Ms. Hill told jurors "not to be fooled" by the evidence Mr. Murdaugh's attorneys presented, which at least one juror understood to mean that Mr. Murdaugh would lie when he testified. Ex. A ¶ 2. Ms. Hill also instructed the jury to "watch him closely," to "look at his actions," and to "look at his movements,"

which at least one juror understood to mean that Mr. Murdaugh was guilty. *Id.* Immediately after Mr. Murdaugh testified, Foreperson Juror No. 826 told the jury that Mr. Murdaugh was crying on cue. Ex. A ¶ 4. She also criticized the former foreperson, Juror No. 589, for handing Mr. Murdaugh a box of tissues when he was crying on the stand because “that is what the defense wants us to do.” Ex. A ¶ 5.

The next court day after Mr. Murdaugh’s testimony, Monday, February 27, Ms. Hill told Judge Newman about a Facebook posting she purportedly saw on the evening of Friday, February 24 (the day Mr. Murdaugh’s testimony concluded), while perusing a Facebook group page called “Walterboro Word of Mouth.” Draft Tr. of *in camera* conf. 41:3–42:15, Mar. 1, 2023 (attached as **Exhibit C**). The post, purportedly by Juror No. 785’s ex-husband Tim Stone, allegedly stated that his “his ex-wife was saying that she was on the jury and saying stuff about how her verdict was going to be.” *Id.* Judge Newman asked her to produce a copy of the posting. *Id.* She could not produce a copy, but according to Ms. Hill, a subordinate employee in the Clerk’s Office, Lori Weiss, discovered that the post was taken down and replaced with an apology post:

Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I’m sorry

Id.; Rebecca Hill, “Behind the Doors of Justice” at 97 (2023) (attached as **Exhibit D**); Timothy Stone Facebook Post, Feb. 16, 2023 (attached as **Exhibit E**). The “apology” post states the initial post was already deleted on February 16, so it would have been impossible for Ms. Hill to see the original post on February 24.

Mr. Stone, Juror No. 785’s ex-husband, avers in a sworn statement that he made no such posts. Aff. of Tim Stone ¶ 2, Aug. 18, 2023 (attached as **Exhibit F**). Mr. Murdaugh has obtained an authentic download of the entirety of Mr. Stone’s Facebook activity from January 23, 2023, to

March 2, 2023, which confirms he did not post the apology (the supposed original post if deleted would not be recoverable at this point under Facebook's retention policies) and that he in fact never posted anything to the "Walterboro Word of Mouth" Facebook page during the trial. Aff. of Phillip Barber ¶¶ 2-5, Aug. 31, 2023 (attached as **Exhibit G**).

The person who made the apology post is an unrelated person also named Timothy Stone, whose Facebook profile picture is not Juror No. 785's ex-husband. He lives in Georgia and has never posted anything to the Facebook group "Walterboro Word of Mouth." Aff. of Timothy Stone ¶¶ 1-4, Sept. 12, 2023 (attached as **Exhibit L**). The original post for which Mr. Stone apologized pertained to an argument about Mr. Stone's wife's aunt "sticking her nose in [his] business." He felt "terrible" about that post, deleted it, and posted an apology the next day. Ex. L ¶ 6.

On February 28, Ms. Hill questioned Juror No. 785 about the fictitious post on "Walterboro Word of Mouth" alone in her office in the courthouse. Aff. of Juror No. 785 ¶ 3, Aug. 13, 2023 (attached as **Exhibit H**). She told Juror No. 785 that someone had emailed her stating her ex-husband, Tim Stone, posted on the "Walterboro Word of Mouth" Facebook page that Juror No. 785 had been drinking with her ex-husband, and that while drunk she expressed opinions on the guilt or innocence of Mr. Murdaugh. Ex. H ¶ 4. Juror No. 785 told Ms. Hill that never happened and that she had not seen her ex-husband in ten years. *Id.* Juror No. 785 asked to see the post, but Ms. Hill would not show it to her. Ex. H ¶ 5. Ms. Hill directly asked Juror No. 785 whether she was inclined to vote guilty or not guilty. Ex. H ¶ 3. Juror No. 785 said she had not made up her mind. *Id.*

Later that day, Ms. Hill told Juror No. 785 that SLED and Colleton County Sheriff's Office personnel went to Mr. Stone's house, and he confirmed he made the post. Ex. H ¶ 6. This is a fabrication by Ms. Hill. Ms. Hill told Juror No. 785 she would somehow "reinstate" a restraining

order Juror No. 785 previously had against Mr. Stone, which is something that Ms. Hill did not have the authority to do.

Still later that day, Judge Newman examined Juror No. 785 regarding both the nonexistent Facebook post and the tenant/co-worker email² *in camera*. Draft Tr. Of *in camera* conf. 3:8–6:19, Feb. 28, 2023 (attached as **Exhibit I**). Juror No. 785 described her interactions with Ms. Hill regarding the Facebook post. *Id.* She denied making any inappropriate comments about the case to third parties, and stated she wanted to hear closing arguments before forming an opinion on Mr. Murdaugh’s guilt or innocence. *Id.*

After she was dismissed, Judge Newman said, “Oh boy. I’m not too pleased about the clerk interrogating a juror as opposed to coming to me and bringing it to me.” Ex. I at 13:20–22. He was right to be concerned.

The next day, on March 1, 2023, the jury visited Moselle, the site of the murders. During the visit, Foreperson Juror No. 826 and Ms. Hill walked off to have yet another private conversation. Ex. H ¶ 16; Ex. B ¶ 9. In her book, Ms. Hill more vaguely hints at communicating her opinion on Mr. Murdaugh’s guilt to the jury during the visit to the Moselle property:

While the jurors viewed the Moselle property, we all could hear and see Alex’s story was impossible.

Some of us either from the courthouse, law enforcement, or jury at Moselle had an epiphany and shared our thoughts with our eyes. At that moment, many of us standing there knew. I knew and they knew that Alex was guilty.

Ex. D at 108.

² A co-worker of a tenant of Juror No. 785 emailed the Court on February 27 stating that the tenant said her landlord was a juror and had expressed an opinion when delivering a refrigerator to the property more than a week earlier.

That day Judge Newman also held an *in camera* conference regarding the tenant/co-worker email, in which he decided to revisit the Facebook post issue with Ms. Hill:

THE COURT: Okay. Well, let me see what Becky is talking about. I wanted to revisit the Facebook post that you mentioned yesterday.

MS. HILL: Uh-huh, right.

THE COURT: That's Becky Hill, the Clerk of Court. Can you tell us about that Facebook post?

MS. HILL: Yes. I think it was Friday evening just for a brief moment I perused Facebook, got on Walterboro Word of Mouth, and saw where someone had said that – well, it was the ex-husband of a juror, and he said that he noticed that his ex-wife was saying that she was on the jury and saying stuff about how her verdict was going to be, and that he was the ex-husband but she was known for talking way too much. And then I just kept on scrolling because that was enough for me. I've gotten enough.

THE COURT: And how did you determine who he was talking about?

MS. HILL: When I heard there was an email on Monday I figured the two went together, if it was true.

THE COURT: Well, she's confirmed she has an ex-husband who she has three restraining orders out against so –

MS. HILL: Right. So then we looked on Monday after you told me to try to go back and look for it and we couldn't find it. But then we found out his name, and we found the post and printed it out where he said that he had put something up, but that he had deleted it at the time that he had put stuff out there that wasn't nice.

THE COURT: He said he got drunk afterwards.

MR. MEADORS: Something about the devil.

MR. HARPOOTLIAN: Didn't he say it was satan in it?

MS. HILL: Satan was in it, yes. In all of the details, yes.

THE COURT: All right.

MS. HILL: Made me do it.

THE COURT: Okay. I just wanted to have that on the record, you're reading a Facebook post by the ex-husband who said it. Of course, you haven't talked with him so you don't know where he got his information from.

MS. HILL: I don't. I can find it, though.

Ex. C at 41:3–42:16. But Ms. Hill never saw any such Facebook post. She made it up. Further, she knew the “apology” post was not posted by Juror No. 785’s ex-husband. Juror No. 785 showed Ms. Hill a picture of her ex-husband, which is not the Facebook profile picture of the other Mr. Stone’s post about Satan. Ex. H ¶ 8.

The next day, March 2, 2023—the day of the verdict—Juror No. 785 received a call from her ex-husband that she did not answer. Ex. H ¶ 9. The call upset her because Ms. Hill’s lies had led her to believe he was posting on Facebook about her and might be stalking her. *Id.* Juror No. 785 asked to speak with Ms. Hill. *Id.* She told Ms. Hill she was scared. *Id.* Ms. Hill told her that “the Murdaughs” probably “got to him,” meaning her ex-husband. *Id.*

Ms. Hill once again asked her opinion regarding Mr. Murdaugh’s guilt. Ex. H ¶ 10. Juror No. 785 told her that Creighton Waters’ closing was good, but that she still had questions. *Id.* Ms. Hill asked what questions and Juror No. 785 replied that she was concerned that no murder weapon was found. *Id.* Ms. Hill then asked, “well, what makes you think he’s guilty?” *Id.* Juror No. 785 said Paul’s video at the dog kennels. *Id.* Ms. Hill then told Juror No. 785 “that everything Mr. Murdaugh has said has been lies and that I should forget about the guns, they will never be seen again.” *Id.* Ms. Hill then asked Juror No. 785 about the views of the rest of the jury, telling her that if the foreperson would “just go in and ask for a raise in hands this would be over and done with” and “everyone needs to be on the same page.” Ex. H ¶ 11.

Juror No. 785 went to the jury room and, ten minutes later, was excused from the jury. Ex. H ¶ 12. In open court immediately after her excusal, Juror No. 785 asked Judge Newman if he had spoken with the Clerk of Court, referring to the conversation earlier that morning with Ms.

Hill. Video of Trial Proceedings, Mar. 2, 2023, available at https://www.youtube.com/watch?v=nbuMq15qY2Q&ab_channel=ABCNews4. Judge Newman responded that “I have not spoken with her today” and that this is “totally independent” of any “conversation” regarding her ex-husband, apparently misunderstanding her question to refer to the issue of the Facebook post. *Id.*

When the jury began deliberations that evening, Ms. Hill told them that “this shouldn’t take us long,” and that if they deliberated past 11 p.m., they would be taken directly to a hotel even though none were prepared to stay overnight. Ex. A ¶ 9. Additionally, smokers on the jury asked to be allowed to take smoke breaks as they had previously been allowed to do during the six-week trial, but Ms. Hill told them they could not smoke until deliberations were complete. *Id.*; Aff. of Holli Miller *re Juror No. 326* ¶ 7, Sep. 1, 2023 (attached as **Exhibit J**). There were six smokers on the jury. Ex. J ¶ 7.

Ms. Hill told jurors that after the trial they would be famous and predicted that the media would request interviews with them. Ms. Hill even handed out reporters’ business cards to jurors during the trial. Ex. B ¶ 5. Juror No. 578 took this to heart and made an appearance on Good Morning America the night of the verdict, which is why on the day the jury began deliberations he wore a suit coat for the first time during the trial. After the verdict and immediately before sentencing, Ms. Hill pressured the jury to speak as a group to reporters for a network news show. Ex. A ¶ 11. She traveled with jurors to New York City when they appeared on the Today show. Ex. D at 93–94. She got her book deal. Her book, “Behind the Doors of Justice,” was released on August 1, 2023.

A last point about Ms. Hill’s efforts to promote her book shows her dishonest efforts to profit from the trial continued well after the verdict. A film crew negotiated a contract with the

Colleton County Sheriff's Department to use courthouse bailiffs to provide security while they filmed a documentary at the Colleton County Courthouse when it was closed for Confederate Memorial Day on May 10, 2023. The film crew had previously recorded an interview with Ms. Hill. On May 9, Ms. Hill sent a memorandum to the film crew purporting to be an "Addendum" to the contract. Mem. from Rebecca Hill, May 9, 2023 (attached as **Exhibit K**). In it, she demanded that the film crew pay Colleton County a fee of \$1,000 per day for use of courthouse facilities and made a nonsensical statement about not having authority outside South Carolina that reflects a failure to understand the choice-of-law clause in the contract. *Id.* Then she bizarrely added a handwritten demand:

Also, in exchange for the use of the likeness of Rebecca Hill in an interview, a minimum of [unclear] 5 second video and audio clips will accompany the usage on the first reference. The book cover for the book, "Behind the Doors of Justice: The Murdaugh Murders[""] will be shown and audio will include Becky's introduction as Clerk of Court for Colleton County and author of the book.

Id. The film crew ignored her addendum as the contract had already been executed. But like her jury tampering during trial, it was an attempt to violate South Carolina Code § 8-13-700(A), which provides, "No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself"

II. Legal Standard

"A defendant in a criminal prosecution is constitutionally guaranteed a fair trial by an impartial jury, and in order to fully safeguard this protection, it is required that the jury render its verdict free from outside influence." *State v. Johnson*, 302 S.C. 243, 250, 395 S.E.2d 167, 170 (1990) (internal quotation marks omitted). "[W]hen the defendant presents a credible allegation of communications or contact between a third party and a juror concerning the matter pending before the jury" the defendant has an "entitlement to an evidentiary hearing." *Barnes v. Joyner*, 751 F.3d 229, 242 (4th Cir. 2014) (citing *Remmer v. United States*, 347 U.S. 227 (1954)); *see also*

Smith v. Phillips, 455 U.S. 209, 215 (1982) (“This Court has long held that the remedy for allegations of juror partiality is a hearing in which the defendant has the opportunity to prove actual bias.”).³

If the defendant proves the alleged contacts occurred, the prosecution bears the burden to show they were harmless:

In a criminal case, any private communication, contact, or tampering directly or indirectly, with a juror during a trial about the matter pending before the jury is, for obvious reasons, deemed presumptively prejudicial, if not made in pursuance of known rules of the court and the instructions and directions of the court made during the trial, with full knowledge of the parties. The presumption is not conclusive, but the burden rests heavily upon the Government to establish, after notice to and hearing of the defendant, that such contact with the juror was harmless to the defendant.

Remmer, 347 U.S. at 229. The presumption is even stronger where the contact was made by a court official. Where “[t]here was the private communication of the court official to members of the jury, an occurrence which cannot be tolerated if the sanctity of the jury system is to be maintained . . . a new trial *must* be granted unless it clearly appears that the *subject matter* of the communication was harmless and could not have affected the verdict.” *State v. Cameron*, 311 S.C. 204, 207–08, 428 S.E.2d 10, 12 (Ct. App. 1993) (quoting *Holmes v. United States*, 284 F.2d 716, 718 (4th Cir. 1960)) (emphasis added).

III. Argument

A state official, Rebecca Hill, the elected Clerk of Court, had extensive private communications with members of the jury during trial. This allegation is supported by sworn

³ The trial court is directed to consider whether (1) the contact was made in an effort to influence the juror by or on behalf of a party in whose favor the verdict was rendered *or*; (2) the contact was such as would obviously influence the juror *or*; (3) the trial judge finds the contact either influenced or probably influenced the juror. *Blake by Adams v. Spartanburg Gen. Hosp.*, 307 S.C. 14, 16–18, 413 S.E.2d 816, 817–18 (1992).

affidavits of jurors and a witness to juror interviews, testimony at *in camera* proceedings, and other evidence including Ms. Hill's own book. The Court, therefore, must hold a *Remmer* evidentiary hearing. *Smith*, 455 U.S. at 215; *Barnes*, 751 F.3d at 242. If the allegations are proven at the evidentiary hearing, then under binding appellate precedent the Court must grant a new trial unless it "clearly appears that the subject matter of the communication was harmless and could not have affected the verdict." *Cameron*, 311 S.C. at 207–08, 428 S.E.2d at 12. The subject matter of Ms. Hill's communications was the evidence being presented at trial by the defense. These improper comments and efforts to influence the jurors' verdict vitiated the sanctity of the jury's deliberation and Murdaugh's sacrosanct right to a fair and impartial jury. Therefore, the Court must grant a new trial if the allegations are proven.

In a six-week trial, people will talk when they should not. They will say things they should not say. Mistakes will be made. The participants in a trial are fallible human beings. Lawyers combing the proceedings after the fact will always find they made mistakes and errors. If that were enough to force a redo of the trial, no verdict would stand, and trials would be repeated forever. To avoid that, Courts properly strain to find that mistakes made during trial are "harmless," meaning they did not change the result.

But the issue now before the Court are not the ordinary and inevitable mistakes that occur in any trial. The issue here is that an elected state official engaged in intentional misconduct—deliberately violating a defendant's constitutional right to a fair trial before an impartial jury—to secure financial gain for herself. Where a state actor engages in private communication with the jury about the merits of the prosecution, the verdict is impossible to sustain. For example, in *Parker v. Gladden*, a bailiff told a juror in a murder trial "that wicked fellow, he is guilty." 385 U.S. 363, 363 (1966). The Supreme Court of Oregon held the statement did not require a new trial

because it was not shown the statement prejudiced the outcome of the trial. The U.S. Supreme Court reversed, holding “[t]he evidence developed against a defendant shall come from the witness stand in a public courtroom where there is full judicial protection of the defendant’s right of confrontation, of cross-examination, and of counsel,” and “[w]e have followed the undeviating rule, that the rights of confrontation and cross-examination are among the fundamental requirements of a constitutionally fair trial.” *Id.* at 364–65 (internal quotation marks and citations omitted).

In this case, the Court has declared on the record that “the verdict that you’ve [the jury] reached is supported by the evidence, circumstantial evidence, direct evidence, all of the evidence pointed to only one conclusion, that’s the conclusion you all [the jury] reach now.” Video of Trial Proceedings at 10:00:32–:51, Mar. 2, 2023, available at https://www.youtube.com/watch?v=-nbuMq15qY2Q&ab_channel=ABCNews4. The Court has, therefore, foreshadowed the outcome of any “harmless error” analysis. But the rule for deciding whether to grant a new trial is not whether the Court believes the outcome of the trial would have been the same had Ms. Hill’s jury tampering not occurred. If that were the case, the Court would sustain a guilty verdict even if she coerced the jury to vote guilty at gunpoint, because, in the Court’s opinion, “all of the evidence pointed to only one conclusion”—the guilt of the accused. If the strength of the evidence against the accused in the eyes of the Court excuses deliberate jury tampering by a state actor, the result is a directed verdict for the prosecution, a structural error. That cannot be the law. *Cf. Neder v. United States*, 527 U.S. 1, 34 (1999) (Scalia, J., concurring in part) (noting that even if “the judge certainly reached the ‘right’ result,” “a directed verdict against the defendant . . . would be *per se* reversible *no matter how overwhelming the unfavorable evidence*,” because “[t]he very premise

of structural-error review is that even convictions reflecting the ‘right’ result are reversed for the sake of protecting a basic right.” (emphasis in original)).

Instead, the law requires the “subject matter” of the communication to be harmless—“clearly” harmless. *Cameron*, 311 S.C. at 208, 428 S.E.2d at 12. Asking the jury what it wants for lunch is clearly harmless. Telling it not to believe the defendant when he testifies is not.

Our Supreme Court recently made this point in *State v. Green*, 432 S.C. 97, 851 S.E.2d 440 (2020). In *Green*, during jury deliberations a juror asked a bailiff “what would happen in the event of a deadlock, and he responded the judge would likely give them an *Allen* charge and ask if they could stay later.” *State v. Green*, 427 S.C. 223, 229, 830 S.E.2d 711, 713 (Ct. App. 2019), *aff’d as modified*, 432 S.C. 97, 851 S.E.2d 440 (2020) (citation omitted). The Court of Appeals held the bailiff’s comments were presumptively prejudicial because of his official position, but that the State rebutted that presumption by showing that for various reasons the remark did not in fact influence the outcome of the jury’s deliberations. *Id.* at 236, 830 S.E.2d at 717.

The Supreme Court affirmed but modified the decision to correct the Court of Appeals’ reasoning. The communication was not presumptively prejudicial because the subject matter of the communication was harmless: “The bailiff’s actions here—though improper—did not touch the merits, but dealt only with the procedural question of how the judge might handle a jury impasse that apparently never materialized.” *Green*, 432 S.C. at 100, 851 S.E.2d at 441. In other words, a bailiff telling the jury that if it is deadlocked, the judge will instruct them to keep deliberating is improper but likely harmless because the subject matter is procedural or logistical, rather than to the merits of the case.

Telling the jury not to believe the defendant’s defense or his testimony when he testifies regards the merits of the case. Ms. Hill’s extensive, deliberate, and self-interested jury tampering


far exceeds the simple bailiff mistakes that forced a retrial in *Cameron*, where “a bailiff’s misleading response to a juror’s question about sentencing options compromised the jury’s impartiality because it left the impression that their verdict could not affect the trial court’s sentencing discretion,” or in *Blake by Adams v. Spartanburg General Hospital*, where a bailiff told a juror “that the trial judge ‘did not like a hung jury, and that a hung jury places an extra burden on taxpayers.’” See *State v. Green*, 427 S.C. at 237, 830 S.E.2d at 717–18 (citing 311 S.C. at 208, 428 S.E.2d at 12 and quoting 307 S.C. 14, 16, 413 S.E.2d 816, 817 (1992)). Unlike the honest mistakes of the bailiffs in those cases, Ms. Hill had many private conversations with jurors about the merits of the case. She asked jurors about their opinions about Mr. Murdaugh’s guilt or innocence. She instructed them not to believe evidence presented in Mr. Murdaugh’s defense, including his own testimony. She lied to the judge to remove a juror she believed might not vote guilty, and she pressured jurors to reach a guilty verdict quickly so she could profit from it. Each of these actions violated Ms. Hill’s oath of office, her responsibility to the citizenry and the judiciary of this state, and Mr. Murdaugh’s constitutional right to a fair and impartial jury.

The law applied to these facts requires a new trial.

IV. Conclusion

For the foregoing reasons, Mr. Murdaugh respectfully submits the Court must hold an evidentiary hearing to receive proof of the facts stated above. When those facts are proven, the Court must grant a new trial.

Respectfully submitted,


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Attorneys for Richard Alexander Murdaugh

October 27, 2023
Columbia, South Carolina.

EXHIBIT A

(Affidavit of Juror No. 630)

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

AFFIDAVIT OF [REDACTED]
JUROR #630


PERSONALLY appeared before me, [REDACTED] who being first duly sworn, deposes and states as follows:

1. I was juror #630 in the case of *State of South Carolina v. Richard Alexander Murdaugh* tried in Colleton County, South Carolina.
2. Toward the end of the trial, after the President's Day break but before Mr. Murdaugh testified, the Clerk of Court, Rebecca Hill, told the jury "not to be fooled" by the evidence presented by Mr. Murdaugh's attorneys, which I understood to mean that Mr. Murdaugh would lie when he testified.
3. She also instructed the jury to "watch him closely" immediately before he testified, including "look at his actions" and "look at his movements," which I understood to mean that he was guilty.
4. Immediately after he testified, the foreperson, [REDACTED] Juror #826, said Mr. Murdaugh was crying on cue.
5. The foreperson, Juror #826, criticized the former foreperson, [REDACTED] Juror #589, for handing Mr. Murdaugh a box of tissues when he was crying on the stand while testifying about his murdered son. She told the jury we cannot interact with Mr. Murdaugh because "that is what the defense wants us to do."
6. The jury frequently discussed the case during breaks before deliberations.
7. Toward the end of the trial, Ms. Hill came into the jury room a lot.
8. Ms. Hill and the foreperson, Juror #826, had private conversations on multiple occasions. The foreperson, Juror #826, would tell the bailiff that she needed to speak

with Ms. Hill. Ms. Hill would arrive, and then she and the foreperson, Juror #826, would go to another room to have a private conversation. The conversations typically lasted 5 to 10 minutes. The foreperson, Juror #826, never said anything about the content of the conversation. For example, she never communicated logistical information after those conversations. This happened two or more times, more frequently toward the end of the trial.

9. When we began deliberations, Ms. Hill told us that "this shouldn't take us long," and that if we deliberated past 11pm, we would be taken directly to a hotel. We had driven from our homes that morning and were not prepared to stay overnight. Additionally, smokers on the jury asked to be allowed to take smoke breaks but were told they could not smoke until deliberations were complete.

10. I had questions about Mr. Murdaugh's guilt but voted guilty because I felt pressured by the other jurors.

11. After the verdict and immediately before sentencing, Ms. Hill pressured the jury to speak as a group to reporters from the television show, 

FURTHER AFFIANT SAYETH NOT.


Juror #630

August 14, 2023

SWORN TO before me this 14 day
of August, 2023

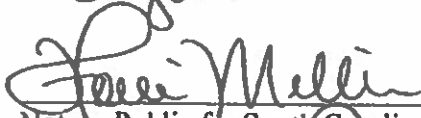
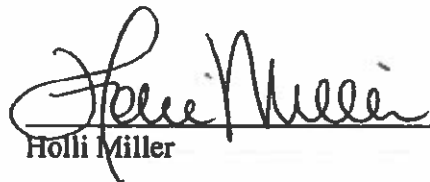

Notary Public for South Carolina
My Commission Expires: July 25, 2032

EXHIBIT B

(Affidavit of H. Miller *re Juror No. 741*)

9. During the visit to Moselle, [REDACTED] Juror #826 and [REDACTED] walked to the scene together. Then Juror #826 began walking with the Clerk of Court, Becky Hill.
10. There were times the jurors were not kept together, but were in two separate rooms. [REDACTED] noticed jurors talking about the case before deliberations began. Neither she nor [REDACTED] Juror #785 joined in on the conversations about Alex.
11. As the jury was deliberating, she believes Judge Newman came to the room she was in and told her the jury would have to spend the night at a hotel if they did not have a vote by a certain time, but she does not recall the time deadline.
12. [REDACTED] Juror #741 was the first former juror to provide information that the Clerk of Court made statements to members of the jury about the evidence presented during the trial, prior to jury deliberations. Ms. Hill's conduct was corroborated by other jurors during subsequent interviews.

FURTHER AFFIANT SAYETH NOT.


Holli Miller

September 1, 2023

SWORN TO before me this 1st day
of September, 2023

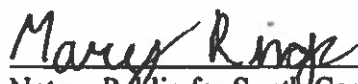

Notary Public for South Carolina
My Commission Expires: 16/27/33

EXHIBIT C

(Draft Transcript of Records Excerpt from *in camera* conference, March 1, 2023)

1 to withhold any opinions. And then they say: Can't talk to
2 you anymore, and walks off. They're off the jury?

3 THE COURT: Okay. Well, let me see what Becky is
4 talking about. I wanted to revisit the Facebook post that
5 you mentioned yesterday.

6 MS. HILL: Uh-huh, right.

7 THE COURT: That's Becky Hill, the Clerk of Court. Can
8 you tell us about that Facebook post?

9 MS. HILL: Yes. I think it was Friday evening just for
10 a brief moment I perused Facebook, got on Walterboro Word of
11 Mouth, and saw where someone had said that -- well, it was
12 the ex-husband of a juror, and he said that he noticed that
13 his ex-wife was saying that she was on the jury and saying
14 stuff about how her verdict was going to be, and that he was
15 the ex-husband but she was known for talking way too much.
16 And then I just kept on scrolling because that was enough
17 for me. I've gotten enough.

18 THE COURT: And how did you determine who he was
19 talking about?

20 MS. HILL: When I heard there was an email on Monday I
21 figured the two went together, if it was true.

22 THE COURT: Well, she's confirmed she has an ex-husband
23 who she has three restraining orders out against so --

24 MS. HILL: Right. So then we looked on Monday after
25 you told me to try to go back and look for it and we

1 couldn't find it. But then we found out his name, and we
2 found the post and printed it out where he said that he had
3 put something up, but that he had deleted it at the time
4 that he had put stuff out there that wasn't nice.

5 THE COURT: He said he got drunk afterwards.

6 MR. MEADORS: Something about the devil.

7 MR. HARPOOTLIAN: Didn't he say it was satan in it?

8 MS. HILL: Satan was in it, yes. In all of the
9 details, yes.

10 THE COURT: All right.

11 MS. HILL: Made me do it.

12 THE COURT: Okay. I just wanted to have that on the
13 record, you're reading a Facebook post by the ex-husband who
14 said it. Of course, you haven't talked with him so you
15 don't know where he got his information from.

16 MS. HILL: I don't. I can find it, though.

17 MR. FERNANDEZ: We do know his name for what it's
18 worth.

19 THE COURT: Do you think he will be sober?

20 MS. HILL: I don't know. Probably not if I had to
21 guess.

22 MR. HARPOOTLIAN: It is Wednesday. Well, is today
23 Tuesday or Wednesday?

24 MR. FERNANDEZ: Wednesday.

25 MR. HARPOOTLIAN: Well, it's Wednesday night so he's

EXHIBIT D

(Rebecca Hill, *Behind the Doors of Justice*
excerpts)

REBECCA "BECKY" H. HILL

Clerk of Court

with

NEIL R. GORDON

*Rebecca
Gordon*

BEHIND THE

DOORS OF JUSTICE:

THE MURDAUGH MURDERS



professional, and we bonded over a cancer diagnosis that both of our families had endured.

While *Dateline* producers were in town for the trial in February 2023, they asked for Judge Newman's cell phone number, which I was given permission to provide to them. Then Craig reached out to Judge Newman to reconnect.

Craig grew up in Columbia, South Carolina, where his family and Judge Newman's family knew each other. In fact, Craig was friends with Judge Newman's late son.

As Judge Newman was beginning his first of many terms as a circuit court judge in Columbia, Craig was beginning his career there at WIS-TV before getting recruited to a station in Washington, DC, and then the NBC network in New York.

That exclusive interview with Judge Newman and his daughter—also a judge—took place in Columbia.

Valerie Bauerlein

Valerie Bauerlein is a national *Wall Street Journal* reporter who has covered the South for eighteen years. She was the pool reporter sent to Moselle with pool photographer Andrew J. Whitaker of *The Post and Courier* newspaper.

In October 2021, Valerie signed a book deal with a division of the iconic Penguin Random House publishing company for a book project about the Murdaugh family of South Carolina.

As it so happened, my fifty-fifth birthday fell during the trial in the spring of 2023. My birthday is March 10, and Valerie was born in late February, so it was decided to have a

party for both of us at her Airbnb on the night of her birthday! She invited many of her colleagues who were covering the trial for the regional and national media outlets. There was food, birthday cake, a lot of laughs, and a little "truth serum" in the form of liquid refreshments!

As we were cleaning up after the party, a few of us were asked how we would vote at that point in the trial if we were members of the jury. Before answering, we pledged a "cone of silence," and for that reason, I cannot reveal the results of our "straw jury poll." What I can say is that many of the party guests agreed with what ended up becoming the actual verdict of the trial.

The Today Show and Dateline

Sunday night after Alex was sentenced, I accompanied three jurors from the trial to New York City. As I mentioned earlier, Craig Melvin and Savannah Guthrie of *The Today Show* interviewed the three jurors during a seven-minute, high-energy segment.

While we were all in *The Today Show* green room, we met and took photos with country music star Dustin Lynch, who was also getting ready to appear on the program to sing one of his hit songs.

Once the taping of *The Today Show* concluded, we were whisked away from the 850-foot skyscraper building by a driver in a black Chevy Tahoe to a different studio near 30 Rock, where *Dateline* tapes some of its segments. What stuck

out to me was that one of the jurors mentioned to a producer that she had a craving for pizza and cheesecake, and the next thing we knew, both were delivered in time for lunch!

This trip was extra special for me because it was my first time ever flying in an airplane! We flew from Charleston to New York City, and could order whatever we wanted! I chose pretzels and a Coke to relieve some of my anxiety. Then a black Chevy Tahoe car service was sent to pick us up from LaGuardia Airport, and we got to ride through one of those dark, underwater tunnels that let us out in the "city that never sleeps!"

NBC put us in the hands of the fabulous Haylee Barber, *Dateline* Producer, who put all of us up at a nice Manhattan hotel and fed us at a restaurant on the Avenue of the Americas, a block away from 30 Rock in Midtown Manhattan on the eve of the interviews. Afterwards, the jurors told me they felt like they were heard and loved their fifteen minutes of fame in the Big Apple.

CHAPTER 12

WE, THE PEOPLE: DUTY,
HONOR AND SERVICE

"Serve wholeheartedly, as if you were serving the Lord, not people, because you know that the Lord will reward each one for whatever good they do."

—Ephesians 6:7–8, New International Version (NIV)

Working with jurors is always a unique experience, and like with any jury, we had some behind-the-scenes happenings with our jurors, the alternates, and the originals for the Murdaugh trial.

While most of the jurors were focused and engaged during the Murdaugh trial, we did have one juror, who was an alternate at one point, who was not. She was more focused on the crowd: who was watching, who was or wasn't following Judge Newman's rules, and so on. For example, she

"caught" a new visitor to the courtroom, who was sitting directly across from her, who looked like she may have been taking a picture of the jury, and that wasn't going to fly with her.

Another juror couldn't, or wouldn't, sit still during the trial, and it seemed like every time she shifted her chair, it made a loud squeak. Occasionally attorneys would wait for the rhythm of the squeaks to subside before continuing their cross-examination.

Then there was the "egg lady" juror. This juror worked on a monkey farm in the Lowcountry, and she drove Judge Newman bananas one weekend—pun intended! Through the Facebook page "Walterboro Word of Mouth," about 20,000 followers saw this juror's ex-husband post about how she was talking way too much to friends and family about the case. Many people became aware of the situation after court on Friday, February 24, and it was brought to the attention of Judge Newman. I typically didn't have the time or energy to watch any media coverage of the trial, but on that Friday night, I scrolled through the "Walterboro Word of Mouth" social media feed and saw the post from the ex-husband, but he didn't mention the juror's name or her juror number.

At the time, I didn't think anything of it and kept scrolling, mainly because I had been inundated with emails and messages from people all over the world about what they had heard, what they had seen, how the prosecution and defense should run their cases, how Judge Newman should rule, what to address with anyone and everyone involved in the

courthouse, and so on. I felt like a principal dealing with tattletales and problems and issues every day. It was tiring.

When Monday morning came, Judge Newman asked me to find the social media post. One of our techies in the clerk's office, Lori Weiss, looked and couldn't find it at first. Luckily, though, she kept looking and saw where the post was taken down and replaced with an apology from the juror's ex-husband. He said Satan had gotten a hold of him, and he had been drinking at the time he posted and was now very sorry.

After Judge Newman interviewed the juror and corroborating witnesses about this situation, he removed the juror from the jury before court started that Monday morning. We learned later the ex-spouses hadn't seen each other in fourteen years and the former juror had three restraining orders against her ex-husband.

When a juror is removed from a jury, it's normal practice for the judge to ask if there are any personal items they'd like to retrieve from the private jury room. When Judge Newman graciously presented this question to the former juror, she said she just wanted to get her eggs, which caused some laughter in the courtroom and nationally once the media got ahold of the story. Judge Newman even broke out into one of the largest grins I've ever seen.

One of the other jurors raised chickens on their farm and had brought in a dozen eggs to whomever wanted them. At this time, eggs were selling for about eight dollars a dozen, which was very high, so it's understandable why the removed juror wanted her eggs! One of our local singer/songwriters,

While the jurors viewed the Moselle property, we all could hear and see that Alex's story was impossible. God gives us all gifts, and the gift of discernment is shared by many. Some of us either from the courthouse, law enforcement, or jury at Moselle had an epiphany and shared our thoughts with our eyes. At that moment, many of us standing there knew. I knew and they knew that Alex was guilty.

Once we were all back inside our vehicles, heavyhearted and contemplative, our procession headed back along Highway 63 toward the town center of Walterboro. The wind had died down mysteriously, and the sun began to shine through the clouds.

One of the roles of the Clerk of Court is to be "Switzerland" between the jury, the lawyers, the public, and any other entities involved. In the moments riding back in our vehicle—and with the jurors and decision-makers in other vehicles—we were just "regular people," and our thoughts spilled out. Just as the jury would do in a span of three hours, we unanimously came to our own verdict in just three minutes: Guilty.

In my opinion, the decision to visit Moselle by Murdaugh's defense team did not work in their favor. "They were hoping to show that the proximity was too close for one shooter, and they felt like the pictures didn't show the distance correctly," said Doug Brown, who worked for the defense team during the trial.

Many of us question if Alex is bipolar, schizophrenic, or a narcissist, while some wonder if he snapped due to financial

pressure, Paul's boating accident, and the crumbling of the family dynasty. Right is right, and wrong is wrong. When and where did this family begin to blur this fact of life? The moral compass that rules most law-abiding citizens didn't seem to exist in Alex. I don't really want to believe that a father could murder his son and wife. Sometimes, though, the line of love gets blurred and turns into a crime of passion and a crime of desperation. I believe most people cannot fathom killing or hurting a family member, especially in the name of love, but during our time at Moselle, Alex's fate was sealed.

EXHIBIT E

(Timothy Stone Facebook post)

Timothy's Post



Timothy Stone

February 16 at 8:35 AM · 🌐

...

Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I'm sorry



5

10 comments

Like

Comment

Share

Most relevant



Amy Corey

When life gets hard you're supposed to call on God but when you're down the devil finds a way to get in and when you let him he will take control pray for you Tim because you have a beautiful granddaughter that loves you and so many more of the grandbabies that love you and you will get through this just let God help you 🙏!! I love you men and I am praying 🙏 for you hope you have a blessed day 🙏!!

Like **Reply** 1w



Bobbie Jo Blackwell

Why apologize for something that you really meant? You meant what you said. Apologies don't mean anything if you constantly do it.

Like **Reply** 1w



Timothy Stone

Bobbie Jo Blackwell I'm human I make mistakes and no I didn't mean it

Like **Reply** 1w



Bobbie Jo Blackwell

Timothy Stone apparently you did or you wouldn't of posted it for all to see

Like **Reply** 1w



Karen Smith

It is great that you apologized. You owe that to the person it was directed at and God. None of us can or should judge. I can however give you some suggestions. I remember when you posted about excepting Christ as your Savior, which I Praise God. We all need salvation. But when you are a babe in Christ, the devil will do all to get you back. But Greater is He who is in you than he that is in the world. So grab that Bible, cling to God's Holy word, leave and let go of that world you left behind and ask God to rebuke Satan. Find a daily devotional, find a Bible, God fearing preaching Church. Invest in the Love Dare 365 day devotional. My husband and I are doing it now. And please, we are all human we will fail daily. But we need to kneel boldly before the Throne of God and give it all to him. And remember to stay off of social media when you aren't at your best. Prayers going up and out for you and your wife. Not preaching, just giving sound advise from someone who came through a life of misery to doing all I can to live for CHRIST. Hang in and hold on!!!!!!! 🙏

Like Reply 1w



Timothy Stone

Karen Smith thanks and where can I find that devotional book

Like Reply 1w



Bobbie Jo Blackwell

Karen Smith we are no longer together. I can't serve God and the devil both so I had to let go of what was keeping me from getting closer to God. You can't get to heaven holding on to someone else's skirt or shirt tail and think your going to make it. It's a relationship between you and God that will allow you to enter in. The wall with the Lord is straight and narrow and you've got to serve him with a whole heart and not just with half your heart or because your wife or your husband wants you to. It's something you have to do for yourself and nobody else.

Like Reply 1w



Karen Smith

Timothy Stone you can go on line and type in Love Dare devotion 365 day. But since I see y'all are not together, I would still recommend it. I have found out that alot of things in it helps me personally and not just for my marriage. Prayers and may God's will be done!

Like Reply 1w



Karen Smith

Bobbie Jo Blackwell agreed and sorry to hear this. I was saved long before my husband and I were married. Had been through several bad relationships. So when I prayed to God to send me a husband like mine, if it be God's will, I made sure the day we got married I have this marriage to God. I myself could not do it on my own. It has had its ups and downs, but Praise God, it has lasted. Pray maybe it is not to late for y'all. And if it is, my prayer is God will bless you first for your walk with God and second that you will find happiness in the future. God be with you!

Like Reply 1w





Bobbie Jo Blackwell
Karen Smith thank you so much

Like Reply 1w

EXHIBIT F

(Affidavit of Tim Stone)

STATE OF SOUTH CAROLINA)
) AFFIDAVIT OF TIM STONE
COUNTY OF Colleton)

PERSONALLY appeared before me, Tim Stone, who being first duly sworn, deposes and states as follows:

1. I am the ex-husband of [REDACTED]
2. I did not post anything to the Facebook group Walterboro Word of Mouth between January 23, 2023, and March 2, 2023. I did not post anything on this social media page or my own Facebook social media page about [REDACTED] being a juror, that [REDACTED] "was talking way too much to friends and family about the case", or that "Satan had gotten a hold of [me], and [I] had been drinking at the time [I] posted and was now very sorry".
3. Nor did I post what is attached as Exhibit A, which has been represented to me to be an alleged post to the Walterboro Word of Mouth Facebook page and a Court exhibit in the State of South Carolina v. Richard Alexander Murdaugh trial.
4. I do not have a Facebook page set up as "Timothy Stone". My profile name is "Tim Stone" and my Facebook page is [https://www.facebook.com/\[REDACTED\]](https://www.facebook.com/[REDACTED])
5. I was never contacted by law enforcement, the South Carolina Attorney General's office, the clerk of court Becky Hill, or anyone at the Colleton County Clerk of Court's office about Exhibit A or a post on the Walterboro Word of Mouth Facebook page concerning my ex-wife, [REDACTED].
6. I did not know [REDACTED] was on the Murdaugh jury until I heard her voice on a recording when she was being excused as a juror and she was discussing something about eggs.


FURTHER AFFIANT SAYETH NOT.



Tim Stone

August 18, 2023

SWORN TO before me this 18 day
of August, 2023



Notary Public for South Carolina
My Commission Expires: July 25, 2032

Timothy's Post



Timothy Stone
February 16 at 8:35 AM · 🌐

Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I'm sorry



10 comments

Like

Comment

Share

Most relevant



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When life gets hard you're supposed to call on God but when you're down the devil finds a way to get in and when you let him he will take control pray for you Tim because you have a beautiful granddaughter that loves you and so many more of the grandbabies that love you and you will get through this just let God help you 🙏!! I love you men and I am praying 🙏 for you hope you have a blessed day 🙏!!

Like Reply 1w



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Why apologize for something that you really meant? You meant what you said. Apologies don't mean anything if you constantly do it.

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Like Reply 1w



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Timothy Stone apparently you did or you wouldn't of posted it for all to see

Like Reply 1w



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It is great that you apologized. You owe that to the person it was directed at and God. None of us can or should judge. I can however give you some suggestions. I remember when you posted about excepting Christ as your Savior, which I Praised God. We all need salvation. But when you are a babe in Christ, the devil will do all to get you back. But Greater is He who is in you then he that is in the world. So grab that Bible, cling to God's Holy word, leave and let go of that world you left behind and ask God to rebuke Satan. Find a daily devotional, find a Bible God fearing preaching Church. Invest in the Love Dare 365 day devotional. My husband and I are doing it now. And please, we are all human we will fail daily. But we need to kneel boldly before the Throne of God and give it all to him. And remember to stay off of social media when you aren't at your best. Prayers going up and out for you and your wife. Not preaching, just giving sound advise from someone who came through a life of misery to doing all I can to live for CHRIST. Hang in and hold on!!!!!! 🙏

Like Reply 1w



Timothy Stone

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Like Reply 1w



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Karen Smith

Bobbie Jo Blackwell agreed and sorry to hear this. I was saved long before my husband and I were married. Had been through several bad relationships. So when I prayed to God to send me a husband like mine, if it be God's will, I made sure the day we got married I have this marriage to God. I myself could not do it on my own. It has had its ups and downs, but Praise God, it has lasted. Pray maybe it is not to late for y'all. And if it is, my prayer is God will bless you first for your walk with God and second that you will find happiness in the future. God be with you!

Like Reply 1w





Bobbie Jo Blackwell
Karen Smith thank you so much

Like Reply 1w

EXHIBIT G

(Affidavit of P. Barber)

STATE OF SOUTH CAROLINA)
) AFFIDAVIT OF PHILLIP BARBER
COUNTY OF Richland)

PERSONALLY appeared before me, Tim Stone, who being first duly sworn, deposes and states as follows:

1. I am an attorney in the firm of Richard A. Harpootlian, P.A., and counsel of record for Defendant Richard Alexander Murdaugh.
2. On August 18, 2023, I met with Tim Stone at his home. He provided his Facebook login information and allowed me to download a copy of all his Facebook activity from January 23, 2023, and March 2, 2023.
3. A true copy of the download is attached as Exhibit A.
4. The contents of the download speak for themselves, but review of them shows no post was made on February 16, 2023, apologizing for a previous post. There are no posts whatsoever to the Facebook group "Walterboro Word of Mouth."
5. Facebook's stated retention policy for deleted posts is 30 days, so any posts deleted in the period January 23, 2023, to March 2, 2023, would not be recoverable.

FURTHER AFFIANT SAYETH NOT.


Phillip Barber

September 4, 2023

SWORN TO before me this 4th day
of September, 2023



Notary Public for South Carolina
My Commission Expires: July 25, 2032

EXHIBIT H

(Affidavit of Juror No. 785)

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

AFFIDAVIT OF [REDACTED] JUROR #785

PERSONALLY appeared before me, [REDACTED] who being first duly sworn, deposes and states as follows:

1. I was juror #785 in the case of *State of South Carolina v. Richard Alexander Murdaugh* tried in Colleton County, South Carolina.
2. During the presentation of the defense case, after President's Day but before Mr. Murdaugh testified in his own defense, Colleton County Clerk of Court Rebecca Hill told the jurors not to be "fooled by" the evidence presented to the jury by Mr. Murdaugh's attorneys.
3. In late February 2023, Ms. Hill questioned me about a Facebook post on the Walterboro Word of Mouth page. She summoned me to speak with her alone in an office in the courthouse. She told me someone emailed her about a post my ex-husband, Tim Stone, purportedly made, which purportedly stated that I made comments to him about the guilt or innocence of Mr. Murdaugh. She directly asked me whether I was inclined to vote guilty or not guilty. I told her I had not made up my mind and that I wanted to hear all the evidence before deciding.
4. Ms. Hill said the post said I had been drinking with my ex-husband, and that while drunk with him I expressed opinions on the guilt or innocence of Mr. Murdaugh. That never happened, and I told Ms. Hill it never happened. I did not go "drinking" with my ex-husband—in fact, I had not seen him in approximately ten years.
5. I asked to see the post, but Ms. Hill would not or could not show it to me. I have never seen it, and, to my knowledge, no one has.

6. Later that day, Ms. Hill told me SLED and Colleton County Sheriff's Office personnel went to my ex-husband's house, and he purportedly confirmed he made the post. She told me she would "reinstate" a restraining order I previously had against my ex-husband.
7. I did not know about the "apology" post referencing Satan until Ms. Hill's book was published. I have since reviewed that post and can definitely state the post is not by my ex-husband. He does not go by "Timothy," the profile picture is not him, and the phrasing of the post is not phrasing he would use. It appears to be a post by another person who happens to have the same name. It does not appear to be a post to the "Walterboro Word of Mouth" Facebook page.
8. When Ms. Hill first asked me about the Facebook posting purportedly made by my ex-husband, I showed her a picture of my ex-husband. For that reason, I now believe she always knew the "apology" post referencing Satan was not posted by my ex-husband.
9. On March 2, 2023—the day of the verdict—I received a call from my ex-husband, Tim Stone, as I was getting on the bus to travel with the rest of the jurors to the courthouse. I did not answer. This phone call upset me greatly and I asked to speak with the clerk of court, which I did by telephone using bailiff "Mr. Bill's" phone. I told her I was scared. She said that "the Murdaughs" probably "got to him."
10. Ms. Hill then again asked me questions about my opinion regarding Mr. Murdaugh's guilt. She asked if I was leaning one way or the other. I told her that Creighton Waters' closing was good, but I still had questions. She asked me what kind of questions and I replied, questions about the guns. She asked what would make me think he is innocent. I stated that no murder weapon was found. She then asked, "well, what makes you

- think he's guilty?" I said Paul's video at the dog kennels. She then stated that everything Mr. Murdaugh has said has been lies and that I should "forget about the guns, they will never be seen again."
11. Ms. Hill then asked about the views of the rest of the jury. She told me if the foreperson would "just go in and ask for a raise in hands this would be over and done with." She said, "everyone needs to be on the same page." She then again said she would "reinstate" a restraining order I previously had against my ex-husband and that she would call Judge Newman about the restraining order.
 12. I then went to the jury room. Approximately ten minutes later, I was excused from the jury. During the proceedings, I asked Judge Newman if he had spoken with the Clerk of Court. He only said this is not because of your ex-husband.
 13. Two weeks later, I did answer a call from my ex-husband. I angrily confronted him about the post he purportedly made, because I knew I had not made the comments he claimed I made. He emphatically denied ever making any such Facebook post and genuinely seemed not to know what I was talking about.
 14. On one day during my jury service, approximately one or two weeks before the verdict, [REDACTED] juror #864, and [REDACTED] juror #826 were in the single-toilet unisex bathroom together for an extended period. They were known to do so frequently to discuss the case. [REDACTED] juror #729, referred to it as "A and D" time.
 15. In the van going to the courthouse, [REDACTED] juror #864, said Special Agent David Owen lied on the stand but that nothing would happen to him.
 16. When we visited the Moselle crime scene, Ms. Hill and [REDACTED] juror #826, walked off together, avoiding other jurors in order to have a private conversation.

17. I own a rental property which is leased to two tenants, Deborah Webb and Clifford Dandridge. On Saturday, February 18, 2023, I delivered a refrigerator to the property.
18. I was removed from the jury on the day of the verdict because a co-worker of Ms. Webb purportedly said I expressed an opinion on Mr. Murdaugh's guilt or innocence while delivering the refrigerator. Ms. Webb then worked at Domino's Pizza in Walterboro, so the co-worker would be some employee of Domino's Pizza in Walterboro. I do not know whether Ms. Webb actually made any such statement at Domino's Pizza or whether a co-worker actually heard any such statement.
19. After I was dismissed from the jury, I spoke with Ms. Webb and Mr. Dandridge, who both vehemently stated to me and my husband that the affidavits the prosecution drafted for their signature was not what they said to him. They told me SLED showed up at their home at 10pm, after they were asleep, removed them from their home, put them in separate cars, and questioned them. Mr. Dandridge said he told them I did not say anything about Mr. Murdaugh's guilt or innocence. SLED returned 30 minutes later, again woke them from their beds, to serve subpoenas on them to appear in court the next day.
20. They arrived at the courthouse at 9am the next day, and were held for nine hours, until 6pm, when SLED officers or a prosecutor finally presented typed affidavits to them, saying they were their statements from the previous night that had been recorded by dashcams in the patrol cars. They said they signed the affidavits without reading them.
21. As I previously testified, I never discussed the merits of the Murdaugh case with Ms. Webb, Mr. Dandridge, or any other person present, nor did I express an opinion on Mr.

Murdaugh's guilt or innocence, while delivering the refrigerator or during any other interaction within them during the trial.

FURTHER AFFIANT SAYETH NOT.

[REDACTED]
Juror #785

August 13, 2023

SWORN TO before me this 13 day
of August, 2023

[Signature]
Notary Public for South Carolina
My Commission Expires: July 25, 2032

EXHIBIT I

(Draft Transcript of Records Excerpt from *in camera* conference, February 28, 2023)

1 case?

2 JUROR: No.

3 THE COURT: Have you put anything on Facebook?

4 JUROR: Not regarding the case. I put a positive post
5 on -- I gave Ms. Becky my -- full access to my Facebook.
6 I've put positive posts on. I've done that for the past
7 three years, but.

8 THE COURT: Has anyone posted anything on Facebook
9 about you
10 and --

11 JUROR: I wasn't aware of it until Ms. Becky told me
12 today.

13 THE COURT: What did she tell me?

14 JUROR: She told -- she asked me if I had a ex-husband
15 and I said yeah. And she asked me if I had talked to him
16 about the case or being on jury duty, and I said no, and I
17 questioned her why she was asking me that. I haven't seen
18 my ex-husband since 2014.

19 THE COURT: Does he live in the area?

20 JUROR: He does now. He lives in Cottageville.

21 THE COURT: Okay.

22 JUROR: And I have three restraining orders against
23 him warning --

24 THE COURT: So, he's basically up to no good?

25 JUROR: I wouldn't say that. I'd say a lot worse, but

1 that's a nice way to put it.

2 THE COURT: Okay.

3 JUROR: But she told me that -- I was very upset after
4 she told me that. I have, like I said, I have three
5 restraining orders against him. I wouldn't have anything
6 to do with him if I didn't have a child with him, but I
7 haven't seen him since 2014 when we got a divorce. I have
8 talked to him within the last year because I got a call at
9 work that my son was in jail and needed a ride home. And I
10 did call his father and ask him to go get him, which he did
11 not do. But other than that, I have not seen him, talked
12 to him, or anything else since 2014 other than getting
13 restraining orders in Colleton County, one in Orangeburg
14 County, and I have one in Berkeley County.

15 THE COURT: Wow.

16 JUROR: But Ms. Becky said she had went to look for
17 the post again and that it had been deleted, and I don't
18 know who she talked to or anything else, but she said
19 apparently --

20 THE COURT: When did she tell you that?

21 JUROR: It was after you let us go on that last break.
22 I was very upset, and she came down and talked to me and
23 said that apparently -- I don't know who talked to him, but
24 said that he was drunk and he removed the post.

25 THE COURT: So, has she discussed the case with any of

1 -- any of the jurors? Has the clerk discussed anything
2 about the case with anyone on that jury?

3 JUROR: Not that I'm aware of.

4 THE COURT: Okay. She was just discussing with --

5 JUROR: She, she pulled me aside and when we went
6 downstairs after the last break -- I want to say it was
7 after lunch and we came back, that's when she first told me
8 about it. And then when we went back into court, I was
9 kind of screening the audience to make sure that my ex
10 wasn't out there. And she came downstairs after that break
11 and told me that she had found out that he was drunk and
12 made a drunk post, and I don't know what happened from
13 there. I have no clue.

14 THE COURT: And you work at the?

15 JUROR: I work at a monkey farm.

16 THE COURT: Monkey farm. What do you do there?

17 JUROR: I work in the lab, for the lab. All I do is
18 watch monkeys. It's a testing facility where they try and
19 come up with cures for, like, AIDS, cancer, leukemia.

20 THE COURT: You're happy to be here away from the
21 monkeys for a while?

22 JUROR: Yeah. I miss my monkeys.

23 THE COURT: Are they pretty smart as everyone says?

24 JUROR: They are very intelligent, and they hurt and
25 bleed and have feelings just like you or I do. They do.

1 THE COURT: Okay. At this point in time, have you
2 made up your mind as to guilt or innocence, though?

3 JUROR: I haven't. I was trying to wait on closing
4 arguments because those are usually pretty good.

5 THE COURT: You been on jury duty before?

6 JUROR: I was, but it kind of really sucked because
7 they called us back and we were, you know, anticipating --
8 it was my first jury, and they made up a agreement, and we
9 never ever got to sit on the jury.

10 THE COURT: Okay, any questions either -- for anyone
11 to ask?

12 MR. GRIFFIN: No, Your Honor.

13 MR. WATERS: No, sir.

14 THE COURT: Okay. If you will stand right inside --

15 JUROR: Follow her?

16 THE COURT: Follow her for a second.

17 Gabby, just right outside, inside the other door but
18 not all the way out.

19 (Juror 785 exited the room.)

20 THE COURT: All right, comments.

21 MR. GRIFFIN: Your Honor, I think that satisfies it,
22 and she hasn't talked to anybody. Hasn't expressed an
23 opinion and hasn't made up an opinion, and she's got an
24 ex-husband that she has three restraining orders against
25 him.

1 THE COURT: That's understandable. Have a good night.

2 JUROR: Thank you.

3 THE COURT: Okay.

4 JUROR: They are going to bring me back to my car,
5 right?

6 THE COURT: They didn't leave you, did they?

7 JUROR: Yes.

8 THE COURT: Oh, they did?

9 LAW CLERK: No. I'll go get her to a bailiff, and
10 they'll go get her. I'll go down there to a bailiff --

11 JUROR: They left.

12 LAW CLERK: -- and make sure they get her home.

13 (Break in proceedings.)

14 JUROR: Y'all have a good night.

15 THE COURT: Okay.

16 MR. GRIFFIN: Bye.

17 (Juror 785 exited the room.)

18 THE COURT: Well.

19 MR. WATERS: I got a name now.

20 THE COURT: A name, Clifford Dandridge, Bee Street.

21 Oh boy. I'm not too pleased about the clerk interrogating
22 a juror as opposed to coming to me and bringing it to me.

23 MR. GRIFFIN: I was surprised to hear that.

24 THE COURT: Yeah.

25 THE COURT: So.

EXHIBIT J

(Affidavit of H. Miller *re Juror No. 326*)

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
 |

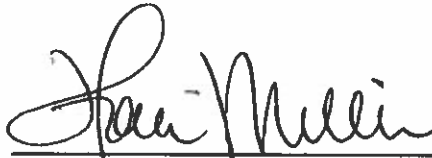
AFFIDAVIT OF HOLLI MILLER

PERSONALLY appeared before me, Holli Miller, who being first duly sworn, deposes and states as follows:

1. On August 6, 2023, Dick Harpootlian, Jim Griffin and I met with [REDACTED] Juror #326 in the case of *State of South Carolina v. Richard Alexander Murdaugh*, and his mother at her home located at [REDACTED]
2. During the meeting, Juror #326 relayed the following information to us.
3. Juror #326 was asked if Ms. Hill told the jurors not to let the defense mislead them. He did not specifically recall this statement but he did recall that Ms. Hill commented to him and other jurors about the photos that would be admitted into evidence, indicating that the “images would be disturbing.”
4. Juror #326 also stated that the jurors were stationed in two separate rooms when they were not in the courtroom, and that he was in a room with mostly other male jurors. He was not in the same room as Jurors #630, #741 and #785. Juror #326 stated that Ms. Hill would visit the other room more often and that he could not hear what she was telling the jurors in the other room.
5. During the trial Juror #326 and others discussed the case prior to deliberations. He did not discuss the case with anyone outside of the jurors. He further commented that some of the jurors were going into their office because of financial reasons and that “people were talking to coworkers because coworkers wanted info.”
6. Before deliberations began, Juror #326 indicated that “minor conversation led him to know who was a yes and who was a no”. His vote changed with new evidence.

7. As the jury was deliberating, the bailiff and Ms. Hill told the jurors that they could not take a smoke break during deliberations. There were six smokers on the jury.
8. After the trial concluded, a group chat was formed with the jurors, but Juror #326 dropped off of the group chat because there "were too many chats".
9. When asked if he thought the Clerk of Court Becky Hill was inserting herself in the process of the trial, Juror #326 responded, "I can see this."


FURTHER AFFIANT SAYETH NOT.



Holli Miller

September 1, 2023

SWORN TO before me this 1st day
of September, 2023



Notary Public for South Carolina
My Commission Expires: 6/27/33

EXHIBIT K

(Memorandum from Rebecca Hill, May 9,
2023)

To: [REDACTED] Dream Works aka Texas Crew Productions, LLC

From: Rebecca Hill, Colleton County Clerk of Court

Re: Addendum to Texas Crew Productions, LLC

May 9, 2023

Dear [REDACTED]

I'm looking forward to your upcoming docuseries on the Murdaugh case and I hope you'll be able to use some of my interview—should you choose to.

Because I am an elected official, we'll need to modify 3 clauses in the LOCATION agreement you presented me—as it relates to my authority.

Please change the word "Owner" to "Colleton County" in every reference in the agreement.

3-DATES and LOCATION FEE

Lowcountry Story, LLC agrees to pay the Colleton County Treasury a fee of \$1,000 PER day for use of the Colleton County Courthouse facilities, so as long as it does not supersede any court proceedings. Payment will be made by the close of production.

10-MISCELLANEOUS

Colleton County, South Carolina can ONLY enter into a legal agreement for services if it is to be governed here in South Carolina, not New York. As an elected official, I have no authority outside of the State of South Carolina.

Sincerely, Rebecca Hill



Colleton County Clerk of Court

RHH Also, in exchange for the use of the likeness of Rebecca Hill in an interview, a minimum of .05 second video and audio clip will accompany the usage on the first reference.

The book cover for the book, "Behind The Doors of Justice: The Murdaugh Murders will be shown and audio will include Beckie's introduction as Clerk of Court for Colleton County and author of the book.

EXHIBIT L

(Affidavit of Timothy Stone)

STATE OF GEORGIA

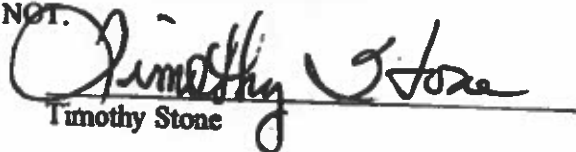
COUNTY OF Wayne

)
) AFFIDAVIT OF TIMOTHY STONE
)

PERSONALLY appeared before me, Timothy Stone, who being first duly sworn, deposes and states as follows:

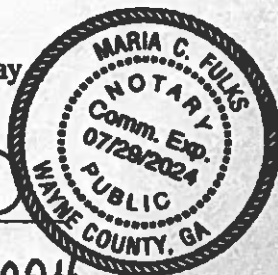
1. I am a resident of Odum, Georgia.
2. I am married to Bobbie Jo Stone (also known as Bobbi Joe Blackwell) and have been married since January 2022. I have never been married to anyone named [REDACTED]
3. I am not a member of the Facebook group Walterboro Word of Mouth and have never posted anything on this group's social media page.
4. I did not post what is contained in Exhibit A on the Facebook group Walterboro Word of Mouth. I did, however, post it on my personal Facebook page.
5. My Facebook page is [REDACTED]
6. The initial post on February 15, 2023 and the follow up post on February 16, 2023 had nothing to do with anyone associated with the State v. Murdaugh case. The February 15 post was in response to my wife's aunt "sticking her nose in my business". I felt terrible about the initial post and removed it on February 15 and on February 16 posted an apology which is still on my Facebook feed. See attached Exhibit B.
7. It appears that the post on my personal Facebook page differs slightly from that on Exhibit A in that my wife's comments as Bobbie Jo Blackwell have been deleted.

FURTHER AFFIANT SAYETH NOT.


Timothy Stone

September 12 2023

SWORN TO before me this 12th day
of September, 2023



Maria C. Fulks
Notary Public for South Carolina
My Commission Expires: 7/29/2024

Exhibit A

Timothy's Post



Timothy Stone

February 16 at 8:35 AM · 🌐

Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I'm sorry



5

10 comments

Like

Comment

Share

Most relevant



Amy Corey

When life gets hard you're supposed to call on God but when you're down the devil finds a way to get in and when you let him he will take control pray for you Tim because you have a beautiful granddaughter that loves you and so many more of the grandbabies that love you and you will get through this just let God help you 🙏!! I love you men and I am praying 🙏 for you hope you have a blessed day 🙏!!

Like Reply 1w



Bobbie Jo Blackwell

Why apologize for something that you really meant? You meant what you said. Apologies don't mean anything if you constantly do it.

Like Reply 1w



Timothy Stone

Bobbie Jo Blackwell I'm human I make mistakes and no I didn't mean it

Like Reply 1w



Bobbie Jo Blackwell

Timothy Stone apparently you did or you wouldn't of posted it for all to see

Like Reply 1w



Karen Smith

It is great that you apologized. You owe that to the person it was directed at and God. None of us can or should judge. I can however give you some suggestions. I remember when you posted about excepting Christ as your Savior, which I Praised God. We all need salvation. But when you are a babe in Christ, the devil will do all to get you back. But Greater is He who is in you then he that is in the world. So grab that Bible, cling to God's Holy word, leave and let go of that world you left behind and ask God to rebuke Satan. Find a daily devotional, find a Bible, God fearing preaching Church. Invest in the Love Dare 365 day devotional. My husband and I are doing it now. And please, we are all human, we will fail daily. But we need to kneel boldly before the Throne of God and give it all to him. And remember to stay off of social media when you aren't at your best. Prayers going up and out for you and your wife. Not preaching, just giving sound advise from someone who came through a life of misery to doing all I can to live for CHRIST. Hang in and hold on!!!!!!! 🙏

Like Reply 1w



Timothy Stone

Karen Smith thanks and where can I find that devotional book

Like Reply 1w



Bobbie Jo Blackwell

Karen Smith we are no longer together. I can't serve God and the devil both so I had to let go of what was keeping me from getting closer to God. You can't get to heaven holding on to someone else's skirt or shirt tail and think your going to make it. It's a relationship between you and God that will allow you to enter in. The wall with the Lord is straight and narrow and you've got to serve him with a whole heart and not just with half your heart or because your wife or your husband wants you to. It's something you have to do for yourself and nobody else

Like Reply 1w



Karen Smith

Timothy Stone you can go on line and type in Love Dare devotion 365 day. But since I see y'all are not together, I would still recommend it. I have found out that alot of things in it helps me personally and not just for my marriage. Prayers and may God's will be done!

Like Reply 1w



Karen Smith

Bobbie Jo Blackwell agreed and sorry to hear this. I was saved long before my husband and I were married. Had been through several bad relationships. So when I prayed to God to send me a husband like mine, if it be God's will, I made sure the day we got married I have this marriage to God. I myself could not do it on my own. It has had its ups and downs, but Praise God, it has lasted. Pray maybe it is not to late for y'all. And if it is, my prayer is God will bless you first for your walk with God and second that you will find happiness in the future. God be with you!

Like Reply 1w





Bobbie Jo Blackwell
Karen Smith thank you so much

Like Reply 1w

Exhibit B



Timothy Stone

128 friends

Add friend

Message

- Posts
- About
- Friends
- Photos
- Videos
- Check-ins
- More

Intro

- Works at Dopson all terrain timber
- Studied at Jeff Davis High School
- Went to Jeff Davis High School

Posts

Filters

Timothy Stone
February 27 · 🌐

Fixing to delete Facebook I'll leave messenger on for a few days for certain ones to get my new number later Facebook world

👍 3

Photos

See all photos



Friends

128 friends

See all friends



Bobbie Jo Stone

Jean Woods

Shelby Batten

Stitch Lovers
February 16

Like

Comment

Share

Write a comment...



Timothy Stone updated his profile picture
February 16



9

Share

Timothy Stone
February 16





Timothy Stone

Friends

128 friends

See all trends



Bobbie Jo Stone



Jean Woods



Shelby Batten



Kaitlyn Graham



Matthew Finch



Billie Jean Blackwell Sloan



Timothy Stone



William Sloan



Billy Blackwell

Life events

See all

1

Like

Comment

Share

Write a comment...



Timothy Stone February 15

Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I'm sorry

5

5 comments

Like

Comment

Share

View more comments



Karen Smith

It is great that you apologized. You owe that to the person it was directed at and God. None of us can or should judge. I can however give you some suggestions. I remember when you posted about excepting Christ as your Savior, which I Praised God. We a... See more

Like Reply 29w

Karen Smith replied · 3 Replies

Write a comment...




Timothy Stone February 16

For my mom and sister



Timothy's Post



 **Timothy Stone**
February 15



Folks I posted a ugly post yesterday to which I have deleted and I kinda in a round about way directed it towards a certain person and I would like to apologize to everyone who read it that ugly for me to do that and yes I let Satan control me and I broke down and started drinking and when I was drunk I made that post and I'm sorry

 5

5 comments

 Like

 Comment

 Share

Most relevant



Amy Corey

When life gets hard you're supposed to call on God but when you're down the devil finds a way to get in and when you let him he will take control pray for you Tim because you have a beautiful granddaughter that loves you and so many more of the grandbabies that love you and you will get through this just let God help you 🙏 !!! I love you men and I am praying 🙏 for you hope you have a blessed day 🙏 !!!

Like Reply 29w



Karen Smith

It is great that you apologized. You owe that to the person it was directed at and God. None of us can or should judge. I can however give you some suggestions. I remember when you posted about excepting Christ as your Savior, which I Praise God. We all need salvation. But when you are a babe in Christ, the devil will do all to get you back. But Greater is He who is in you then he that is in the world. So grab that Bible, cling to God's Holy word, leave and let go of that world you left behind and ask God to rebuke Satan. Find a daily devotional, find a Bible, God fearing preaching Church. Invest in the Love Dare 365 day devotional. My husband and I are doing it now. And please, we are all human, we will fail daily. But we need to kneel boldly before the Throne of God and give it all to him. And remember to stay off of social media when you aren't at your best. Prayers going up and out for you and your wife. Not preaching, just giving sound advise from someone who came through a life of misery to doing all I can to live for CHRIST. Hang in and hold on!!!!!! 🙏

Like Reply 29w

Life events

Timothy's Post

X

February 22

Timothy Stone

More

February 20

February 22

More

Life events



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Like Reply 29m



Timothy Stone

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Like Reply 29m



Karen Smith

Timothy Stone you can go on line and type in Love Dare devotion 365 day. But since I see y'all are not together, I would still recommend it. I have found out that alot of things in it helps me personally and not just for my marriage. Prayers and may God's will be done!

Like Reply 29m



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Like Reply 29m

It was directed at and
you some suggestions
our Savior, which I Praise

It was directed at and
you some suggestions
our Savior, which I Praise

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

)
)
)

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

The State of South Carolina,

Plaintiffs,

vs.

Richard Alexander Murdaugh,

Defendant.

Indictment Nos. 2022GS1500592 – 00595

CERTIFICATE OF SERVICE

I, Holli Miller, paralegal to the attorney for the Defendant, Richard A. Harpootlian, P.A., with offices located at 1410 Laurel Street, Columbia, South Carolina 29201, hereby certify that on October 27, 2023 did serve via email the following document to the below mentioned person:

Document: Motion for a new trial

Served: Creighton Waters, Esquire
Office of The Attorney General
Rembert C. Dennis Building
Post Office Box 11549
Columbia South Carolina 29211-1549
cwaters@scag.gov



Holli Miller

OCT 27 2023 AM 10:13
COLLETON CO GS, REBECCA H. HILL