

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

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APPEAL FROM COLLETON COUNTY
Court of General Sessions

S.C. SUPREME COURT

The Honorable Clifton B. Newman, Circuit Judge
The Honorable Jean Hoefer Toal, Chief Justice (Ret.)

Appellate Case No. 2023-000392

THE STATE OF SOUTH CAROLINA,.....RESPONDENT,

V.

RICHARD ALEXANDER MURDAUGH, ... APPELLANT.

RECORD ON APPEAL
VOL. V

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1 Q Why?

2 A Just the time of night.

3 Q Why?

4 A With her being an Alzheimer's patient, they tend to be
5 worse at night, so it seemed strange to go visit.

6 Q What time was the 911 call?

7 A It was ten --

8 THE COURT: Speak louder, please.

9 THE WITNESS: I'm sorry.

10 A I would have to check my notes.

11 Q Pull the chair up a little, I'm sorry.

12 A It was ten -- 10:06.

13 Q And this interview was 12:57?

14 A Yes, that's correct.

15 Q In your interview and Agent Owen's interview, does the
16 defendant, Alex Murdaugh, tell you he tried to turn Paul
17 over?

18 A He did.

19 Q And did he say whether he had tried to check Paul's
20 pulse and/or Maggie's pulse?

21 A He stated he tried to take both.

22 Q What did Mr. Murdaugh, Alex, the defendant, Alex
23 Murdaugh, say about the phone, if anything, that was in
24 Paul's possession?

25 A He stated his phone popped out of his pocket.

1 Q When?

2 A When he tried to check his pulse.

3 Q Did he try to turn him over?

4 A That's what he said.

5 Q Before I forget it, there's a scene in here where
6 Alexander Murdaugh is looking at his phone. Do you
7 remember that?

8 A Correct, yes.

9 Q Okay. Can you actually see the phone in there and the
10 times and the messages on the video that he's looking at?

11 A You can on the bottom left of the screen.

12 Q And what was that in response to when he was looking
13 at that?

14 A When I asked what time he texted Maggie.

15 Q So, you saw those on his phone, looking at those when
16 y'all were talking to him in the car?

17 A I couldn't see from where I was sitting, but reviewing
18 the video I could see it.

19 Q I'm sorry, reviewing the video you do see it.

20 A Yes.

21 Q I've got a transcript here, but at the end of the
22 video, toward the end of the interview, did Mr. Murdaugh
23 say again he tried to turn over his son, Paul Murdaugh?

24 A He did.

25 Q Okay. That he tried to check him.

1 A That's what he said.

2 Q And I know I asked you, but I may not have done it too
3 eloquently. Did he first tell you he tried to turn him
4 over?

5 A Yes, he did.

6 Q And I figured it out?

7 A Yes.

8 Q And his cell phone popped out of his pocket?

9 A That's correct.

10 Q And everybody heard it:

11 But then something with it thinking maybe then I
12 put it back down really quickly. Then I went --
13 And you can't really understand the rest of it.

14 A Yes.

15 Q What did you think about the phone popping out?

16 A I was --

17 MR. GRIFFIN: Objection, Your Honor. Relevance.

18 THE COURT: The objection is sustained.

19 Q Have you ever moved dead weight?

20 A I have.

21 MR. MEADORS: If we could start the ELMO, please?

22 (Break in proceedings.)

23 MR. MEADORS: And, Judge, these are a couple of these
24 pictures that I think they have this on top of it, just to
25 warn everybody these are graphic photos. The first is

1 Number 2.

2 Q Who is this a picture of?

3 A That's Maggie Murdaugh.

4 Q And did the defendant say he checked her pulse?

5 A He did.

6 Q Did he tell you where?

7 A He did not.

8 Q Okay, and before I get to it, did the defendant ever
9 tell you he had been down to the kennels that night in this
10 interview?

11 A No.

12 Q After his nap, where did he say he went?

13 A Went to check on his mother in Hampton.

14 MR. MEADORS: Again, if you would keep your computers
15 covered, please. Defense 1.

16 With the Court's permission, I would like for the
17 detective to come down, please, Judge.

18 THE COURT: Yes.

19 Q Detective, I want to get where you won't block and I
20 won't block. Did the defendant tell you he tried to get
21 the pulse of his son, Paul Murdaugh?

22 A He did.

23 Q Did he tell you where he tried to get the pulse?

24 A He did not, just said he tried to turn him.

25 Q Say that last thing.

1 A He tried to turn him.

2 Q And he told you he tried to turn him more than once,
3 didn't he?

4 A Yes, he did.

5 MR. GRIFFIN: Objection. Leading, Your Honor.

6 Q How many times did he tell you he tried to turn him?

7 A Twice.

8 Q I think you've testified you've tried to lift dead
9 weight, right?

10 A I have.

11 Q Can you describe what's around Paul Murdaugh?

12 A Blood and brain matter.

13 Q Okay, and if you were to -- where are his hands?

14 A Underneath his body.

15 Q If you were to check the pulse of his hands, how would
16 you do it?

17 A You would have to try to lift him up and get his arms
18 out from under him.

19 Q Underneath?

20 A Correct.

21 Q And roll him.

22 A Correct.

23 Q By the way, where is his phone?

24 A It's laying on the back side of his shorts.

25 Q Right there. Popped out he said.

1 A Yes.

2 Q Is that his brain?

3 A That is.

4 Q As Mr. Harpootlian said, blown out of his head?

5 A Correct.

6 Q If you tried to take the pulse at the neck, how would
7 you do it?

8 A You would have to try to lift his shoulder to get
9 access to his neck.

10 Q This way?

11 A Correct.

12 Q Whether you're this way or this way, right?

13 A Correct.

14 Q Or underneath or under the head. Is that right?

15 A Yes.

16 Q Is that right?

17 A Yes.

18 MR. MEADORS: I'm sorry.

19 MR. HARPOOTLIAN: Do you have to yell?

20 Q When you saw Alex Murdaugh, when you first came up to
21 him.

22 MR. MEADORS: Y'all can go sit down if you want to.

23 MR. HARPOOTLIAN: Is she going to sit down?

24 MR. MEADORS: Stay up here then. That's fine.

25 (Break in proceedings.)

1 MR. MEADORS: Go back and sit down.

2 MR. FERNANDEZ: Thank you.

3 Q When you first saw Alex Murdaugh at the car, did you
4 observe him?

5 A I did.

6 Q Why?

7 A Just to make mental notes of what he was wearing and
8 how he looked.

9 Q And what were your mental notes?

10 A That he was clean.

11 Q Say that again?

12 A That he was clean.

13 Q Okay. When you were in the car with him, you were
14 behind him?

15 A I was.

16 Q Okay. Did you observe his hands?

17 A I did.

18 Q Did you see his arms?

19 A I did.

20 Q And when you were out on the side of the road
21 beforehand, did you see his shirt?

22 A Yes.

23 Q His pants?

24 A Yes.

25 Q His shoes?

1 A Yes.

2 Q Now, when you were at the scene, when you first got
3 there, did you see any footprints in the blood?

4 A No.

5 Q Did you see any knee prints in the blood?

6 A No.

7 Q Anywhere around the body?

8 A No.

9 Q Did you look at his shoes?

10 A I did.

11 Q And what kind -- Alex Murdaugh's shoes, what kind of
12 shoes were they?

13 A They were like an athletic tennis shoe.

14 Q Did you see anything that appeared to be blood on his
15 shoes?

16 A I did not.

17 Q I want you to look at the ladies and gentlemen of this
18 jury. Did you see what appeared to be blood on Alex
19 Murdaugh's hands?

20 A I did not.

21 Q On his arms?

22 A No.

23 Q On his shirt?

24 A None.

25 Q On his shorts?

1 A No.

2 Q On his shoes?

3 A I did not.

4 Q How long was this after the 911 call?

5 A 2 hours, 2 to 3 hours.

6 Q All of this fresh in his mind?

7 A Yes.

8 Q How would you describe the defendant's hands when you
9 saw them when you were interviewing him? How would you
10 describe his hands?

11 A They were clean.

12 Q How would you describe his arms?

13 A They were clean.

14 Q How would you describe his t-shirt?

15 A Clean.

16 Q How would you describe his shorts?

17 A Clean.

18 Q How would you describe his shoes?

19 A They were clean.

20 MR. MEADORS: Beg the Court's indulgence.

21 (Break in proceedings.)

22 Q Was his phone taken that night, Alex Murdaugh's?

23 A I believe so.

24 Q You're not sure?

25 A I'm not sure, no, sir.

1 Q So, it may not have been taken.

2 A No.

3 Q Now, you were working with --

4 MR. MEADORS: Agent Owens, stand up.

5 Q Is this David Owens who you were working with with
6 SLED?

7 A Yes.

8 MR. MEADORS: Thank you, Agent.

9 Q When you -- after this interview, did you go to the
10 actual house at 4147?

11 A I did.

12 Q Did you go inside?

13 A Just in the foyer, yes.

14 Q Okay. Did Agent Owens go inside?

15 A He did.

16 Q Were the defendant's shirt, shoes, and pants collected
17 by Agent Owens?

18 A Yes.

19 Q You didn't collect them, he did?

20 A I did not.

21 Q And those are the same shirts, shoes, and pants he was
22 wearing there.

23 A Correct.

24 Q And SLED got them that night.

25 A Yes.

1 Q Okay. After this, did you assist SLED in some -- just
2 some things that came up in the investigation?

3 A I did.

4 Q Okay, and I don't believe this would be objected to,
5 but did you assist them with getting Maggie's car?

6 A I did.

7 Q Some other cell phone evidence?

8 A Search warrants.

9 Q Was there a search of some of the areas that you
10 attended in and around out on Moselle?

11 A Correct, yes.

12 Q Search of ponds?

13 A Yes.

14 Q So, you assisted to some -- you assisted SLED at some
15 point throughout this investigation.

16 A Yeah. Any time they needed anything from the
17 sheriff's office, Agent Owen could go through me or my
18 captain. Whether it was storing a vehicle as evidence, or
19 using our evidence bay to process anything, I was there to
20 assist in any way that they needed.

21 Q And did you assist, I guess, in the helping with Alex
22 Murdaugh's car as far as getting anything out of that car?

23 A No. SLED processed that.

24 Q Okay. Now, if you would just listen to my questions.

25 I'm not going to lead you. I just want to just ask you one

1 final question. Is the individual in this courtroom who
2 told you he tried to take the pulse of Maggie and Paul, is
3 the individual in this courtroom who told you he tried to
4 turn Paul over, told you that once, twice? Is the
5 individual in this courtroom that you took that statement
6 from that we saw on this video in this courtroom? And is
7 the individual you described as clean from head to toe in
8 this courtroom?

9 A Yes, he is.

10 Q Please point him out for the jury.

11 A He's sitting at the defense table wearing a
12 grayish/brown jacket and a white shirt.

13 MR. MEADORS: Your Honor, we would like the record to
14 reflect he is -- she has pointed out the defendant, Richard
15 Alexander Murdaugh.

16 THE COURT: It does.

17 MR. MEADORS: Thank you. That's all.

18 THE COURT: Ladies and gentlemen, we'll have you go to
19 the jury room for a break. Please do not discuss the case.

20 (The jury left the courtroom.)

21 THE COURT: Can we have order in the courtroom? When
22 the jury leaves the courtroom, that's not an invitation for
23 conversation. Court remains in session in order until a
24 recess takes place. We'll be in recess for 10 minutes.

25 (A break was taken.)

1 THE COURT: Before the jury comes in, I want to review
2 a few of the rules of court and rules of procedure with
3 counsel. First, Rule 20 of the Rules of Criminal Procedure
4 provides that there shall be no objection -- no argument on
5 objections unless requested by the Court, and that's Rule
6 19. I'm sorry, Rule 18. No argument on objections unless
7 requested by the Court, Rule 18.B.

8 Then Rule 43H of the Rules of Civil Procedure, which
9 is applied to the Rules of Criminal Procedure through
10 criminal procedure Rule 37, I believe it is, 37, yes, and
11 that is that only one counsel for each party shall examine
12 or cross-examine a witness, and by extension to that the
13 Court's order, and that's Rule 611 in the procedure
14 establishing in the courts of this state, the examining
15 counsel only shall make objections. And Mr. Griffin is
16 examining, or going to cross-examine, Mr. Griffin makes
17 objections, likewise if the State's Attorney General -- not
18 any and everyone can jump up and object.

19 Any question about either of those?

20 MR. HARPOOTLIAN: Your Honor.

21 MR. WATERS: No, Your Honor.

22 MR. HARPOOTLIAN: Your Honor, I understand the rule.

23 So, as with the witness they were attempting to get to
24 testify about blood in the water yesterday, I objected, and
25 it was a speaking objection. I apologize. But when I

1 object, will you sometimes invite argument or -- I'm trying
2 to preserve objections in the record, and I'm just
3 wondering, since he doesn't get an appeal -- that's not his
4 concern -- how would you like me to handle that?

5 THE COURT: Well, the objection speaks for itself. If
6 the parties wish to place something on the record at some
7 point in time after a witness's examination, after
8 examination is over, the Court will give you that
9 opportunity. But if we have speaking objections, if the
10 one party makes an objection and proceeds to argue it
11 through a speaking objection, I give equal time to the
12 opposing side, so we end up having a debate rather than --
13 that interrupts the trial all around. I certainly
14 understand the defense's right to make a proper record, and
15 we'll address that as is needed without there being a
16 speaking objection.

17 MR. HARPOOTLIAN: For instance, they've elicited
18 hearsay in my opinion and I object, should I say objection,
19 hearsay, or it just depends?

20 THE COURT: Yes, sir.

21 MR. HARPOOTLIAN: I can do that.

22 THE COURT: Yes, sir, the legal basis for the
23 objection.

24 MR. HARPOOTLIAN: Okay.

25 THE COURT: Only.

1 MR. HARPOOTLIAN: Not a real advocacy either.

2 THE COURT: Yes, sir.

3 MR. HARPOOTLIAN: Okay. I understand. Thank you.

4 THE COURT: All right, let's bring the jury.

5 (The jury returned to the courtroom.)

6 THE BAILIFF: The jury is present.

7 THE COURT: Thank you. Cross-examination,

8 Mr. Griffin.

9 MR. GRIFFIN: Thank you, Your Honor.

10 CROSS-EXAMINATION

11 BY MR. GRIFFIN:

12 Q Detective Cross, good morning. My name is Jim
13 Griffin --

14 A Detective Rutland.

15 Q Jim Griffin -- Rutland, I'm sorry.

16 A That's okay.

17 Q My name is Jim Griffin and I represent Alex Murdaugh.

18 A Uh-huh.

19 Q You had testified on direct examination a moment ago
20 that it was, you believe, somewhat unusual for Mr. Murdaugh
21 to go visit his mother as late as 9:06 on a Monday evening.
22 Do you recall testifying?

23 A I do.

24 Q And you were sitting in the car when he was being
25 interviewed, and do you recall him saying that his father,

1 Mr. Randolph Murdaugh, had just been put in the hospital
2 that very day?

3 A That's correct.

4 Q And that it was an unusual day because Mr. Randolph
5 Murdaugh was not with Ms. Libby Randolph, and she gets
6 anxious when that occurs. Do you remember that?

7 A I remember him saying something along those lines.

8 Q And in that context it's -- you don't criticize a son
9 who goes to visit his mother who has early onset dementia
10 on the very day and the afternoon that the father is
11 admitted to the hospital. You're not here to criticize him
12 for that, are you?

13 A No, I didn't criticize. I just made a mental note
14 that that was interesting.

15 Q Okay, and you walked the crime scene when you arrived
16 and you made some mental notes and observations that you
17 subsequently recorded in a report, did you not?

18 A I did.

19 Q And one of the things that you mentally noted and then
20 subsequently reported was that there was tremendous amount
21 of blood spatter in the feed room area and around where
22 Paul was murdered. Is that correct?

23 A That's correct.

24 Q And there was brain matter and organic matter all
25 about the place where Paul was murdered, correct?

1 A That's correct.

2 Q And I think you even described that there was matter
3 that -- blood that went up to the ceiling and to the door
4 and spatter everywhere, right?

5 A That's correct.

6 Q And you also told the jury that Alex was clean, and
7 you're referring to his shirt was clean, correct?

8 A Correct.

9 Q His shorts were clean, correct?

10 A Correct.

11 Q Do you remember the litany of Mr. Meadors: shorts,
12 shirts, shoes were clean, correct?

13 A That's correct.

14 Q He was clean, correct?

15 A To my visual eye he was clean, yes.

16 Q And to your visual eye, it did not look like he had
17 just blown his son's head off in the confines of a feed
18 room where splatter is everywhere. Isn't that correct?

19 A I didn't say that.

20 Q Well, let ask you. In your mind's eye that night on
21 June 7th, did he look like someone who had just blown his
22 son's head off, spatter going everywhere?

23 A Again, I can't say for sure. A lot of things would
24 come into play to affect that. Distance is one of them.

25 Q Well, certainly if he appeared that way on the night

1 of June the 7th, you're a sworn law enforcement officer,
2 you would have initiated process to take him into custody I
3 suspect, wouldn't you?

4 A No. That was not my role that evening. I was just
5 assisting.

6 Q Well, one of the things you did that evening,
7 Ms. Rutland, was you obtained a search warrant, did you
8 not?

9 A I did.

10 Q And that was your first official duty in connection
11 with this double homicide investigation, right?

12 A That's correct.

13 Q And I'm going to show you Exhibit 3.

14 MR. GRIFFIN: Your Honor, I've shared it with
15 Mr. Meadors during the break, and I would ask the witness
16 to identify it.

17 Q Do you recognize Exhibit 3?

18 A I do. This is the search warrant I got that night.

19 MR. GRIFFIN: Your Honor, we would move Exhibit 3 into
20 evidence at this time, I believe without objection.

21 MR. MEADORS: No objection, Your Honor.

22 THE COURT: It's admitted.

23 (SEARCH WARRANT MARKED AS DEFENDANT'S EXHIBIT NUMBER 3
24 AND WAS RECEIVED INTO EVIDENCE.)

25 Q So tell the jury, please, Exhibit 3 is -- well, first

1 let's just talk about a search warrant. What is a search
2 warrant?

3 A It grants us the right to search a certain item that
4 may be potential evidence in a case.

5 Q And this search warrant was for what property?

6 A 4147 Moselle Road, Islandton, County of Colleton,
7 State of South Carolina.

8 Q And it covers the whole roughly 1700 acres of the
9 whole property, does it not?

10 A That is correct.

11 Q And it covers the house, the residence where you went
12 into the foyer, right?

13 A Correct.

14 Q It covers all of the outbuildings, correct?

15 A Correct.

16 Q And it covers -- and it gives you the right to seize
17 any type of evidence, correct?

18 A That is correct.

19 MR. GRIFFIN: I'm going to see if I can get Mr. ELMO
20 to work. Can you turn it on, please? I have got it turned
21 sideways. All right. Let's see if we can read that. All
22 right. Okay. Got it. Thank you.

23 Q So, in -- and this is the search warrant, right?

24 A Yes, it is.

25 Q And it says description of premises to be searched,

1 and here it's 4147 Moselle Road, Islandton, and then
2 there's a pin number. What's a pin number?

3 A That's a property identification number that's
4 assigned to every parcel of real property within the
5 county; it's set by the tax office.

6 Q And it says the property to be searched are any
7 residences, vehicles, outbuildings, kennels, or sheds,
8 right?

9 A That is correct.

10 Q Okay, and then is it says the description of the
11 property to search and to be seized, and that's under
12 description of property, right?

13 A Correct.

14 Q And you prepared this document for the magistrate to
15 sign.

16 A I did.

17 Q And here it says:

18 Evidence that may be used or taken during the
19 commission of a crime of homicide to include but
20 not limited any item, tool, clothing, gloves,
21 masks, hats, hoodies, shoes, boots, jewelry,
22 firearms, ammunition, shell casings, gunshot
23 residue, weapons, identification documents, any
24 paperwork, et cetera.

25 It says:

1 Any evidence inside vehicles on the property, any
2 evidence found on -- in outbuildings or sheds,
3 any tire, shoe impressions, any and all DNA to
4 include but not limited to fingerprints, touch
5 DNA, et cetera. Any drugs, narcotics, drugs
6 paraphernalia, any and all cellular phones, phone
7 records to include incoming/out coming calls,
8 text messages, voice messages, et cetera.

9 And it goes on to talk about photographs and whatnot.
10 It's all encompassing, isn't it?

11 A It is.

12 Q And this is basically as broad of a search warrant
13 that you draft because it's a homicide investigation and it
14 gives you carte blanche on the property of the crime scene,
15 correct?

16 A That's correct.

17 Q And with a search warrant, you have the authority to
18 go in the house and look for unclean, dirty clothes, did
19 you not?

20 A That was -- I wasn't in that capacity that evening. I
21 was assisting.

22 Q Well, the search warrant provided that authority to
23 law enforcement, did it not?

24 A It would have, yes.

25 Q And you mentioned that you got into the law

1 enforcement business because you're a *CSI* TV junkie of
2 sorts. Did I understand you to say that?

3 A Yeah, I was.

4 Q Okay, and you've seen *CSI* shows where they go and they
5 look in the drains of showers and sinks to see if blood
6 residue has been recently flushed through there. That's
7 possible, is it not?

8 A It could be.

9 Q And that's just not on TV. I mean, that's skills that
10 SLED's crime team has available to them, correct?

11 A I don't know what they have available. That would be
12 a crime unit question.

13 Q All right. The -- and actually there were -- the
14 clean clothes that Alex Murdaugh was wearing that night,
15 they were seized, were they not?

16 A Yes.

17 Q Okay, and the clean shoes were seized, correct?

18 A Yes.

19 Q And the clean shirt was seized, was it not?

20 A Yes, it was.

21 Q Okay, but that -- you were in the house when that
22 happened but you didn't collect the clothes, right?

23 A I did not collect anything; I stood by in the foyer.

24 Q And who did the collection? Do you recall?

25 A Special Agent Owen.

1 Q And -- well, was he assisted by anybody?

2 A I was just standing by. They went to a back bedroom
3 and I was in the foyer area. It was like an open floor
4 plan.

5 Q And do you recall how -- do you recall what Mr. Owen,
6 Detective Owen, Special Agent Owen, I apologize, Detective
7 Owen, Special Agent Owen, did you observe what he collected
8 the clothes in?

9 A I did not.

10 Q Well, did he collect all of the clothes and put them
11 in one paper bag?

12 A I don't recall.

13 Q Now, the jury heard the complete video/audio of the
14 interview with Alex Murdaugh on the evening of or early
15 morning hours of June the 8th, and yet you were asked to
16 repeat some of the things that he said. And I want to --
17 the tape speaks for itself. I don't want anyone to
18 misconstrue your testimony, so I just want to ask you. Are
19 you saying that Mr. Murdaugh tried to turn his son over two
20 times on that tape, or that on two occasions he described
21 one incident that he tried to turn his son over?

22 A The latter, that he explained two different times.

23 Q So in answer to your questions, if anyone walked away
24 thinking that Alex Murdaugh told you that he tried to turn
25 him over two times, that would just be mistaken and we've

1 now clarified it, right?

2 A Correct.

3 Q Okay. Now, you never asked, or Special Agent Owen
4 never asked Mr. Murdaugh how he tried to turn his son over,
5 correct?

6 A Correct.

7 Q And so you see Mr. Meadors crawling around on the
8 floor down here as trying to reenact something, but that
9 night he never was asked specifically what did you do to
10 try to turn your son over, correct?

11 A That's correct. We did not ask that.

12 Q And that night he was not asked specifically how the
13 phone popped out of his pocket while you were trying to
14 turn him over, correct?

15 A Correct.

16 Q And that night he was not asked specifically how far
17 were you able to move Paul, if at all, when you tried to
18 flip him over, correct?

19 A Correct.

20 Q And, in fact, did he really even say that I was trying
21 to flip him over to check his pulse?

22 A I would have to check the transcript, but I believe he
23 said something along those lines.

24 Q Well, did he tell you where he tried to check Paul's
25 pulse?

1 A He did not.

2 Q So we don't know from your interview, or Special Agent
3 Owen's interview, how he tried to turn him over, how the
4 phone popped out, or at least how Alex describes it because
5 he wasn't asked, and where on Paul's body he attempted to
6 check his pulse, correct?

7 A Correct.

8 Q And you were asked questions about whether there were
9 knee prints and footprints by Paul's body next to his body,
10 right?

11 A Yes, I was asked that.

12 Q And did you do such a forensic analysis investigation
13 to see if there were boot prints or footprints around
14 Paul's body?

15 A I looked with my eyes.

16 Q And were you aware that before you got there -- well,
17 what time did you get there?

18 A Can I check my notes?

19 Q Sure.

20 A Okay.

21 (Break in proceedings.)

22 MR. GRIFFIN: I'll take this down, I'm through with
23 Mr. ELMO. I think I'm through for now.

24 A 12:22 a.m., I was on scene.

25 Q Okay. 12:22 a.m., and Paul's body and Maggie's bodies

1 were covered up with a sheet but still present, correct?

2 A Correct.

3 Q So, when you were looking at Paul's body just
4 observing whether there -- footprints near him, you
5 couldn't see right next to his body because of the sheet,
6 could you?

7 A The sheet was mostly on his body, not on the cement on
8 the ground next to the body.

9 Q Was it a fitted sheet?

10 A No, but it wasn't a queen sheet either.

11 Q Okay, and then the jury has seen photos of the sheet.
12 Were you aware that Captain Chapman and others went around
13 Paul's body and lifted the sheet up to see if there was a
14 gun underneath him?

15 A Not at the time I was at the scene, no.

16 Q Well, I take it you did not observe their footprints
17 anywhere in the area, right?

18 A Not that I recall.

19 Q And you said that Alex's pants were clean. Do you
20 remember saying that?

21 A I remember saying that.

22 Q What color pants did he have on?

23 A Khaki.

24 Q All right, and are you aware of any forensic testing
25 that had been done to the pants to see whether there was

1 blood on the pants?

2 A That night?

3 Q Subsequently.

4 A No. There was nothing done that night forensically.

5 Q That night nothing was done forensically.

6 A Not before I interviewed him, no.

7 Q Right. You just did not observe any blood on his
8 pants or in his pocket.

9 A No. Just simply speaking with him like this, looking
10 him up and down, and I did not see any blood on him.

11 Q And he didn't look like someone who had just been
12 within feet of blowing Paul's head off, right?

13 A Again, I can't say that. There's so many different
14 factors that you would have to take into account.

15 Q Now, you did a lot more, I believe, that night after
16 you left -- well, let's go back. When you got to the
17 scene, you partnered up with Agent Owen, correct?

18 A That is correct.

19 Q And you saw inside the shed and you observed there was
20 wadding on the floor near his feet, Paul's feet.

21 A Correct.

22 Q And when you say wadding, what are you talking about?

23 A The internal components of a shotgun shell.

24 Q And then you saw in the rear window of the shed there
25 were several holes, right?

1 A That is correct.

2 Q And you described in your report that you saw large
3 amounts of blood spatter and brain skull matter were on the
4 door to the shed and on the items within the storage
5 building. You saw all of that, right?

6 A That's correct.

7 Q And then you went and examined Maggie's body, did you
8 not?

9 A I wouldn't say examined. I would just say I looked at
10 her.

11 Q Well, one of the things that you noticed when you were
12 looking at Maggie's body, I believe you said you noticed
13 there were a few clumps of her hair and a broken earring
14 were located near a UTV tire, right?

15 A That is correct.

16 Q And what's a UTV tire?

17 A I'm sorry?

18 Q What do you mean by UTV?

19 A All terrain vehicle, like a four-wheeler, a side by
20 side.

21 Q And did -- and you talked about these foot impressions
22 that you observed, right?

23 A I did.

24 MR. GRIFFIN: And I said I was done with Mr. ELMO but
25 I'm not. Can we put this back up, please?

1 (Break in proceedings.)

2 Q You mentioned that you told investigators that worked
3 for me and Mr. Harpootlian that the boot prints were not
4 yours in these photos, right?

5 A That's correct.

6 Q But now you told the jury that the boot prints are
7 yours.

8 A That's incorrect. Those are not my boot prints.

9 Q Okay. Okay. Whose boot prints are they?

10 A I don't know.

11 Q Oh, so -- okay. That's why I get to this do this, so
12 --

13 MR. MEADORS: Objection to his comments.

14 THE COURT: Pose questions.

15 Q So, you don't know whose boot prints those are.

16 A No.

17 Q All right. Now, one thing about this search warrant
18 that I asked you about earlier, it was -- do you have it up
19 there?

20 A I couldn't remember if I gave it back to you.

21 Q I don't think you did but that's okay. It was never
22 executed, was it?

23 A I handed this off to SLED agents once I was on the
24 scene. Thank you.

25 Q You said you handed the search warrant off to SLED

1 agents?

2 A I did.

3 Q Okay, but to your knowledge was it ever executed?

4 A Yes, it was.

5 Q Oh, you think it was executed.

6 A It was.

7 Q And why do you say that?

8 A Because the SLED Crime Scene Unit, I was present while
9 they were processing the scene and executing a search
10 warrant.

11 Q And so there are two ways that law enforcement can get
12 access to property: one is through a search warrant and one
13 is by consent. Isn't that right?

14 A That's correct.

15 Q Are you aware that Mr. Murdaugh gave SLED, Colleton
16 County, any law enforcement, FBI, carte blanche consent to
17 search his property?

18 A That wasn't related to me. I was asked -- tasked with
19 getting a search warrant, so I did.

20 Q Okay, and once a search warrant is executed, a return
21 is filed with the magistrate who issued it, right?

22 A That's correct.

23 Q And you never filed a return on that search warrant,
24 right?

25 A Like I said, it was given to SLED so --

1 Q So, we'll find out more about that. But to your
2 knowledge, I mean, you didn't file a return. That's all
3 you could say, right?

4 A I don't recall. I would have to check my notes.

5 Q You heard -- on the tape you heard Mr. Murdaugh say
6 you can do anything, look for anything. Do you remember
7 him just giving consent to whatever you need?

8 A As far as speaking with him, yes, I remember him
9 saying that.

10 Q And you walked back through the crime scene one last
11 time before you cleared the area on the morning of the 8th.
12 Is that right?

13 A You could say that. We were -- I mean, we were
14 walking around the whole night and staying out of the way
15 of the Crime Scene Unit.

16 Q Was it -- were you there after the Crime Scene Unit
17 left?

18 A No, I was not. They were still processing when I
19 left.

20 Q Okay. Do you know whether or not the Crime Scene Unit
21 left shotgun pellets behind in the feed room?

22 A I have no knowledge of any of that.

23 Q Twenty, thirty, even more shotgun pellets left behind
24 in the feed room. Were you aware of that?

25 MR. MEADORS: Your Honor, objection. She said she had

1 no -- objection.

2 THE COURT: Objection is sustained.

3 Q On Thursday, June 10th, two days, three days --
4 Thursday, June the 10th, you went with SLED -- a number of
5 SLED agents and law enforcement agents went to meet with
6 Mr. Murdaugh; Mr. Murdaugh's brothers, Randy and John
7 Marvin; Mr. Murdaugh's son. And they all agreed to meet,
8 and y'all found a location in -- outside of Varnville, I
9 believe. Do you remember doing that?

10 A I do. I remember that.

11 Q And that was -- during that I believe you and a SLED
12 agent interviewed Mr. Randy Murdaugh, correct?

13 A That's correct.

14 Q And Mr. Randy Murdaugh agreed to allow the download of
15 his cell phone, correct?

16 A That's correct.

17 Q And gave consent, right?

18 A He did.

19 Q And Mr. Alex Murdaugh, to your knowledge, gave consent
20 to download his cell phone, correct?

21 A To my knowledge, yes.

22 Q And Mr. John Marvin Murdaugh did the same, correct?

23 A Correct.

24 Q And Mr. Buster Murdaugh did the same, correct?

25 A Correct.

1 Q And everyone gave a voluntary interview that day to
2 your knowledge, correct?

3 A They did.

4 Q And then a little bit later on a Wednesday, June 16th,
5 you assisted SLED when they went out to the Moselle
6 property and went diving searching for -- well, let me ask
7 you. When you assisted SLED Dive Team -- or did you assist
8 SLED Dive Team on June 16, 2021?

9 A I did.

10 Q And with a search of the Moselle property focusing on
11 waterways, ponds, the Salkehatchie River access points for
12 evidence from the crime, correct?

13 A That's correct.

14 Q Were you looking for the firearms that were used to
15 murder Maggie and Paul?

16 A We were looking for anything that could have been
17 linked to their murders.

18 Q Then you utilized ATVs and canvassed the entire
19 1700 acres of land.

20 A I did. That was my assignment that day.

21 Q And once again that was done with consent of Mr.
22 Murdaugh, correct?

23 A That is correct.

24 Q And then went back the next day and dove another pond
25 on the property. Do you remember doing that?

1 A I didn't dive but I was standing by, yes.

2 Q You were there?

3 A Yes.

4 Q That was with consent right?

5 A Correct.

6 Q And then you were given consent and you did a search
7 of a white F250 pickup that Paul normally drove, right?

8 A That is correct.

9 Q And while you were there Mr. Davis shows up, and
10 Mr. Davis you understood to be the caretaker for the dogs,
11 right?

12 A Yes. That's what he explained his job title was at
13 Moselle.

14 Q And that -- did you observe him doing his work that
15 day?

16 A I did.

17 Q Did you watch him wash down the dog runs?

18 A I don't remember that part.

19 Q But you were able to look at his tire marks and make
20 an assessment as to whether it appeared to match the tire
21 marks that were seen under the shed portion next to the old
22 airplane hangar, right?

23 A That's correct. He parks under the canopy next to the
24 UTV.

25 Q And then on Friday, June 18th, you had a meeting and

1 you looked at some photos, I believe crime scene photos and
2 autopsy photos of SLED, correct?

3 A I did.

4 Q And you made a mental note and you put it in your
5 record that you noticed a few strands of what appeared to
6 be brown hair, unable to determine the length from the
7 photo, in Maggie's hands and fingers, right?

8 A That is correct.

9 Q And you thought that that possibly was indication of a
10 struggle, that Maggie had grabbed someone and had their
11 hair in her hands, right?

12 A I didn't say that in my report, no.

13 Q Well, so why did you note it in your report?

14 A Because it was an observation.

15 Q Well, you also noticed in your report that there was
16 some injuries to -- what appeared to be to Paul's face that
17 -- like he had been some in type of struggle, right?

18 A I noted what to me could have been scratches or a
19 bruise on his cheek.

20 Q And we heard some testimony yesterday about a BOLO on
21 the look out for a white pickup that Paul normally drives,
22 but that pickup was found the next morning, correct?

23 A That's correct. It was broken down.

24 Q Yeah, and you learned through your investigation that
25 Paul had switched with -- vehicles with his uncle, John

1 Marvin, and John Marvin was rushing to Moselle when he got
2 the phone call in Paul's truck, and it broke down on the
3 side of the road.

4 A Yeah, that's correct. It was Mr. -- I believe Mr.
5 Randolph struggled to get in and out of the truck.

6 Q Did the Colleton County Sheriff's Office put out a
7 statement to the press on the morning of June the 8th that
8 there's no need to -- for the public to be alarmed?

9 A I don't believe that came from our office; it did not
10 come through CID for approval. I've never seen that press
11 release.

12 Q So, was Alex Murdaugh -- you're assisting SLED the
13 night of June the 7th, the morning of June the 8th. Was
14 Alex Murdaugh a suspect?

15 A That night everybody was a suspect.

16 Q Everybody? Can you be more specific? Who else were
17 suspects besides --

18 A Well, there was reasons we were asking certain
19 questions, who his best friend is, who -- you know, their
20 routine each day. There were so many different scenarios
21 it could have been that night, so in my view everybody was
22 a suspect at that point.

23 Q Including Alex.

24 A Including Alex.

25 MR. GRIFFIN: May I beg the Court's indulgence to

1 consult --

2 THE COURT: Yes, sir.

3 (Break in proceedings.)

4 MR. GRIFFIN: Your Honor, we're going to play a
5 portion of Exhibit 1. We need to cover our screens; it is
6 a portion of sensitive matter.

7 (Break in proceedings.)

8 Q Can you see that, Ms. Rutland?

9 A I can, yes, sir.

10 Q Okay. Well let's just stop right there. Do you see
11 how far that sheet is on either side of Paul's body there?

12 A At this point in time, yes, I see how it looks.

13 Q Is that how -- roughly how far it was across Paul's
14 body when you got there?

15 A No, because I could still -- I could see the top of
16 his head.

17 Q Well, I'm talking about the width of his body, was it
18 that far across?

19 A I don't recall how it was because I could see parts of
20 his body, but it was still on him.

21 Q Okay.

22 MR. GRIFFIN: Will you go ahead and play?

23 (State's 1 was played with no audio.)

24 Q Did you notice any footprints of the agent there
25 inside the kennel?

1 A No. I believe he's standing on the --

2 Q In the feed room?

3 A In the feed room? No. But it was starting to rain.

4 (State's 1 was played with no audio.)

5 MR. GRIFFIN: Okay. Stop right there, please. Can
6 you back it up just for five seconds? Play it. See if it
7 goes down. A little bit further. Please stop.

8 Q Was that how far across the sheet was when you
9 observed Paul's body?

10 A I don't remember. Like I said, when I got there there
11 was SLED agents as well as deputies standing around the
12 scene. I wasn't sure what had happened before I got there.
13 I don't recall how the sheet was.

14 Q Well, was the sheet on Paul's body the entire time you
15 were walking the crime scene?

16 A No. Eventually it was removed when the Crime Scene
17 Unit was ready to process his body.

18 Q And the -- I just want to clear up. When you said
19 Alex was wearing khakis, were you referring to shorts or
20 long pants?

21 A Shorts.

22 Q Is this from the --

23 MR. GRIFFIN: Your Honor, we're going to publish a
24 small portion of the video in the car, which is their last
25 exhibit. Well, excuse me, that's from Number 1.

1 Q Are those the shorts he was wearing?

2 A Yes.

3 Q Are those khakis or green?

4 A Khaki style green.

5 Q Okay. All right.

6 MR. GRIFFIN: That's all. You can take it down.

7 That's all of the questions we have, Your Honor.

8 THE COURT: Any redirect?

9 MR. MEADORS: Yes, sir.

10 REDIRECT EXAMINATION

11 BY MR. MEADORS:

12 Q Mr. Griffin asked you about some things you did after
13 your interview the following days.

14 A He did.

15 Q And you had mentioned a search warrant was executed.
16 Were you working with SLED after June 8th? He's asked you
17 about them, and did you work with them in executing search
18 warrants?

19 A I did.

20 Q Specifically on June 9th -- who were you working with?

21 A Special Agent Owen.

22 Q And I think Mr. Griffin -- did Mr. Griffin ask you --
23 there was a truck on the side of the road that went back to
24 the brother John Marvin?

25 A That's correct.

1 Q So, that was the white truck --

2 A Yes.

3 Q -- that was on the side of the road?

4 A Yes.

5 Q And it belonged -- who did it belong to?

6 A John Marvin.

7 Q Okay, and that was off the property of Moselle?

8 A That's correct.

9 Q Okay. So, that has nothing to do with this case as
10 far as suspect and this killing, does it?

11 A No, it did not. We process it to rule it out.

12 Q What's that last thing?

13 A We process it to rule it out.

14 Q Okay, and he asked you about meeting with these folks
15 and them talking to you. You were working with SLED doing
16 that, weren't you?

17 A I was.

18 Q SLED was investigating this case.

19 A Yes.

20 Q Getting swabs? Getting swabs from folks? In general
21 getting swabs?

22 A I was present when swabs were taken, yes.

23 Q I'm not trying to say you took them --

24 A No.

25 Q -- I'm just following up on his questions.

1 A That's correct, yeah.

2 Q Were you present when interviews were taken, some of
3 them?

4 A I was present, yes.

5 Q And who was leading those interviews?

6 A SLED.

7 Q Who was in charge?

8 A SLED.

9 Q Were they investigating?

10 A They were investigating.

11 Q Did you assist SLED with the initial timeline on phone
12 calls?

13 A I did.

14 Q On June 12th, did you assist SLED in removing an
15 internal computer black box of the Chevy Suburban?

16 A I did, by standing by.

17 Q On June 14th, did you assist SLED in obtaining a
18 search warrant for Maggie Murdaugh's Mercedes?

19 A I did.

20 Q And was Lieutenant Ghent in charge of that?

21 A He was.

22 Q Was SLED investigating?

23 A SLED was investigating.

24 Q Was that what's referred to as a blue box?

25 A Black box, I believe.

1 Q Black Box? Okay. Sorry about that. Were you with
2 SLED when Maggie Murdaugh's Mercedes was towed?

3 A I was.

4 Q Okay. Did y'all have a search warrant for that?

5 A We did.

6 Q I think he asked you were you with SLED when ponds
7 were searched in the area.

8 A I was.

9 Q June 16th, would you dispute that, 2021?

10 A No, that's correct.

11 Q And I think Mr. Griffin asked you about a truck that a
12 Mr. Davis was driving out of the sheds. Were you able to
13 confirm that the tire tracks in the shed were his?

14 A I did by looking at them.

15 Q By looking at them?

16 A Yes, uh-huh.

17 Q And I think Mr. Griffin asked you that Mr. Davis said
18 he was in and out of there a couple of times a day?

19 A Twice a day, yes.

20 Q So, those tracks inside the shelter were whose?

21 A The dog caretaker, Mr. Davis.

22 Q And I think he asked you about water. Just remind me.
23 The night you were there, did you see water around the
24 bodies?

25 A I did.

1 Q Okay. He asked you about some injuries, I think, that
2 you had noted in your report. How did Paul fall?

3 A Face down at an angle outside the feed room.

4 Q On what?

5 A On his hands and arms.

6 Q Okay, but his face hit what?

7 A The gravel.

8 Q Mr. Griffin asked you about how many times the
9 defendant, Richard Alexander Murdaugh, had mentioned to
10 turn his son, Paul's, body. On page two of the transcript,
11 or toward the front: Actually, I think I tried to turn Paul
12 over first. Do you remember him saying that?

13 A Yes.

14 Q You know, I tried to turn him over and I don't
15 know. I figured it out.

16 A Yes.

17 Q And his cell phone popped out.

18 A Correct.

19 Q And I tried to do something.

20 A Uh-huh.

21 Q Thinking maybe but then I put it back down.

22 A Correct.

23 Q Were his words: I think I tried to turn him over?

24 A Yes.

25 Q And later on I tried to turn him and then I tried

1 to check him.

2 A Correct.

3 Q I tried to turn him.

4 A Correct.

5 Q He asked you about the sheet on the body. Did you see
6 the front of the top of Maggie's -- or, excuse me, Paul's
7 head?

8 A I did.

9 Q Okay, and he asked you about the sheet over that body.
10 I want to ask you about a sheet. When you saw Richard
11 Alexander Murdaugh, did he have a sheet over him?

12 A He did not.

13 Q Could you see his face, his hands, his body, his
14 pants, and his shirt?

15 A I could.

16 Q Did he look like somebody who had just changed his
17 clothes?

18 A Yes.

19 MR. GRIFFIN: Objection, Your Honor.

20 THE COURT: Basis for the objection?

21 MR. GRIFFIN: There's no basis for that opinion.

22 THE COURT: The response, Mr. Meadors?

23 MR. MEADORS: I couldn't hear what he said, I'm sorry.

24 MR. GRIFFIN: There's no basis for that opinion.

25 Q Did those clothes appear to be fresh?

1 A They did.

2 Q Like they had just come out of the laundry?

3 A They could be.

4 MR. GRIFFIN: Objection, Your Honor.

5 THE COURT: The objection is overruled.

6 MR. MEADORS: That's all we have.

7 THE COURT: Further questions?

8 MR. GRIFFIN: Very briefly, Your Honor.

9 RECROSS-EXAMINATION

10 BY MR. GRIFFIN:

11 Q Detective, it was raining that night, wasn't it?

12 A It started to rain before we did our interview with
13 him.

14 MR. GRIFFIN: Can you pull up that photo that -- of
15 his shorts and shirt that we saw a minute ago?

16 (Break in proceedings.)

17 Q So, these are the clothes that you saw him wearing
18 sitting in the car?

19 A Correct.

20 Q And it's your testimony those clothes look like
21 they're freshly washed.

22 A He's sweating and they're dry, so I would say yes.

23 MR. GRIFFIN: Okay. Thank you.

24 THE COURT: You may step down.

25 (The witness exited the stand.)

1 THE COURT: You may call your next witness.

2 MS. GOUDE: Dalila Cirencione.

3 The witness, DALILA CIRENCIONE, was first duly sworn
4 and testified as follows:

5 THE CLERK: Take a seat in the witness stand. State
6 your name again for the record. Spell your last name.

7 THE WITNESS: Dalila Cirencione. C-i-r-e-n-c-i-o-n-e.

8 DIRECT EXAMINATION

9 BY MS. GOUDE:

10 Q Good afternoon, Agent Cirencione.

11 A Good afternoon.

12 Q Could you tell the jurors where you work?

13 A I work for the South Carolina Law Enforcement
14 Division, or SLED. I'm currently in the Behavioral Science
15 Unit but was formerly in the Crime Scene Unit.

16 THE COURT: Just a moment. Did you tell me that the
17 mic cannot be turned up more, and it cannot be moved or
18 fixed?

19 (Break in proceedings.)

20 THE WITNESS: Is that better, sir?

21 THE COURT: Yes. You may proceed.

22 MS. GOUDE: Thank you, Your Honor.

23 Q What time or what dates were you working in the SLED
24 Crime Scene Unit?

25 A I was with SLED Crime Scene from 2017 until 2022 in

1 October.

2 Q So on June 7th of 2021, you were working with SLED
3 Crime Scene?

4 A Yes, ma'am, I was.

5 Q And did you have an occasion to be involved in the
6 investigation of Alex Murdaugh?

7 A I did.

8 Q And what was your involvement in that investigation?

9 A On June 8th, I was requested by my lieutenant, Todd
10 Schenk, to respond to the call to the medical center to
11 collect buccal swabs for DNA swabs from two victims.

12 Q And can you tell the jurors what is a buccal swab?

13 A A buccal swab is just a DNA swab. So, it's a sterile
14 Q-tip about this size, kind of like a Q-tip you use for
15 your ear, and you swab the inside of the victim's cheeks
16 for a DNA standard.

17 Q Do you just take one swab?

18 A It comes in a set of two swabs within one container,
19 so two swabs for each victim.

20 Q So, you rub the inside of the person's cheek with that
21 swab?

22 A Yes, ma'am.

23 Q And then what do you do with the swabs?

24 A Then it's placed back inside a sterile container and
25 it's put into a coin envelope where it's sealed, dated,

1 initialed, and the time of the collections is written on
2 the envelope.

3 Q And it's sealed and dated and initialed to ensure that
4 it is not tampered with. Would that be correct?

5 A That is correct.

6 Q And if someone else analyzed or manipulates that swab,
7 they should note that on the packaging?

8 A I'm not sure how it goes after it's out of my control,
9 but I have chained all of that over to Lieutenant Todd
10 Schenk once I went back to the SLED forensic laboratory.

11 Q So, where did you turn those buccal swabs in?

12 A After I left the medical center, I went back to SLED
13 to the forensic laboratory and did a chain of custody with
14 my lieutenant, and it was then in his custody.

15 Q And going back, just to be clear, who did you collect
16 buccal swabs from?

17 A One female victim, Margaret, and one victim, Paul
18 Murdaugh.

19 MS. GOUDE: Court's indulgence, Your Honor.

20 (Break in proceedings.)

21 THE COURT: Ladies and gentlemen, let's stand for a
22 moment.

23 (Break in proceedings.)

24 MS. GOUDE: Just a moment.

25 (Break me proceedings.)

1 THE COURT: You may proceed.

2 MS. GOUDE: Thank you, Your Honor.

3 Q Agent Cirencione, I am going to show you these
4 evidence baggies from SLED. Can you take a look at that?

5 A Yes, ma'am.

6 Q Do those appear to be the buccal swabs that you
7 collected from Paul and Maggie Murdaugh?

8 A They are.

9 Q And how do you know that?

10 A Both of these have my initials, the date, and the
11 description on them, and they're sealed with my initials
12 and date.

13 Q And looking at those, can you tell if anyone else --

14 A Yes, ma'am. There's additional lab number, item
15 number, and two other initials on them.

16 Q So once you collected those, it would appear that
17 someone from the lab performed analysis on those swabs.

18 A Yes, ma'am.

19 Q Thank you.

20 (Break in proceedings.)

21 MR. HARPOOTLIAN: No objection, Your Honor.

22 MS. GOUDE: Your Honor, at this time I would offer
23 State's Exhibit 102 (sic) and 202 for identification
24 purposes only as State's Exhibit 202, 201, excuse me, being
25 a buccal swab of Paul Murdaugh and 202 being a buccal swab

1 from Margaret Murdaugh. And, Your Honor, we would actually
2 move to enter these into evidence at this time.

3 THE COURT: Any objection?

4 MR. HARPOOTLIAN: No objection.

5 THE COURT: They are entered into evidence as those
6 exhibit numbers.

7 MS. GOUDE: Thank you, Your Honor.

8 (BUCCAL SWAB MARKED AS STATE'S EXHIBIT NUMBER 201 AND
9 WAS RECEIVED INTO EVIDENCE.)

10 (BUCCAL SWAB MARKED AS STATE'S EXHIBIT NUMBER 202 AND
11 WAS RECEIVED INTO EVIDENCE.)

12 Q Agent Cirencione, did you do anything else in regards
13 to this case?

14 A Yes, ma'am. Once I cleared from the call to medical
15 center collecting the buccal swabs, I was requested by
16 Captain Ryan Neill with the SLED Lowcountry Region to
17 respond to the initial scene of the crime scene and collect
18 a cell phone that was collected by their agents via chain
19 of custody.

20 Q And whose cell phone did you collect for Ryan Neill?
21 Do you know?

22 A I'm not aware of whose cell phone it was. It was an
23 iPhone cell phone with a clear case.

24 Q And what did you do with that cell phone when you
25 collected it?

1 A This cell phone was collected by a chain of custody
2 with Captain Ryan Neill, and then it was placed in a brown
3 paper bag, sealed, and transported back to the SLED
4 forensic laboratory where it was chained over to Lieutenant
5 Todd Schenk.

6 (CHAIN OF CUSTODY FORMS MARKED AS STATE'S EXHIBIT
7 NUMBERS 203 AND 205 FOR IDENTIFICATION.)

8 Q Agent Cirencione, I'm going to show you State's
9 Exhibits 203 and 205.

10 MR. HARPOOTLIAN: No objection to this being marked
11 for identification or the cell phone being marked for
12 identification.

13 Q Okay, Agent Cirencione, this is State's Exhibit 204,
14 which is the cell phone, along with a paper bag here. Can
15 you tell that's the paper bag that you collected this cell
16 phone and put that cell phone in that paper bag?

17 A Yes, ma'am, it is.

18 Q And how can you tell that?

19 A It's got my handwriting on it with my initials and the
20 date and a description of the cell phone.

21 MS. GOUDE: At this time, the State would offer
22 State's Exhibit 204 into evidence.

23 MR. HARPOOTLIAN: Just for identification. We object
24 to it coming into evidence.

25 THE COURT: It will be marked for identification,

1 those two exhibits.

2 MR. HARPOOTLIAN: Well, wait a minute, are those --
3 that's not the phone. Those are the chain. Is that the
4 phone or is that the chain of evidence?

5 MS. GOUDE: State's Exhibit 204 is the cell phone.

6 MR. HARPOOTLIAN: Marked for identification, Your
7 Honor, we have no objection.

8 THE COURT: 204 is for identification.

9 (CELL PHONE MARKED AS STATE'S EXHIBIT NUMBER 204 FOR
10 IDENTIFICATION.)

11 Q Agent Cirencione, if you could take a look at State's
12 Exhibits 205 and 203 and tell us what those appear to be.

13 A Both of these are chains of custody from myself to my
14 lieutenant at the time, and from Captain Ryan Neill to
15 myself, and then from myself to Todd Schenk. They're both
16 for this cell phone as well as the buccal swabs.

17 Q But those forms show where you collected or received
18 the buccal swabs and the cell phone. Is that right?

19 A They're chain of custody, yes, ma'am.

20 Q Okay. Thank you.

21 MS. GOUDE: Nothing further at this time, Your Honor.

22 MR. HARPOOTLIAN: May it please the Court, Your Honor?

23 THE COURT: Yes.

24 CROSS-EXAMINATION

25 BY MR. HARPOOTLIAN:

1 Q Ma'am, what is it you do for SLED? I mean, I
2 understand you receive things, you take buccal swabs and --
3 but are you just -- you transport things, or do you have
4 another role at SLED?

5 A I am currently a special agent with the Behavioral
6 Science Unit.

7 Q Okay. At this time in June of 2021, what were you
8 doing?

9 A In June of 2021, I was a agent with the Crime Scene
10 Unit, so I -- with the Crime Scene Unit.

11 Q Okay.

12 A Yes, sir.

13 Q You helped process crime scenes.

14 A Yes, sir. I respond through the state, I process
15 crime scenes, collect evidence, document evidence, write
16 reports, and so on, and testify in court proceedings.

17 Q And did you do any crime scene processing other than
18 receiving these items in this case?

19 A No, sir, I did no

20 Q Okay. So, what happened to --

21 MR. HARPOOTLIAN: Where is that cell phone?

22 THE COURT: All exhibits once they have been marked
23 for identification will remain with the court reporters.

24 (Break in proceedings.)

25 Q So -- and I -- you received this cell phone. They

1 didn't tell you it was Maggie Murdaugh's phone, did they?

2 A No, sir.

3 Q But you received this cell phone on the morning of
4 what? When?

5 A It was June 8th.

6 Q June 8th, the morning after the murders.

7 A Yes, sir, it was June 8th of 2021.

8 Q And where was the agent that gave this to you? Where
9 did he meet you?

10 A The initial crime scene.

11 Q Okay. At the house or by the dog pens? Where?

12 A In the yard near the kennels.

13 Q Okay.

14 A Yes, sir.

15 Q Okay, and when you received it, was it on or off?

16 A I don't recall.

17 Q Okay. Are you aware that cell phones can continue to
18 receive information or erase memory after they're -- I
19 mean, at any point, but specifically when you're trying to
20 preserve evidence, do you know whether to turn it off or
21 leave it on? Anybody instruct you on that?

22 A I'm not an expert with the cell phones, so I'm not
23 sure, sir.

24 Q Okay. Secondly, do you know what a Faraday Bag is?

25 A No, sir.

1 Q Okay. A Faraday Bag, for your edification, is
2 something you put an electronic device in so that no one
3 can access it. It can't receive new data --

4 MS. GOUDE: Objection, Your Honor. Is there a
5 question?

6 MR. HARPOOTLIAN: There is. I'm getting to it.

7 Q And it can't erase data. Did you know that?

8 A No, sir.

9 Q You're in the crime scene -- have you ever recovered
10 phones before?

11 A Yes. We recover cell phones, but they're typically
12 collected directly by computer crimes or the regional
13 agents.

14 Q Okay. So in this instance, though, they were not done
15 the normal way is what you're saying, the usual way they
16 gave it to you?

17 A This way it was just directly transferred to myself so
18 I could bring it back to the SLED lab.

19 Q And no one cautioned you about putting it in a Faraday
20 Bag or not turning it off.

21 A Not that day, no, sir.

22 Q So, would that have been -- and who gave it to you,
23 Agent?

24 A Captain Ryan Neill with SLED Lowcountry.

25 Q Okay, and he just handed it you and you put it in a

1 brown paper bag, correct?

2 A Yes, sir.

3 Q And you don't know whether it was on or off.

4 A I don't recall.

5 Q And there's a pass code in this bag with it. Do you
6 know where that came from?

7 A I wrote the pass code that I was given on the brown
8 paper bag.

9 Q Okay, and then it -- somebody else wrote it on this
10 piece of paper?

11 A I did not write it on that piece of paper.

12 Q Okay. Just to be clear, you were not asked to handle
13 this cell phone any different than if you'd been given a
14 can of pork and beans to put into evidence, right? Is that
15 right?

16 A It depends if the pork and beans were evidence, but,
17 you know.

18 Q Well, assume there was a can of pork and beans and
19 it's a piece of evidence and they want you to transport it.
20 Did they give you any special instructions about the cell
21 phone as opposed to a can of pork and beans?

22 A No, sir. The cell phone was collected using gloves
23 and directly placed into the brown paper bag, sealed,
24 initialed, dated, and a description was written, and it was
25 transported straight to the forensic lab for processing.

1 Q And you don't know whether it was open -- whether it
2 had been shut down or still on.

3 A Not to my knowledge, no, sir.

4 Q Can I put this back in the paper bag so I don't drop
5 it again?

6 A Sure.

7 MR. HARPOOTLIAN: Beg the Court's indulgence one
8 moment.

9 (Break in proceedings.)

10 MR. HARPOOTLIAN: Thank you, ma'am.

11 THE COURT: Redirect?

12 MS. GOUDE: Nothing further, Your Honor.

13 THE COURT: Thank you. You may step down.

14 THE WITNESS: Thank you, sir.

15 (The witness exited the stand.)

16 THE COURT: You may call your next witness.

17 MS. GOUDE: May we approach, Your Honor?

18 THE COURT: Do you have another witness available at
19 this time?

20 MS. GOUDE: Yes, Your Honor.

21 THE COURT: All right.

22 MS. GOUDE: We do have a witness that is fairly
23 lengthy, but we're happy to get started, Your Honor.

24 THE COURT: Call your next witness.

25 MS. GOUDE: Melinda Worley.

1 The witness, MELINDA WORLEY, was first duly sworn and
2 testified as follows:

3 THE CLERK: Take a seat in the witness stand. State
4 your name again for the record. Spell your last name.

5 THE WITNESS: Melinda Worley. W-o-r-l-e-y.

6 VOIR DIRE EXAMINATION

7 BY MS. GOUDE:

8 Q Good afternoon, Agent Worley.

9 A Good afternoon.

10 Q Could you tell the jurors where you work?

11 A I work for SLED.

12 Q How long have you worked for SLED?

13 A Since August of 2011.

14 Q And what is your current position at SLED?

15 A I'm currently a senior criminalist in the Latent Print
16 Unit of the Forensic Services Lab.

17 Q Can you tell the jury a little bit about your
18 education and training and other experiences at SLED that
19 have led you to this point?

20 A Sure. I have a Bachelor's of Science degree in
21 anthropology from the University at Tennessee at
22 Chattanooga, a Bachelor's of Science Degree on forensic
23 science from Mercyhurst College, a Bachelor of Science in
24 forensic science from the University of Florida, along with
25 a Master's Degree. I also received a graduate certificate

1 in forensic death investigation.

2 I started at SLED in 2011 in the Crime Scene Unit as a
3 special agent. I followed through the training program
4 that SLED provides in-house. I finished that -- I believe
5 it was July of 2012, and at that point I was able to take
6 cases as a crime scene agent. But shortly thereafter I was
7 -- also started training in the discipline of footwear and
8 tire tread examination. I finished that training in March
9 of 2014. And so then I was doing crime scene and footwear
10 and tire casings until August of 2022.

11 I transferred out of the Crime Scene Unit to the
12 Latent Print Unit. I also switched from being a class one
13 law enforcement officer -- I was a senior special agent --
14 to a class three law enforcement, so now I'm a senior
15 criminalist and a footwear and tire examiner.

16 Q And so as far as crime scene goes, can you tell us
17 about any special training that you had pertaining to crime
18 scene specifically?

19 A I have taken several courses in blood stain pattern
20 analysis, shooting reconstruction, archeology, forensic
21 archeology and clandestine graves, photography.

22 Q And back in 2021, you were crime scene investigator.
23 Is that correct?

24 A That's correct.

25 Q And now you are in the footwear and tire examination.

1 Is that correct?

2 A That's correct.

3 Q What would be the appropriate title for that?

4 A Footwear and tire examiner.

5 Q Okay. What other additional qualifications do you
6 have to examine footwear and tire impression?

7 A I have taken two forty-hour courses related to
8 footwear, and I have completed approximately fifty footwear
9 cases since I was -- completed my training in 2014. I have
10 testified as an expert witness, nine times qualified.

11 Q Is that in state court?

12 A Yes, ma'am.

13 Q And you said about how many, I guess, cases have you
14 had where you have examined footwear and tire impressions,
15 if you can give us an estimate?

16 A As far as actual scene that I worked, examined
17 footwear, or just in general footwear?

18 Q In general.

19 A I think it's around fifty cases.

20 MS. GOUDE: Your Honor, at this time I would move to
21 qualify Investigator Worley as an expert in footwear and
22 tire examination.

23 THE COURT: What says the defense?

24 MR. HARPOOTLIAN: No objection, Your Honor. She's
25 obviously qualified.

1 THE COURT: All right, ladies and gentlemen, where a
2 witness by virtue of their education and experience becomes
3 what the Court considers an expert in some field, that
4 witness can give opinions where lay witnesses typically
5 cannot. And this witness has been qualified now and
6 accepted as an expert witness in the field of --

7 Is it footwear examination and what else?

8 MS. GOUDE: Tire impressions, Your Honor.

9 THE COURT: And tire impressions.

10 And you may proceed.

11 MS. GOUDE: Thank you, Your Honor.

12 DIRECT EXAMINATION

13 BY MS. GOUDE:

14 Q So, Agent Worley, back in June of 2021, what was your
15 role at SLED again?

16 A I was in the Crime Scene Unit.

17 Q As a crime scene investigator?

18 A That's right.

19 Q And can you tell us just some of the general
20 procedures of a crime scene investigator who responds to a
21 crime scene?

22 A Sure. We are requested to respond to crime scenes
23 anywhere in the state when the sheriff's office or a police
24 department requests our assistance with a crime scene. We
25 document the scene with photographs and draw sketches, take

1 measurements, we collect evidence, document it, collect it,
2 package it, appropriately maintain chain of custody.

3 Q Is there any special kind of protocol that y'all
4 follow?

5 A We do have a protocol manual, yes.

6 Q Do you ever wear any type of gowns or coverings or
7 anything like that out to a crime scene?

8 A We always wear gloves no matter what. Depends on the
9 scene, I guess, as far as if we're going to wear any
10 booties or anything else.

11 Q Would it be normal protocol to wear booties to an
12 outdoor crime scene?

13 A Not the way we've operated, no.

14 Q Why not?

15 A It's not usually -- I mean, it's not usually
16 necessary, I guess, as far as watching where you're
17 stepping, not stepping in blood or any tire or footwear
18 impressions or anything. We just don't normally wear
19 booties.

20 Q When you're at a crime scene, are you looking for
21 microscopic evidence?

22 A Well, we don't carry microscopes. Other than swabbing
23 items at a scene, we collect potential evidence that way,
24 by swabbing it.

25 Q All right. Let's move on to your involvement in this

1 case. Did you have the occasion to respond to Moselle Road
2 on June 7th?

3 A I did.

4 Q And what time did you respond out there?

5 A I believe we arrived around 12:07 a.m.

6 Q Okay, and are you aware of what time this -- the crime
7 occurred?

8 A I'm not sure about the time it occurred; I know what
9 time I was notified.

10 Q Okay, and what time was that?

11 A We were notified at around 10:33 p.m.

12 Q So, it took you roughly 2 hours to get out to the
13 crime scene. Why was that?

14 A We respond from Columbia.

15 Q So, what did you see when you got out there?

16 A The scene entailed the area where the kennels were
17 located. There was a large workshop with an overhang
18 between the workshop and where the dog kennels were. There
19 was a sort of gravel path driveway between the kennels and
20 that overhang. The sheriff's office had brought out a
21 canopy to cover Maggie's body to protect her from the rain.

22 Q And what were the weather conditions?

23 A It was raining lightly.

24 Q What is one of the first things you did when you got
25 out there?

1 A We met with David Owen, Special Agent David Owen, and
2 regional agents to try and get more information about what
3 the scene entailed. We did a little initial walk-through
4 to see -- the sheriff's office had marked some potential
5 evidence so we can walk around to see what was what, and to
6 see if we could find any additional evidence before we
7 started taking photographs.

8 Q Do you recall collecting a shotgun from Agent Daniel
9 Green -- or, excuse me, Officer or Sergeant Daniel Green?

10 A Yes.

11 Q And how did that occur?

12 A He had maintained custody of the shotgun and
13 transferred it to me, so he brought it over to my truck and
14 we put it in the gun box. We took photographs of it and
15 rendered it safe.

16 Q Was that gun loaded or unloaded when you took custody
17 of it?

18 A It was loaded.

19 Q And did you unload that weapon?

20 A I did.

21 Q And why would you do that?

22 A We always render a firearm safe before we transport
23 it.

24 Q Agent Worley, I'm going to show you what's already
25 been entered as State's Exhibit 4, along with the rifle --

1 or, excuse me, the shotgun that was collected. Could you
2 tell us what you have there?

3 A It's one of the two shot shells that were in the
4 shotgun.

5 Q And that is a shot shell that you unloaded from this
6 gun?

7 A That's right.

8 Q Okay. What gauge is that?

9 A This one is a 16 gauge.

10 Q Okay, and the correct caliber for that gun is a 12
11 gauge?

12 A That's right.

13 Q Since Daniel Greene collected that gun, did you take a
14 buccal swab from him?

15 A We did, yes.

16 Q And why would you do that?

17 A In case his DNA was on the firearm and we would need
18 to eliminate him, or know that was his.

19 MR. HARPOOTLIAN: No objection.

20 Q Agent Worley, this is State's Exhibit 249. Does that
21 appear to be the buccal swab you collected from Daniel
22 Green?

23 A Yes, it is.

24 Q How can you tell?

25 A It has my writing, my initials. The seal tape has my

1 initials and my handwriting for the date.

2 MS. GOUDE: At this time, the State would offer
3 State's Exhibit 249 into evidence.

4 MR. HARPOOTLIAN: No objection.

5 THE COURT: It's admitted without objection.

6 (BUCCAL SWAB MARKED AS STATE'S EXHIBIT NUMBER 249 WAS
7 RECEIVED INTO EVIDENCE.)

8 Q Agent Worley, if you could take a look at State's
9 Exhibit 17. Do you recognize what's in that picture?

10 A I do.

11 Q And is that a true and accurate representation?

12 A It is.

13 Q Okay.

14 MS. GOUDE: Your Honor, at this time I would move
15 State's Exhibit 17 into evidence.

16 MR. HARPOOTLIAN: Will she identify what it is before
17 we do that?

18 (Break in proceedings.)

19 MR. HARPOOTLIAN: No objection. No objection.

20 THE COURT: What is it?

21 THE WITNESS: It's the shotgun that I took custody of
22 and a 12 gauge, and then 16 gauge shot shells that I
23 removed from the shotgun.

24 THE COURT: It's admitted without objection.

25 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 17 WAS

1 RECEIVED INTO EVIDENCE.)

2 Q And if you could for the jury, could you tell us which
3 shells we're looking at here?

4 A The one on the left is the 12 gauge, and the one on
5 the right is a 16 gauge.

6 Q And those are the shells you unloaded from that gun?

7 A They are.

8 Q And you described the crime scene. If you could --
9 State's Exhibit 22 has previously been entered. Could you
10 describe that to the jury?

11 A That's the large overhang on the side of the workshop,
12 the dog house that's just outside that overhang, and
13 Maggie's body is lying there underneath that canopy. The
14 kennels are in the background.

15 Q How did you discover Paul's body or observe Paul's
16 body?

17 A He was -- when we arrived he was still covered with a
18 pink sheet, but we could tell he was lying face down just
19 outside of the feed room.

20 Q And when you -- how did you process the area around
21 him?

22 A We start with documenting the area with photographs,
23 photographing the evidence that the sheriff's office had
24 already marked overall, mid-ranging and close-up of each
25 item of evidence, photograph the victims as they were when

1 we arrived before the sheets were removed for examining.

2 MS. GOUDE: At this time, Your Honor, I'm going to
3 publish State's Exhibit 24, which is a sealed exhibit.

4 Q Does this picture show how you found Paul's body?

5 A After we documented him with the sheet over him, the
6 coroner removed the sheet. Yes, that is what it looked
7 like.

8 Q And he appears to be laying outside of a feed room.

9 A That's correct.

10 Q Did you process that feed room?

11 A After he was removed from the area we were -- we went
12 in the room to process the room.

13 Q And if you look at that picture there, it appears that
14 there's something laying on his -- on his -- on the back of
15 his shorts there.

16 A Yes, that's right.

17 Q And what was that?

18 A I was told it was his cell phone.

19 Q State's Exhibit 25. Do you recognize that picture?

20 A Yes.

21 Q And what is that?

22 A That is the cell phone on the back of his shorts.

23 MS. GOUDE: At this time, the State would move State's
24 Exhibit 25 into evidence.

25 MR. HARPOOTLIAN: No objection, Your Honor.

1 THE COURT: It's admitted.

2 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 25 WAS
3 RECEIVED INTO EVIDENCE.)

4 Q And this is the cell phone that was laying on top of
5 Paul's body?

6 A That's right.

7 Q Now, did y'all process the inside of the feed room?

8 A We did.

9 MR. HARPOOTLIAN: No objection.

10 Q Agent Worley, I'm going to ask you to take a look at
11 State's Exhibits 26, 27, 28, 30 -- if you can -- 31, 32,
12 35, 198, 199, 38, 39, 40, 42, 43, 44, and 45, please.

13 (Break in proceedings.)

14 Q Agent Worley, in general, what are those pictures of?

15 A They were all taken inside the feed room. A lot of
16 them are footwear impressions.

17 Q And are those true and accurate representations of the
18 feed room as it was the night of the murders on June the
19 7th?

20 A Yes, they are.

21 MS. GOUDE: Your Honor, at this time I would offer
22 those exhibits into evidence.

23 MR. HARPOOTLIAN: Can I look at those briefly? I'm
24 sorry. I'm just making sure they are what I thought they
25 were.

1 (Break in proceedings.)

2 MR. HARPOOTLIAN: No objection.

3 THE COURT: Exhibit numbers again?

4 MS. GOUDE: Your Honor, that's State's Exhibits 27,
5 26, 30, 28, 31, 35, 32, 198, 199, 38, 39, 40, 42, 43, 44,
6 and 45.

7 THE COURT: They're admitted without objection.

8 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 26 WAS
9 RECEIVED INTO EVIDENCE.)

10 (PHOTO MARKED AS STATE'S EXHIBIT NUMBERS 27 WAS
11 RECEIVED INTO EVIDENCE.)

12 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 28 WAS
13 RECEIVED INTO EVIDENCE.)

14 (PHOTO MARKED AS STATE'S EXHIBIT NUMBERS 30 WAS
15 RECEIVED INTO EVIDENCE.)

16 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 31 WAS
17 RECEIVED INTO EVIDENCE.)

18 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 32 WAS
19 RECEIVED INTO EVIDENCE.)

20 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 35 WAS
21 RECEIVED INTO EVIDENCE.)

22 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 38 WAS
23 RECEIVED INTO EVIDENCE.)

24 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 39 WAS
25 RECEIVED INTO EVIDENCE.)

1 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 40 WAS
2 RECEIVED INTO EVIDENCE.)

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 42 WAS
4 RECEIVED INTO EVIDENCE.)

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 43 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 44 WAS
8 RECEIVED INTO EVIDENCE.)

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 45 WAS
10 RECEIVED INTO EVIDENCE.)

11 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 198 WAS
12 RECEIVED INTO EVIDENCE.)

13 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 199 WAS
14 RECEIVED INTO EVIDENCE.)

15 Q Agent Worley, this is State's Exhibit 27. If you
16 could tell the jurors what they're looking at in this
17 picture.

18 A That's a view looking from the door into the feed
19 room.

20 Q And what can we see on the floor there?

21 A Marker 1 is the shot shell wadding; there's also
22 suspected blood and tissue, possible pieces of skull on the
23 floor.

24 Q And then looking back at that window.

25 A There was several bullet defects in the window and in

1 the glass.

2 Q And State's Exhibit 26?

3 A That's showing the feed room also, but it's showing
4 more of the door, the outside of the door.

5 Q And if you notice the top of the door, what can you
6 see up there?

7 A It looks like blood, and there's also hair on top of
8 the door.

9 Q State's Exhibit 30?

10 A That's behind the door to the feed room.

11 Q Okay, and what is -- what's back there?

12 A There were two 12 gauge shot shells -- fired shot
13 shells on the floor behind the door, and also there was
14 hair behind the door.

15 Q State's Exhibit 31?

16 A That was after we marked the two fired shells as
17 Markers 9 and 10, and also showing the shot shell wad,
18 Marker 1, in the same photo.

19 Q And State's Exhibit 26?

20 A That's close-up of the shot shell wad in Marker 1, and
21 there's also a probable footwear impression in 1.

22 Q And do we see some little round pellets there?

23 A Yes, there are pellets on the floor.

24 Q 32?

25 A That's a close-up of the shot shells at 9 and 10.

1 Q Were those shot shells collected?

2 A Yes, they were.

3 Q Agent Worley, when those shot shells were collected,
4 what did you do with them?

5 A We photograph them first before we pick them up, we
6 package them, write the information on the packaging as to
7 what it is, where it came from at Marker 9 and 10, date and
8 initial, and time it was collected.

9 Q And were they submitted to the lab and placed in these
10 big plastic bags?

11 A I transferred them to the Crime Scene lieutenant.

12 Q I'll ask you to take a look at these for me.

13 A Okay.

14 Q Do these appear to contain Item 1 and Items 9 and 10?

15 A Yes.

16 Q And also some other items that were collected?

17 A Yes.

18 MS. GOUDE: Your Honor, at this time I will have Agent
19 Worley open the bags and remove Items 1 and Items 9 and 10.

20 Q All right. So, Item 1 is what?

21 A That is the shot shell wad that was at Marker 1.

22 Q Okay, and how do you know that is the shot shell wad
23 that you collected?

24 A It's my handwriting on the box and my initials and my
25 initials on the seal and the tape.

1 Q And then Item 9 and Item 10?

2 A These are the two shot shells -- fired shot shells at
3 Markers 9 and 10. This one is the one at Marker 9. It's a
4 12 gauge Federal, and the one at Marker 10 was a Winchester
5 12 gauge.

6 MR. HARPOOTLIAN: No objection.

7 MS. GOUDE: Your Honor, at this time the state would
8 move items 29, the shot -- I guess the shot shell wad; and
9 Item 34, the 12 gage federal; and Item 33, the 12 gage
10 Winchester, into evidence.

11 MR. HARPOOTLIAN: No objection.

12 THE COURT: They're admitted without objection.

13 (SHOTGUN SHELL WADDING MARKED AS STATE'S EXHIBIT
14 NUMBER 29 WAS RECEIVED INTO EVIDENCE.)

15 (FIRED SHELL MARKED AS STATE'S EXHIBIT NUMBER 33 WAS
16 RECEIVED INTO EVIDENCE.)

17 (FIRED SHELL MARKED AS STATE'S EXHIBIT NUMBER 34 WAS
18 RECEIVED INTO EVIDENCE.)

19 Q All right. Also in that feed room we're looking at
20 what appeared to be some bloody footprints. Is that right,
21 Agent Worley?

22 A That's right.

23 Q You can see those footprints here in State's Exhibit
24 27?

25 A You can see them.

1 Q How about State's Exhibit 35 here?

2 A Yes. There are two right there at Marker 1.

3 Q So, right down in here?

4 A Yes.

5 Q All right. So, in your training and experience as a
6 footwear examiner, did you have occasion to examine those
7 footprints?

8 A I did.

9 Q And did you have some shoes to compare those
10 footprints to?

11 A Yes. I took custody of the shoes that Paul was
12 wearing when I attended his autopsy; I was able to compare
13 those to the footwear impressions in the feed room.

14 Q And now how do you do that?

15 A We make test impressions of the shoes after they've
16 been photographed with ink on the bottom of the shoes. I
17 have someone similar who wears the same size usually wears
18 the shoe and steps on a piece of hard stock paper. We make
19 as many test impressions as we need to make sure I've
20 gotten all of the area at the bottom of the shoe. Then I
21 reprint those test impressions on transparencies. It makes
22 it easier to overlay those on top of the photographs of the
23 unknown impressions at the crime scene, and I compare the
24 unknown impressions from the crime scene to the overlays
25 that I place on Paul's shoes.

1 Q So, you make a transparent overlay and you place it on
2 pictures to determine if they correspond.

3 A That's right.

4 Q State's Exhibit 148, what is that?

5 A That is a printed version of the test impressions that
6 we created of Paul's shoes.

7 Q And State's Exhibit 199?

8 A That one is the right shoe. The first one was the
9 left shoe.

10 Q And there are, I guess, two impressions of each shoe
11 there?

12 A That's right.

13 Q So using the impressions you made in the photographs,
14 did you make any determinations?

15 A I determined they were corresponding consistent with
16 the outsole design of Paul's shoes.

17 Q We'll look a little closer here at State's Exhibit 38.
18 I'm sorry, there appears some kind of shadow here on the
19 ELMO. State's 138, is that a picture that you used from
20 the crime scene to compare to Paul's shoes?

21 A It is.

22 Q And what did you determine regarding that?

23 A That one was also consistent with the outsole design
24 of Paul's shoes.

25 Q State's Exhibit 39?

1 A Both of those were the same outsole designs of Paul's
2 shoes.

3 Q And I'm going to go back to State's Exhibit 40. And
4 if you're standing in the feed room, what position are
5 those shoes facing?

6 A Those are facing the window.

7 Q Facing the window.

8 A Right.

9 Q Did you also notice the door of that feed room?

10 A I did.

11 Q And what about the door?

12 A There was a lot of, I guess, blood and brain matter on
13 the outside of the door and not so much on the inside of
14 the -- interior side of door. There was a little bit at
15 the top and hair on top of the door but not on the rest of
16 the back of the door.

17 Q So State's Exhibit 42 here, what can we see?

18 A That's a picture of the exterior side of the door; you
19 can see blood toward the top of the door.

20 Q So, that would be like the front of the door.

21 A Right.

22 Q And State's Exhibit 43?

23 A That's also the front of the door.

24 Q Okay, and we can see some blood spatter up here in the
25 corner. Would that be right?

1 A Yes, that's right.

2 Q And there appears to be hair as well?

3 A Yes, that's right.

4 Q And we mentioned the defects in the window. State's
5 Exhibit 44 here?

6 A Yes.

7 Q Can you see there? Can you see a hole in that window?

8 A Yes.

9 Q And State's Exhibit 45.

10 A Yes. You can see one of the defects.

11 Q Okay. Do you recall how many defects were in the
12 window?

13 A Six, I believe.

14 Q Later did you have an occasion to go back out to the
15 scene and reexamine that window?

16 A I did.

17 Q At that time, can you tell us what you did when you
18 examined the window?

19 A We went to further document, take more measurements of
20 the area. We scaled the defects and took several more
21 measurements of where those defects were in the window.

22 Q I'm going to show you State's Exhibits 114 and 115.
23 Do you recognize those images?

24 A I do.

25 Q And what is that?

1 A These are diagrams of the window that I created. One
2 shows the interior side of the window and one shows the
3 exterior side. It shows where the defects are located in
4 the window and all of the measurements that we took for
5 each defect.

6 MS. GOUDE: Your Honor, at this time I would move
7 State's 14 -- 114 and 115 into evidence.

8 MR. HARPOOTLIAN: No objection, Your Honor.

9 THE COURT: They're admitted without objection.

10 MS. GOUDE: Permission to publish?

11 THE COURT: Yes.

12 (DIAGRAM MARKED AS STATE'S EXHIBIT NUMBER 114 WAS
13 RECEIVED INTO EVIDENCE.)

14 (DIAGRAM MARKED AS STATE'S EXHIBIT NUMBER 115 WAS
15 RECEIVED INTO EVIDENCE.)

16 Q We're looking here at State's 114. Do I have that in
17 the correct orientation, Agent Worley?

18 A Yes.

19 Q Okay. All right, and can you kind of explain to the
20 jurors the defects we're looking at here?

21 A Sure. There is defects A through, I believe, G,
22 starting from top to bottom.

23 Q So, like, where it says defect A, defect B, what is
24 that?

25 A Those were the locations of where the bullet defects

1 were in the glass.

2 Q So, those are holes in the glass.

3 A Right, yes.

4 Q And that is from the inside of the feed room.

5 A That's right.

6 Q And State's Exhibit 115 here, what is that?

7 A That is the exterior side of the window.

8 Q So, those are the same defects but from looking from
9 the exterior, like from the outside of the room?

10 A Right.

11 Q And what was kind of the purpose of that?

12 A In the event that a reconstruction, whatever, be done
13 of the scene, it's necessary to have specific measurements
14 to be able to place those bullet defects, those holes back
15 in the window where they were based on measurements.

16 Q What else did you recall doing concerning the feed
17 room?

18 A We collected several of the shot shell pellets. We
19 also swabbed the exterior doorknob of the room just for
20 digital touch DNA.

21 Q Did you collect those pellets from the feed room
22 floor?

23 A Yes, we did.

24 THE COURT: Ladies and gentlemen, we're going to break
25 for lunch at this time and resume at 2:20.

1 (The jury left the courtroom.)

2 THE COURT: We'll be in recess until 2:20.

3 (A lunch break was taken.)

4 THE COURT: You may bring the jury.

5 (The jury returned to the courtroom.)

6 THE BAILIFF: The jury is present, sir.

7 THE COURT: All right, thank you.

8 You may proceed.

9 MS. GOUDE: Thank you, Your Honor.

10 BY MS. GOUDE:

11 Q All right, Agent Worley, I think we left off talking
12 about some items in the feed room.

13 A That's right.

14 Q That being Items 17 and 14. I think in this baggy
15 that you had cut open earlier, Item 7 -- or, excuse me,
16 Item 14 is in that bag?

17 A Yes.

18 Q And Item 14 is the pellets from the feed -- excuse me,
19 feed room floor that you collected?

20 A Yes, that's right.

21 Q And how do you know that that item contains those
22 pellets?

23 A It's my handwriting on the envelope and the
24 description of what I collected with the date time and my
25 initials, and my initials on the date on the sealed

1 envelope.

2 Q Okay, and does that item appear to have been opened or
3 tampered with since you collected it?

4 A It was opened by, I believe, the firearms examiner.

5 Q Okay, and then Item 17?

6 A Yes.

7 Q Okay.

8 MS. GOUDE: Your Honor, at this time I would offer
9 State's Exhibit 20, the pellets from the feed room floor,
10 and State's Exhibit 18, the swabs from the door of the feed
11 room into evidence.

12 THE COURT: What says the defense?

13 MR. HARPOOTLIAN: I'm sorry, no objection.

14 THE COURT: They're admitted.

15 (PELLETS MARKED AS STATE'S EXHIBIT NUMBER 20 WAS
16 RECEIVED INTO EVIDENCE.)

17 (SWABS MARKED AS STATE'S EXHIBIT NUMBER 18 WAS
18 RECEIVED INTO EVIDENCE.)

19 Q All right. Agent Worley, let's move on to Maggie.

20 A Uh-huh.

21 Q Did you have a chance to observe her body?

22 A I did.

23 Q And where was it located?

24 A She was just past the workshop overhang near the dog
25 house.

1 Q And when you first got out there, could you see her
2 body was or was it covered?

3 A It was covered with a pink sheet.

4 Q Agent Worley, I'm going to show you State's 52,
5 State's Exhibit 50, State's 48, and State's 47. If you
6 could take a look at those and tell us what in general they
7 depict.

8 A These were photos of Maggie, the way she appeared when
9 we arrived on scene still covered with a pink sheet.

10 Q And are those true and accurate depictions of the
11 crime scene where Maggie Murdaugh was found when you were
12 out there?

13 A Yes, they are.

14 MS. GOUDE: Your Honor, at this time I would offer
15 State's Exhibits 52, 50, 48, and 47 into evidence.

16 MR. HARPOOTLIAN: Your Honor, we don't have any
17 objections to these, but I think we need to go through the
18 process -- we've done two of them -- to have them submitted
19 under seal and place holders.

20 Am I wrong about that?

21 (Break in proceedings.)

22 MS. GOUDE: Your Honor, at this time we would move
23 State's 52, 48, and 47 into evidence.

24 THE COURT: What says the defense?

25 MR. HARPOOTLIAN: No objection.

1 THE COURT: They're admitted.

2 MR. HARPOOTLIAN: I don't have an objection to number
3 whatever that is.

4 MS. GOUDE: Your Honor, we will seal State's Exhibit
5 50 due to its graphic nature and prepare that place holder.

6 MR. HARPOOTLIAN: No objection under those
7 circumstances.

8 THE COURT: Admitted.

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 47 WAS
10 RECEIVED INTO EVIDENCE.)

11 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 48 WAS
12 RECEIVED INTO EVIDENCE.)

13 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 50 WAS
14 RECEIVED INTO EVIDENCE.)

15 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 52 WAS
16 RECEIVED INTO EVIDENCE.)

17 Q Agent Worley, this is State's Exhibit 47. If you
18 could kind of describe that to the jury.

19 A It's a photo showing Maggie's body lying on the ground
20 with the sheriff's office canopy over her looking toward
21 the overhang from the workshop, and you can see the kennels
22 off to the right.

23 Q Okay, and these pictures are kind of hard to see on
24 the screen. Is Paul's body also in that shot?

25 A You can sort of see the pink sheet that's over him,

1 yes.

2 Q Like over in front of the feed room door?

3 A Right.

4 Q And then Maggie's is in front of this ATV.

5 A Yes, that's correct.

6 Q And State's Exhibit 48?

7 A That's looking from a different angle Maggie, the dog
8 house in the background, workshop overhang, and the ATV is
9 to the right.

10 Q And then State's Exhibit 52?

11 A That was after Maggie's body was removed from the
12 area.

13 Q This is State's 50 submitted under seal.

14 A A different angle of Maggie's body, I believe still
15 covered by the pink sheet.

16 Q When you observed Maggie's body, where was she
17 actually -- what wounds did you observe?

18 A She was lying face down, both arms bent at the elbow.
19 Her right arm was bent toward her face; her left arm was
20 bent underneath her body. Her legs were straight out
21 behind her.

22 MS. GOUDE: And at this time I will publish
23 Defendant's Exhibit 2, which is under seal.

24 Q Is that how her body appeared to be on the scene?

25 A Yes, it is.

1 Q Now when the body was moved, did you notice anything?

2 A We located another cartridge case on the ground
3 approximately where her right knee had been.

4 Q So, she was laying on top of a shell case?

5 A That's right.

6 Q All right, and did you collect that item?

7 A Yes. We marked it as Marker 7, photographed it, and
8 collected it.

9 Q And what -- do you recall what kind of round that was?

10 A It was a 300 Blackout.

11 Q Agent Worley, I'm going to ask you to take a look at
12 this baggy, and if you can, remove Item 7.

13 MR. HARPOOTLIAN: No objection, Your Honor.

14 Q Agent Worley, State's Exhibit 68 is Item 7, a 300
15 Blackout recovered under the knee of Maggie Murdaugh. How
16 do you know that is that?

17 A That's my handwriting on the envelope, date and time
18 and initials when I collected it, my initials and the date
19 on the seal tape.

20 Q And I'm going --

21 MS. GOUDE: At this time I would move State's Exhibit
22 68 into evidence.

23 THE COURT: It's admitted without objection.

24 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 68 WAS
25 RECEIVED INTO EVIDENCE.)

1 Q I'm going to show you State's Exhibit 61. Do you
2 recognize that picture.

3 A Yes.

4 Q And is that a -- what is that a picture of?

5 A This is Item 7, cartridge case located at Marker 7
6 before we collected it.

7 Q Okay. Is that a true and accurate depiction of the
8 casing at the crime scene?

9 A Yes, it is.

10 MS. GOUDE: Your Honor, at this time the State would
11 move State's Exhibit 61 into evidence.

12 MR. HARPOOTLIAN: Can I see it? Is that what you just
13 showed me? Oh, okay, I'm sorry. No objection.

14 THE COURT: It's admitted.

15 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 61 WAS
16 RECEIVED INTO EVIDENCE.)

17 Q And this is the shell casing here, shell case?

18 A Yes, it is.

19 Q And this is a picture of it as located at the crime
20 scene, correct?

21 A That's correct.

22 Q Now, did you collect some other shell casings while
23 you were out there?

24 A Yes, we did.

25 Q And if we're looking in some of these pictures, you

1 see the little yellow placards there. I don't know if we
2 can see them that well on the screen here. What do each of
3 those placards indicate?

4 A Those are the evidence markers that the sheriff's
5 office placed on cartridge cases that were on scene.
6 Markers 3, 4, and 5 are all the same, 300 Blackout
7 cartridge cases.

8 Q So, how many Blackout cases did you recover from the
9 scene?

10 A I believe it was five.

11 Q And did you collect the cases that were at the scene?

12 A Yes, I did.

13 Q And that would be Items 2 through 6?

14 A 2 through 7. Yes.

15 Q 2 through 7. And we already have Item 7 up there, so
16 do you have Items 2, 3, 4, 5, and 6 there?

17 A 2, 3, 4, 5, and 6.

18 Q And what were Items 2, 3, 4, 5, and 6?

19 A They're all cartridge cases head stamped S&B 300 AAC
20 BLK collected from Markers 2, 3, 4, 5, and 6.

21 Q And in this case, does the item number correspond with
22 the case where the marker was?

23 A It does, yes.

24 Q And can you take a look at these pictures? That's
25 going to be State's Exhibits 60, 62, 59, 58, 57, 56, 55,

1 and 54, and also 53. And can you tell us in general what
2 we see in those pictures?

3 A These photos show each of those Markers 2, 3, 4, 5,
4 and 6 before we collected the evidence. And also Marker
5 13.

6 Q And are those true and accurate depictions of where
7 300 Blackout shell case -- or cases were on the scene?

8 A Yes, ma'am.

9 MS. GOUDE: Your Honor, at this time I would offer
10 State's Exhibits 62, 60, 59, 58, 57, 56, 55, 54, and 53
11 into evidence.

12 THE COURT: Have you showed them to the defense?

13 MS. GOUDE: Yes, Your Honor.

14 MR. HARPOOTLIAN: Are those the ones I just saw?

15 MS. GOUDE: Yes.

16 MR. HARPOOTLIAN: No objection, Your Honor.

17 THE COURT: They're admitted without objection.

18 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 53 WAS
19 RECEIVED INTO EVIDENCE.)

20 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 54 WAS
21 RECEIVED INTO EVIDENCE.)

22 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 55 WAS
23 RECEIVED INTO EVIDENCE.)

24 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 56 WAS
25 RECEIVED INTO EVIDENCE.)

1 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 57 WAS
2 RECEIVED INTO EVIDENCE.)

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 58 WAS
4 RECEIVED INTO EVIDENCE.)

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 59 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 60 WAS
8 RECEIVED INTO EVIDENCE.)

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 62 WAS
10 RECEIVED INTO EVIDENCE.)

11 Q Agent Worley, these shell cases that were collected,
12 did you collect them and put them in these little
13 envelopes?

14 A Yes, I did.

15 MR. HARPOOTLIAN: No objection, Your Honor.

16 THE COURT: They're admitted.

17 Q Agent Worley, I'm going to get to you take a look at
18 these cases one more time. This being now marked as
19 State's Exhibit 63, if you could tell the jury what that
20 is?

21 A This is a cartridge case 300 Blackout from Marker 2.

22 Q Okay, and how do you know this is the 300 Blackout
23 cartridge case that you collected from Marker 2?

24 A It's my handwriting on the envelope, date, time, and
25 initials when I collected it, and my initials on the seal.

1 Q What about for State's 64?

2 A The 300 Blackout cartridge cases that I collected from
3 Marker 3 with my handwriting on the envelope, date, time,
4 and initials when I collected it, and my initials on the
5 seal.

6 Q State's Exhibit 65?

7 A Cartridge case collected from Marker 4, 300 Blackout.
8 It's my handwriting, the date, time, and initials when I
9 collected it, and my initials on the seal.

10 Q 66?

11 A It's the 300 Blackout cartridge case from Marker 5.
12 It's my handwriting, my date, time, and initials, and my
13 initials on the seal.

14 Q And then State's 67?

15 A The 300 Blackout cartridge case from Marker 6. It's
16 my handwriting on the envelope with the date, time, and
17 initials when I collected it, my initials on the seal.

18 MS. GOUDE: Your Honor, at this time I would move
19 State's 63 through 67 into evidence.

20 MR. HARPOOTLIAN: No objection.

21 THE COURT: They're admitted.

22 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 63 WAS
23 RECEIVED INTO EVIDENCE.)

24 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 64 WAS
25 RECEIVED INTO EVIDENCE.)

1 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 65 WAS
2 RECEIVED INTO EVIDENCE.)

3 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 66 WAS
4 RECEIVED INTO EVIDENCE.)

5 (SHELL CASING MARKED AS STATE'S EXHIBIT NUMBER 67 WAS
6 RECEIVED INTO EVIDENCE.)

7 Q And, Agent Worley, what did you do with these cases
8 once they were collected on the scene?

9 A I sealed them in those coin envelopes that are in
10 there with them; I transported them to the lab at SLED.

11 Q And when you got them to the lab at SLED, what did you
12 do?

13 A I transferred most of the evidence from the scene to
14 one of the crime scene lieutenants, Lieutenant Todd Schenk.

15 Q And does he take these items and put them in some sort
16 of secure location, or what happens to them?

17 A Would have logged them into our database and
18 transferred them wherever they were going in the lab for
19 analysis.

20 Q All right. I'm going to turn your attention now to
21 what's previously been admitted as State's Exhibit 49,
22 which I believe is admitted under seal. Now if we take a
23 look at this picture, you can see those yellow placards.
24 Placard 2, I believe, would show -- correspond with Item 2,
25 which has been marked as State's 63 (sic)?

1 A Yeah, that's right.

2 Q And State's Exhibit 53 here, what are we looking at
3 here?

4 A That's that cartridge case at Marker 2 before we
5 collected it.

6 Q And State's Exhibit 54?

7 A That's a close-up of the same cartridge case at Marker
8 2.

9 Q All right, and then we'll move to State's Exhibit 55.

10 A Those are Markers 3 and 4 and the cartridge cases at
11 those markers before I collected them.

12 Q Okay, and I don't know if the jury can see those cases
13 there, Agent Worley.

14 MS. GOUDE: Your Honor, may I have permission for
15 Agent Worley to step down and point those two cases out to
16 the jurors on this TV here?

17 THE COURT: Yes.

18 A Right here is the one at Marker 3, and then the one at
19 Marker 4 is right there.

20 Q Okay, and while you're here, Agent Worley, we'll put
21 up State's Exhibit 58. And in that picture, if you could
22 point out any items of interest for us?

23 A These are the cartridge cases at Markers 5 and 6. I'm
24 not sure if I can see the one at 5. The one at Marker 6 is
25 right here.

1 Q And State's Exhibit 59 is a close-up there of --

2 A This is the cartridge case at Marker 5.

3 Q All right, Agent Worley, if you could take your seat
4 please. Thank you. State's Exhibit 66?

5 A Yes.

6 Q And then let's go back here to State's Exhibit 58.
7 Also in that picture, does it look like we might have some
8 brain matter and some hair in that picture?

9 A Yes.

10 Q State's Exhibit 56.

11 A It's the cartridge case at Marker 3 before I collected
12 it.

13 Q And then State's Exhibit 64 is the actual shell case
14 that was collected?

15 A That's right.

16 Q State's Exhibit 57?

17 A That's the cartridge case at Marker 4 before I
18 collected it.

19 Q And State's Exhibit 65?

20 A Yes.

21 Q That's the actual case that was collected?

22 A It is.

23 Q And then finally here we have State's Exhibit 60.

24 A That's the cartridge case at Marker 6 before I
25 collected it.

1 Q And what is also in that picture?

2 A It's possible brain matter.

3 Q And State's Exhibit 67?

4 A Yes. That's the same cartridge case.

5 Q That's the cartridge case that was collected?

6 A Right.

7 Q Now, also was there some kind of defect or something
8 in the gravel that y'all inspected?

9 A Yes. The -- at Marker 13 the sheriff's office had
10 placed -- there was a disturbance in the gravel area. We
11 dug into that area. We presumed it was a bullet strike
12 where a bullet had hit, so we dug into that area.

13 Q And did you find anything when you were looking?

14 A Yes. We found several metal fragments.

15 Q Okay. Agent Worley, what did you just remove from
16 this baggy from the crime lab?

17 A These are the metal fragments that I collected from in
18 the ground at Marker 13.

19 Q And how do you know those are the metal fragments that
20 you collected?

21 A They look familiar. It's my handwriting on the
22 envelope, date and time and initials when I collected it,
23 and my initials on the seal.

24 Q Thank you.

25 (Break in proceedings.)

1 Q Agent Worley, I'm just going to show you State's
2 Exhibit 62. Do you recognize that picture?

3 A I do.

4 Q Is that a fair and accurate depiction of the bullet
5 fragments at the crime scene?

6 A It is, yes.

7 MS. GOUDE: Your Honor, at this time I would move
8 State's Exhibit 62 into evidence.

9 MR. HARPOOTLIAN: No objection.

10 THE COURT: They're admitted.

11 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 62 WAS
12 RECEIVED INTO EVIDENCE. DIFFERENT PHOTO TO ONE PREVIOUSLY
13 MARKED AS STATE'S EXHIBIT NUMBER 62.)

14 MS. GOUDE: And also for ID purposes only, State's
15 Exhibit 102, the bullet fragments.

16 MR. HARPOOTLIAN: No objection, Your Honor.

17 THE COURT: It's admitted for ID only.

18 (BULLET FRAGMENTS MARKED AS STATE'S EXHIBIT NUMBER 102
19 FOR IDENTIFICATION.)

20 Q And Agent Worley, State's Exhibit 62, if you could
21 tell the jury, what is on the that placard there?

22 A Those are the metal fragments that we collected from
23 the ground at Marker 13.

24 Q All right. So, what all did you see around Maggie's
25 body while you were investigating the scene?

1 A There was -- in the dog house at the side that was
2 facing her, there appeared to be a bullet defect in the
3 side of the dog house.

4 Q Okay. Was there an ATV parked under the -- under that
5 shed?

6 A Yeah, there were two.

7 Q Did you notice anything about the ATV?

8 A There appeared to be suspected biological material on
9 the front of the ATV sort of low down on the front of it.

10 Q And where was that ATV in relation to Maggie's body?

11 A I believe it was near her left side.

12 Q I show you State's Exhibit 49. Would that be the ATV?

13 A Yes, that's it.

14 Q Okay, and on the front of that -- on the ATV, there
15 appeared to be tissue you said?

16 A Yes.

17 Q All right. Now, you mentioned the dog house. I'm
18 going to show you what's been marked as State's
19 Exhibits 75, 74, 73. How do you recognize those pictures?

20 A These show the front of the dog house, and then the
21 projectile that we collected from the dog bed that was
22 inside the dog house.

23 Q Are those true and accurate depictions?

24 A Yes, they are.

25 MS. GOUDE: Your Honor, at this time I would move

1 State's Exhibit 75, 74, and 73 into evidence.

2 MR. HARPOOTLIAN: And 72. No objection.

3 MS. GOUDE: Along with Exhibit 72.

4 THE COURT: They're all admitted.

5 MS. GOUDE: Thank you, Your Honor.

6 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 72 WAS
7 RECEIVED INTO EVIDENCE.)

8 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 73 WAS
9 RECEIVED INTO EVIDENCE.)

10 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 74 WAS
11 RECEIVED INTO EVIDENCE.)

12 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 75 WAS
13 RECEIVED INTO EVIDENCE.)

14 Q Okay. Agent Worley, State's Exhibit 72, if you could
15 tell the jury where that dog house you were talking about
16 is? Is that in that picture?

17 A It is. It's more in the background of that picture.

18 Q And again, these pictures are kind of hard to see
19 here. It would be in this area right here that I'm
20 pointing to?

21 A Yes, that's it.

22 Q Okay, and State's Exhibit 73, what is that?

23 A That's the front of the dog house.

24 Q Okay, and then State's Exhibit 74?

25 A That was the projectile that was in the bedding of

1 that dog bed that we recovered.

2 Q And then State's Exhibit 75?

3 A And that is the projectile that we collected from the
4 dog bed.

5 Q Okay, and I believe that projectile may be in this bag
6 you have here. Is that Item 12?

7 A Yes, it is.

8 Q Okay, and how do you know Item 12 is that projectile?

9 A That's my handwriting on the envelope and date and
10 time and my initials when I collected it and my initials on
11 the seal.

12 Q Do you know anything else about that projectile
13 besides that it's the one that you collected from the dog
14 house?

15 A No.

16 MS. GOUDE: Your Honor, the State would move the Item
17 Number 12, State's Exhibit 76, into evidence.

18 MR. HARPOOTLIAN: No objection, Your Honor.

19 THE COURT: They're admitted.

20 (ROUND MARKED AS STATE'S EXHIBIT NUMBER 76 WAS
21 RECEIVED INTO EVIDENCE.)

22 Q And, Agent Worley, this would be State's Exhibit 76 --

23 A Yes.

24 Q -- the round collected from the dog house.

25 A That's right.

1 Q All right. Now, after you had went out to the crime
2 scene, did you make a diagram to kind of, you know, piece
3 together the evidence where you could see everything and
4 how it relates to each other?

5 A I did. On scene I do a rough sketch showing where
6 evidence was located, where the victims were located, and I
7 take measurements to show where things are in relation to
8 each other.

9 Q And when you made that diagram, is it to any kind of
10 scale?

11 A No.

12 MS. GOUDE: Your Honor, at this time the State would
13 move State's Exhibit Number 77 into evidence.

14 MR. HARPOOTLIAN: No objection.

15 THE COURT: Admitted.

16 MS. GOUDE: Permission to publish?

17 THE COURT: Yes.

18 (DIAGRAM MARKED AS STATE'S EXHIBIT NUMBER 77 WAS
19 RECEIVED INTO EVIDENCE.)

20 Q Agent Worley, is this the diagram that you created
21 after being out there on the crime scene?

22 A That's the final diagram I created with the computer,
23 yes.

24 MS. GOUDE: Your Honor, may Agent Worley step down to
25 kind of go through the diagram with the jurors?

1 THE COURT: Yes.

2 MS. GOUDE: Thank you.

3 Q All right. Agent Worley, if you could just kind of
4 walk the jurors through the crime scene using this diagram
5 here?

6 A We have Maggie's body here, Paul just outside of the
7 feed room, markers --

8 Q You'll have to speak up a little bit.

9 A Marker 1 and Markers 9 and 10 inside the feed room.
10 Then we had Markers 2, 3, 4, 5, 6, 7 underneath the right
11 knee. 8, tire impressions in the dirt underneath this
12 overhang. Marker 12 was suspected biological material.
13 And then Marker 13 where we dug the metal fragments out of
14 the gravel.

15 Q Okay. Thank you, Agent Worley. Now, you just
16 mentioned some tire impressions being here at Item 8. What
17 do you know about those?

18 A They went straight through where the overhang was,
19 went from one end to the other.

20 Q Did you do any kind of analysis on those tire
21 impressions?

22 A We photographed them with examination quality
23 photographs on scene. I never had any, I guess, test
24 impressions of any tires to compare them to to do an actual
25 comparison in a report.

1 Q And why was that? Why didn't you do any analysis on
2 the tire impressions?

3 A We concluded basically that the gentleman who takes
4 care of the dogs -- I forget his name -- he parked there
5 regularly, and his tires were consistent with the design of
6 the impressions that were there in the dirt.

7 Q So y'all -- so you essentially -- they figured out who
8 the tire impressions were?

9 A Right.

10 Q And it wasn't necessary for you to do any analysis
11 there?

12 A Yes.

13 Q Are you aware of any other tire impressions on the
14 scene that you analyzed?

15 A No.

16 Q As far as tire impressions in wet grass go, how would
17 you analyze those?

18 A All I would be able to do with that would be
19 photograph it. That's not going to leave any kind of
20 design characteristics from the tread of the tire in the
21 grass, so I can't really do an analysis, a tire analysis of
22 tire impressions like that.

23 Q While you were on the scene, did you receive any item
24 of evidence from the Colleton County Sheriff's Office
25 Varnadoe?

1 A Yes, I did.

2 Q Okay, and what was that item?

3 A I took custody a GSR kit and gunshot residue kit that
4 was collected from Alex Murdaugh.

5 Q Okay.

6 MS. GOUDE: Your Honor, at this time we would move to
7 admit State's Exhibit 13, the GSR kit that Agent Worley
8 collected from Colleton County Sheriff's Office Varnadoe.

9 MR. HARPOOTLIAN: No objection.

10 THE COURT: Admitted.

11 (GSR KIT MARKED AS STATE'S EXHIBIT NUMBER 13 WAS
12 RECEIVED INTO EVIDENCE.)

13 Q Okay. Also in the course of your investigation, did
14 you gather some items of evidence from SLED Agent Katie
15 McCallister?

16 A Yes, I did.

17 Q And when did you collect those items from her?

18 A On June 9th.

19 Q And what were those items?

20 THE WITNESS: May I refer to my notes?

21 THE COURT: Yes.

22 (Break in proceedings.)

23 A I took custody of the three shotguns, a rifle, fired
24 and unfired ammunition, and boxes of -- empty boxes of
25 ammunition.

1 Q And what did you do with those items when you took
2 custody of them?

3 A I transported them to the lab at SLED and submitted
4 them to the lab.

5 Q And all of this would, of course, be recorded on a
6 chain of custody. Is that right?

7 A That's right, yes.

8 Q All right. Moving on --

9 (Break in proceedings.)

10 Q All right. Agent Worley, before we move on, the
11 shotguns you collected, would those have been Items 30, 31,
12 32, 33?

13 A Yes.

14 Q Okay, and then you collected Item 34, which was a 30
15 round magazine containing 300 Blackout cartridges?

16 A Actually 33 was the night vision scope on the rifle.

17 Q Okay.

18 A And 34 was the rifle.

19 Q Okay. All right, and then what other items did you
20 collect with the numbers, please?

21 A Items 35, 36, 37, 38, and 39, five cartridge cases
22 head stamped S&B 300 AAC ELK that were collected from the
23 round at side entrance door.

24 Q And then did you collect Item 40 from K. McCallister?

25 A Yes.

1 Q Okay, and what was Item 40?

2 A That was an unfired cartridge head stamped S&B 300 AAC
3 ELK collected from a Remington 20 gauge shotgun in a shell
4 box from shell near gun storage rack.

5 Q And then Item 45?

6 A 45 is an empty 20 round box of S&B 300 AAC ELK full
7 metal jacket ammunition collected from gun storage room.

8 Q Okay, and then Items 46, 47, and 48?

9 A Those were three empty ammunition boxes collected from
10 the trash.

11 Q Okay, and then, I'm sorry, what did you say you did
12 once you received those items from Agent McCallister?

13 A I transported to the lab at SLED and submitted them to
14 the lab.

15 Q Okay. Did you test fire or do anything with any of
16 that evidence that you collected?

17 A No, I didn't do any of that.

18 Q Okay. Thank you. Okay. Let's move on to the Chevy
19 Suburban that was on scene the night of the murders. Did
20 you observe that vehicle when you got to the scene?

21 A I did.

22 Q Okay.

23 THE COURT: Let's all stand for a moment.

24 (Break in proceedings.)

25 THE COURT: And from the jury, what is the problem

1 with the projector?

2 THE JUROR: Blur. It was blurry.

3 THE COURT: Blurry?

4 THE JUROR: Your Honor, with the overhead light on the
5 ELMO now, I think we'll be able to see better. Without
6 that light on, it was difficult to see.

7 (Break in proceedings.)

8 MS. GOUDE: May it please the Court, Your Honor?

9 THE COURT: Yes.

10 BY MS. GOUDE:

11 Q Agent Worley, if you don't mind taking a look at
12 State's Exhibits Number 104, 96, 97, 99 and 93. Okay. Are
13 Exhibits 93, 99, 97, and 96 true and accurate depictions of
14 the Chevy Suburban?

15 A Yes, they are.

16 Q And State's 104, is that a true and accurate depiction
17 of some of the ammunition that you located?

18 A In the other vehicle, yes.

19 Q That was located in a white F250?

20 A That's right.

21 MS. GOUDE: Your Honor, at this time I would move
22 State's Exhibits 104, 96, 97, 99, and 93 into evidence.

23 THE COURT: What says --

24 MR. HARPOOTLIAN: No objection, Your Honor.

25 THE COURT: They're admitted.

1 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 93 WAS
2 RECEIVED INTO EVIDENCE.)

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 96 WAS
4 RECEIVED INTO EVIDENCE.)

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 97 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 99 WAS
8 RECEIVED INTO EVIDENCE.)

9 (AMMUNITION MARKED AS STATE'S EXHIBIT NUMBER 104 WAS
10 RECEIVED INTO EVIDENCE.)

11 Q We would also -- State's Exhibit 95 for ID purposes.
12 Agent Worley, if you could open that up and tell us what
13 kind of shell casing, or shotgun -- or shot shell is that
14 Item 50? Okay. So, what's State's -- marked for ID as
15 State's Exhibit 95?

16 A It's a 16 gauge shot shell unfired.

17 Q A 16 gauge shot shell?

18 A That's right.

19 Q Now, I think when it was collected it was marked as a
20 12 gauge shot shell.

21 A That's right.

22 Q So, what happened there?

23 A I just made a mistake and wrote 12 gauge instead of 16
24 gauge. It's clearly a 16 gauge.

25 Q And that is the shot shell that was collected from the

1 floorboard of the -- the back floorboard of Chevy Suburban?

2 A That's right.

3 Q And like you said, it is a 16 gauge instead of a 12
4 gauge.

5 A That's right.

6 Q It was just marked incorrectly.

7 A Yes.

8 MS. GOUDE: At this time, the State would move State's
9 Exhibit 95 into evidence.

10 MR. HARPOOTLIAN: No objection.

11 MS. GOUDE: As well --

12 THE COURT: In without objection.

13 (SHOTGUN SHELL MARKED AS STATE'S EXHIBIT NUMBER 95 WAS
14 RECEIVED INTO EVIDENCE.)

15 MS. GOUDE: Thank you, Your Honor. The State would
16 also move State's Exhibit 83 into evidence. And if
17 Agent --

18 THE COURT: It's admitted.

19 (SWABS MARKED AS STATE'S EXHIBIT NUMBER 83 WERE
20 RECEIVED INTO EVIDENCE.)

21 Q Agent Worley, if you could take a look at State's
22 Exhibit 83. And now I'm going to show you State's Exhibit
23 93. If you could tell the jurors what's in State's Exhibit
24 93?

25 A That's looking at the scene, the back of the Chevy

1 Suburban there towards the right side.

2 Q And what side of the screen did you say the Suburban
3 is on?

4 A The right side.

5 Q And the Suburban was on the scene when you arrived.
6 Is that right?

7 A Yes.

8 Q Okay. Now, when did you actually process that
9 vehicle?

10 A We had -- it was -- the vehicle was towed from the
11 scene the morning of the 8th, and then we returned on the
12 9th to process the vehicle.

13 Q So on the scene that night, was that vehicle even
14 searched, to your knowledge?

15 A Not that I know of, no.

16 Q Okay, and so when you went to search it, what did you
17 do?

18 A We documented it with photographs outside and inside,
19 searched for any evidentiary value items. If we located
20 them, we photograph them and we collect them.

21 Q And what did you locate in the rear floorboard of
22 that?

23 A The 16 gauge shot shell that was on the rear driver's
24 side floorboard of the Suburban.

25 Q And that would be State's Exhibit 97?

1 A Yes, that's right.

2 Q And 96?

3 A Yes.

4 Q Did you also process the vehicle to see if there was
5 any blood in there?

6 A We did.

7 Q And how did you do that?

8 A We first looked at the vehicle with an alternate light
9 source to see if we could see any indications of any blood
10 in the vehicle, and we followed that with a couple of
11 different chemical procedures.

12 Q Okay. So, did you swab some areas in that vehicle?

13 A We did.

14 Q Okay, and what areas was that?

15 A If I may refer to my notes again? There were ten
16 areas total. It was the lock/unlock buttons on the
17 driver's door, the driver's door armrest, the driver's side
18 running board below the driver's door, the driver's
19 floorboard, the front edge of the driver's seat, steering
20 wheel, center of the driver's seat back, the front
21 passenger door above the arm rest, the front passenger seat
22 bottom, and front passenger seat back.

23 Q And State's Exhibit 83 is the actual swabs that you
24 took from that vehicle?

25 A Yes, those are.

1 Q And were those swabs presumptive for blood?

2 A Yes, they were.

3 MR. HARPOOTLIAN: I'm sorry. I didn't hear the
4 question.

5 MS. GOUDE: Were those swabs presumptive for blood.

6 A Yes, they were.

7 Q And State's Exhibit 99 is --

8 A That's the steering wheel of the Suburban.

9 Q Later on did -- first did -- what did you do with
10 those swabs that you collected?

11 A I packaged them in separate envelopes, sealed the
12 envelopes, labeled it with a description of what was inside
13 of the envelope, date, time, and initials, and when I
14 collected it, and I sealed it, and then we transferred them
15 to the lab at SLED.

16 Q And would you have submitted those to the lab for
17 further analysis for blood?

18 A Yes, that's right.

19 Q Later on did you have another occasion to go back and
20 process the Suburban?

21 A I did, yes.

22 Q Could you tell us a little bit about that?

23 A I returned at a later date to retrieve the seatbelt
24 from the driver's side of the vehicle.

25 Q Okay, and why did you want to retrieve the seatbelt?

1 A For additional trace DNA testing.

2 Q Okay. When you retrieved that seatbelt, what did you
3 do with it?

4 A I -- it was removed from the vehicle, included the
5 strap, the buckle, receiver, and then there was some
6 hardware components that we couldn't separate from the
7 seatbelt itself. I package it, I believe, in a paper bag
8 to transport it back to the lab at SLED. It would have
9 been packaged additionally inside a box at the lab and
10 submitted for testing.

11 Q So, y'all removed the, like, the whole entire
12 seatbelt?

13 A Yes.

14 Q Okay. All right. Agent Worley, State's Exhibit 100,
15 which is a little heavier than you would think for a
16 seatbelt here, can you tell us if that is the seatbelt you
17 collected?

18 A Do you want me to open it?

19 Q Yes.

20 (Break in proceedings.)

21 THE COURT: Ladies and gentlemen, I will have you go
22 to the jury room for a break. Please do not discuss the
23 case.

24 (The jury left the courtroom.)

25 THE COURT: We'll be in recess for 10 minutes.

1 (A break was taken.)

2 (The jury returned to the courtroom.)

3 THE BAILIFF: The jury is present.

4 THE COURT: Thank you.

5 You may proceed.

6 MS. GOUDE: Thank you, Your Honor.

7 BY MS. GOUDE:

8 Q Okay, Agent Worley, we left off with the seatbelt.

9 Were you able to open it up so we can show the jury? Okay.

10 So, if you could tell us what we have there?

11 A It's the entire seatbelt: the strap, the receiver, the
12 buckle.

13 Q Can you kind of stretch it out?

14 A Where it was mounted on the side of the --

15 Q Okay. So, that was all removed and submitted to the
16 lab for testing. Is that right?

17 A Yes, that's right.

18 MS. GOUDE: Your Honor, the State would move State's
19 Exhibit 100 into evidence.

20 THE COURT: What says the defense?

21 MR. HARPOOTLIAN: Your Honor, I thought we agreed to
22 mark these for ID until the person that did the analysis on
23 them testified.

24 THE COURT: It's marked for identification at this
25 time.

1 (SEATBELT MARKED AS STATE'S EXHIBIT NUMBER 100 FOR
2 IDENTIFICATION.)

3 Q Thank you, Agent Worley. All right, if you'll turn
4 your attention to the screen there while I put that
5 seatbelt down. Y'all also in addition to doing a search on
6 the Chevy Suburban, you did a search on the white 250
7 truck. Is that right?

8 A That's right, yes.

9 Q And Item -- excuse me, State's Exhibit 104, were those
10 300 Blackouts found in the truck?

11 A Yes.

12 Q Okay, and do you remember where you collected those
13 from?

14 A I believe the center console.

15 Q And State's Exhibit 103, if you could tell us, is that
16 the 300 Blackouts that we were seeing on the screen there
17 that were collected?

18 A Yes.

19 Q And how do you know those are the Blackouts that were
20 collected?

21 A It's my handwriting on the box with the date and time
22 and initials when I collected it and my initials on the
23 seal tape on the box.

24 MS. GOUDE: Your Honor, the State would move State's
25 Exhibit 103 into evidence.

1 THE COURT: What says the defense?

2 MR. HARPOOTLIAN: What is it?

3 MS. GOUDE: It's the 300 Blackouts that were found in
4 the white F250 that are projected on the screen.

5 MR. HARPOOTLIAN: That's the white 250, Paul truck
6 left on the side of the road?

7 MS. GOUDE: Yes.

8 MR. HARPOOTLIAN: No objection.

9 THE COURT: They're admitted.

10 (AMMUNITION MARKED AS STATE'S EXHIBIT NUMBER 103
11 WAS RECEIVED INTO EVIDENCE.)

12 Q Did y'all also process another vehicle, Maggie
13 Murdaugh's Mercedes?

14 A Yes, we did.

15 Q Were any items of evidentiary value collected from
16 that vehicle?

17 A The only items we collected were two sets of swabs
18 from the interior and two sets of swabs from the exterior
19 door. This is of the driver's door.

20 Q Did you attend the autopsies of Maggie and Paul
21 Murdaugh?

22 A I did.

23 Q Okay, and did you collect any items during the
24 autopsy?

25 A I did.

1 Q And what were those?

2 THE WITNESS: May I refer to my notes?

3 THE COURT: Yes.

4 A There were items that were collected during the
5 autopsy that were transferred to me via chain of custody
6 forms.

7 Q Okay.

8 A From Maggie I got clothes, fingernail clippings,
9 projectile fragments.

10 Q Okay.

11 A From Paul I also got his clothes, fingernail
12 clippings, shotgun pellets, and wadding fragments from left
13 shoulder and head, plastic wadding from left axilla of the
14 arm pit.

15 Q And when you collected those items, what did you do
16 with them?

17 A I transported them to the lab at SLED and sent them to
18 the lab for analysis.

19 Q Okay. Agent Worley, I'm going to show you Items 66
20 through 69, marked State's Exhibits 112, 111, 110, and 107.
21 Are those items you collected from the autopsy?

22 A Yes, items that I took custody of at autopsy.

23 Q And what items are those?

24 A The shotgun pellets, and wadding fragment from left
25 shoulder, and then the plastic wadding from left axilla.

1 Q Would it help you to open that bag up?

2 A And the projectile fragments from Maggie.

3 Q Okay. So, if you'll take those items out one by one.

4 Okay. So, what is that item there?

5 A This is Item 66. Yeah, 66.

6 Q And what is that actually?

7 A That is the projectile fragments that were collected
8 from Maggie at autopsy.

9 Q Okay. How do you know that?

10 A That's how it's labeled.

11 Q Okay.

12 MS. GOUDE: We'll mark items 66 as State's Exhibit
13 112. Okay.

14 Q What else do we have?

15 A The Item 69, plastic wadding from left axilla
16 collected from Paul's autopsy.

17 Q Okay.

18 MS. GOUDE: We'll mark that item as State's Exhibit
19 111.

20 Q Okay.

21 A And then I also have the Item 67, 68, shotgun pellets
22 and wadding fragment from left shoulder and head collected
23 from Paul's autopsy.

24 Q State's Exhibit 110, are those shotgun pellets from
25 Paul's autopsy? Okay. Is there anything else in that bag?

1 A There are two.

2 Q Pardon me?

3 A 67 and 68, the pellets and the wadding fragment.

4 Q Okay. So, the pellets and the wadding fragment are
5 both State's Exhibit 110 from Paul Murdaugh, correct?

6 A Sure.

7 Q Okay, and what else did you collect here? You have
8 got Items 70 and 71.

9 A 70 is the left-hand fingernail clippings from Maggie;
10 71 is the right-hand fingernail clippings from Maggie.

11 Q Okay, and those are marked as State's Exhibit 251.
12 And what is that item?

13 A This is a metal fragment that was collected. It was
14 caught on the dress that I collected from Maggie's autopsy.
15 I collected this metal fragment at the lab at SLED.

16 Q So, you removed that metal fragment from the dress
17 after the autopsy yourself?

18 A Right.

19 Q Okay. We'll mark that as State's Exhibit 109.

20 THE COURT: And you continue to block the view of two
21 jurors.

22 MS. GOUDE: I apologize, Your Honor. I'm sorry.

23 A Item 72 is the left-hand fingernail clippings from
24 Paul's autopsy, and 73 is the right-hand fingernail
25 clippings from Paul's autopsy.

1 Q Okay, marked as State's Exhibit 252. Then State's
2 Exhibit 113, what does that appear to be?

3 A This was a shotgun pellet that I found among Paul's
4 clothing once I got the evidence back to the lab.

5 Q Thank you, and finally we have State's Exhibit 36.

6 A This is Paul's shoes. Do you want me to open it?

7 Q You can open it, and those were the shoes that you did
8 the impression of the footwear to compare to those imprints
9 in the feed room?

10 A Yes, they are.

11 Q Thank you.

12 MS. GOUDE: Your Honor, at this time the State would
13 admit State's Exhibits 36, 113, 252, 109, 251, 107, 110,
14 112, and 111 into evidence.

15 MR. HARPOOTLIAN: Your Honor, may I speak to her for a
16 moment?

17 (Break in proceedings.)

18 MR. HARPOOTLIAN: Your Honor, we have no objection to
19 them being marked for identification, but without the chain
20 being completed we would object to them being admitted into
21 evidence.

22 THE COURT: Which of those exhibits has -- did not
23 have any type of analysis done?

24 MR. HARPOOTLIAN: Your Honor, I suspect they all did,
25 so --

1 MS. GOUDE: Yes, Your Honor. I believe they were all
2 analyzed in some way.

3 THE COURT: Marked for identification.

4 MR. HARPOOTLIAN: Thank you, Your Honor.

5 (SHOES MARKED AS STATE'S EXHIBIT NUMBER 36 FOR
6 IDENTIFICATION.)

7 (METAL FRAGMENTS MARKED AS STATE'S EXHIBIT NUMBER 109
8 FOR IDENTIFICATION.)

9 (PELLETS MARKED AS STATE'S EXHIBIT NUMBER 110 FOR
10 IDENTIFICATION.)

11 (WADDING MARKED AS STATE'S EXHIBIT NUMBER 111 FOR
12 IDENTIFICATION.)

13 (PELLETS/WADDING MARKED AS STATE'S EXHIBIT NUMBER 112
14 FOR IDENTIFICATION.)

15 (PELLETS MARKED AS STATE'S EXHIBIT NUMBER 113 FOR
16 IDENTIFICATION.)

17 (FINGERNAIL CLIPPINGS MARKED AS STATE'S EXHIBIT NUMBER
18 251 FOR IDENTIFICATION.)

19 (FINGERNAIL CLIPPINGS MARKED AS STATE'S EXHIBIT NUMBER
20 252 FOR IDENTIFICATION.)

21 Q Okay. Agent Worley, also in this case -- we just
22 talked about Paul and Maggie's clothing. Did you analyze
23 the defendant's clothes?

24 A I did.

25 Q And I think we said earlier that his clothing was

1 collected from Agent David Owen?

2 A Yes.

3 Q And you received that clothing in your custody and
4 submitted it into the SLED lab?

5 A That's right. I took custody of the clothing before
6 we left the scene.

7 Q So, what kind of testing were you involved in in
8 regards to the defendant's clothing?

9 A We processed the T-shirt and shorts with LCD for
10 presumptive test for blood.

11 Q Now, what is LCD?

12 A Leucocrystal violet is a presumptive test that looks
13 for a hemoglobin component of blood.

14 Q So, what happens when you put it on something?

15 A If it's reacting to the presence of blood, it's a
16 presumptive positive test and it will turn purple.

17 Q Can LCD react to other things beside blood?

18 A It can.

19 Q Like what?

20 A Bleach, rust, I think, are the main ones.

21 Q Okay. All right. So, when you processed the
22 defendant's clothing with the LCD, what did you find?

23 A There were several areas of staining that we had a
24 presumptive positive result, several on the front and a few
25 on the back of the T-shirt.

1 Q And what about the shorts?

2 A The shorts, there were a few on the front and the
3 back.

4 Q So when you got that presumptive test with the LCD,
5 what did you do with the shirt then?

6 A We documented the entire process with photographs,
7 starting from taking it out of the package to -- before we
8 did anything at all with it, took photographs of the front
9 and the back, inside and outside. We -- once we sprayed it
10 with the LCD and saw the stains that we saw on it, we
11 rephotographed it again with a scale -- without a scale
12 first, then with a scale for each stain. Then we laid the
13 shirt flat and labeled each of the stains with a letter,
14 and photographed it again with that letter and a scale in
15 the photograph for each of the stains.

16 Q And you did that for the shirt and for the pants?

17 A Yes.

18 Q Okay, and as far as your analysis goes, after the
19 shirt was processed with the shorts and processed with the
20 LCD, did you do any further analysis?

21 A No, I did not.

22 Q Okay, and now after something has been sprayed with
23 LCD, what happens to that object?

24 A Over time, any area of the object that came in contact
25 with the LCD, the LCD will oxidize and the entire thing

1 would be purple.

2 Q So, like right now if you sprayed this paper with LCD
3 and it didn't turn, like, purplish/blue, would it
4 eventually turn purplish/blue even though there's no blood
5 on this paper?

6 A Yes.

7 Q All right. Let's move ahead to the search of Moselle.
8 Was that property eventually searched by yourself and other
9 agents?

10 A It was.

11 Q And when did that occur?

12 A September 13, 2021.

13 Q And that was several months after the murders took
14 place in June?

15 A That's right.

16 Q And what parts of the area or the residence were
17 searched?

18 A We searched the entire residence. The main focus was
19 the gun room on the first floor.

20 Q So could you kind of, I guess, describe the property
21 and the areas that were searched?

22 A It was the main residence, and then also there was a
23 cabin closer to the kennels that faced Moselle Road, and
24 then also the workshop that was located near the kennels.

25 Q And is the residence a fairly large residence?

1 A It is.

2 Q And you searched the entire residence?

3 A Yes.

4 Q And you mentioned the focus was on a gun room?

5 A Yes.

6 Q Where was that located in the residence?

7 A It's on the first floor.

8 Q Did you find any items of interest in the gun room
9 when you searched it?

10 A We did collect several items from the gun room.

11 Q Was the workshop area of the residence searched out
12 near the kennels?

13 A Yes. Near the kennels, yes.

14 Q Agent Worley, I'm going to show you State's
15 Exhibits 124, 123, 122, 121, 120, 119, 118, 117, and 116.
16 Could you tell me if those are pictures taken during
17 y'all's search that day?

18 A Yes.

19 Q Are those a true and accurate depiction of the search
20 of the residence of Moselle and the workshop area?

21 A Yes, they are.

22 MS. GOUDE: Your Honor, at this time I would offer
23 State's Exhibits 124, 123, 122, 121, 120, 119, 118, 117,
24 and 116 into evidence.

25 THE COURT: What says the defense?

1 MR. HARPOOTLIAN: No objection, Your Honor.

2 THE COURT: They're admitted.

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 116 WAS
4 RECEIVED INTO EVIDENCE.)

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 117 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 118 WAS
8 RECEIVED INTO EVIDENCE.)

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 119 WAS
10 RECEIVED INTO EVIDENCE.)

11 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 120 WAS
12 RECEIVED INTO EVIDENCE.)

13 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 121 WAS
14 RECEIVED INTO EVIDENCE.)

15 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 122 WAS
16 RECEIVED INTO EVIDENCE.)

17 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 123 WAS
18 RECEIVED INTO EVIDENCE.)

19 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 124 WAS
20 RECEIVED INTO EVIDENCE.)

21 Q Agent Worley, is State's Exhibit 116 a picture of the
22 gun room there?

23 A Yes, it is.

24 Q And State's Exhibit 117?

25 A Yes.

1 Q It appears to have a pool table and a little workout
2 bike in there?

3 A That's right.

4 Q And do you recall whether this door in the picture
5 exits to the outside of the house?

6 A Yes, it does.

7 Q State's 118, is that the gun rack in that room?

8 A Yes, it is.

9 Q Now, when y'all did this search on -- in September,
10 were any of those guns collected that day?

11 A No.

12 Q So, these are additional guns to the guns that had
13 already been collected by SLED agents?

14 A That's right.

15 Q Was there a lot of ammunition in that room?

16 A There was.

17 Q Okay. How about State's 119? Is that a box of
18 ammunition?

19 A Yes, it is.

20 Q Mixed ammunition?

21 A Right.

22 Q In fact, was there -- this whole bookcase we're
23 looking at over here, was that just full of ammunition?

24 A Yes.

25 Q An ammunition bookcase?

1 A Yes.

2 Q State's Exhibit 120?

3 A That was also on that bookshelf.

4 Q State's Exhibit 121?

5 A Yes.

6 Q That is 300 Blackout ammunition from this box?

7 A That's right.

8 Q In the bookcase?

9 A Yes.

10 Q And you -- was some of this ammunition collected?

11 A It was.

12 Q And you said y'all also searched the work shed or
13 hangar out near the kennels?

14 A Yes.

15 Q State's Exhibit 122, is that ammunition that was found
16 in the workshop?

17 A Yes. It was in the red bin on the work bench.

18 Q Okay, and we see ammunition in a little -- like a wire
19 tub and then in this tray?

20 A Yes.

21 Q Specifically in Exhibit 123, what types of ammunition
22 was some of the ammunition that was located?

23 A It was one unfired cartridge head stamped Barnes 300
24 BLK -- it's the one on the left -- and then the four
25 unfired shot shells head stamped 12 gauge Federal.

1 Q And Item 124?

2 A Those were the boxes of 300 Blackout ammunition,
3 photograph.

4 Q And you said y'all collected some of those for
5 evidence purposes?

6 A Not in this one.

7 Q But some of the ammunition that y'all found was
8 collected for evidence purposes. Is that correct?

9 A Yes.

10 MS. GOUDE: Beg the Court's indulgence, Your Honor.

11 THE COURT: Let's stand again while we're in
12 indulgence.

13 (Break in proceedings.)

14 Q Agent Worley, if you could take a look at these items
15 and tell us whether these were collected by you that day?
16 This was some of that ammunition we were just speaking
17 about.

18 A You want me to answer that?

19 Q Yeah.

20 A Yes. These were all collected the day we did that
21 search.

22 Q Okay, and where were they collected from?

23 A From the desk in the living room was the cabin that
24 faced Moselle Road. One cartridge from the Winchester box
25 on the shelf in the gun room head stamped Barnes 300 BLK.

1 One cartridge collected from desk in the living room of the
2 cabin. One cartridge head stamped S&B AAC 300 BLK from the
3 desk in the living room of the cabin. One cartridge
4 collected from the desk in the living room head stamped
5 Barnes 300 BLK. One cartridge from desk in the living room
6 head stamped Hornady 300 BLK in the cabin. One cartridge
7 collected from Winchester box on bookshelf in gun room head
8 stamped S&B 300 AAC BLK. One cartridge from Winchester box
9 on bookshelf in gun room head stamped S&B AAC 300 BLK. One
10 cartridge head stamped S&B AAC 300 BLK from bookcase in the
11 gun room. One cartridge from Winchester box from bookshelf
12 in gun room head stamped S&B AAC 300 BLK. One cartridge
13 from the Winchester box on the bookshelf in gun room head
14 stamped S&B AAC 300 BLK. One cartridge from Winchester box
15 on bookshelf in gun room head stamped S&B AAC 300 BLK. One
16 cartridge from Winchester box on bookshelf in the gun room
17 head stamped S&B AAC 300 BLK. And one cartridge case head
18 stamped S&B AAC 300 BLK from the bookcase in the gun room.

19 MS. GOUDE: And all of those items, Items 147 through
20 161, which would be State's 128, 129, 130, 131, 132, 133,
21 139, 138, 137, 136, 135, 134, 140, 141, and 142, the State
22 would move into evidence at this time.

23 MR. HARPOOTLIAN: No objection, Your Honor.

24 THE COURT: Admitted without objection.

25 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 128

1 WAS RECEIVED INTO EVIDENCE.)

2 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 129
3 WAS RECEIVED INTO EVIDENCE.)

4 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 130
5 WAS RECEIVED INTO EVIDENCE.)

6 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 131
7 WAS RECEIVED INTO EVIDENCE.)

8 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 132
9 WAS RECEIVED INTO EVIDENCE.)

10 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 133
11 WAS RECEIVED INTO EVIDENCE.)

12 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 134
13 WAS RECEIVED INTO EVIDENCE.)

14 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 135
15 WAS RECEIVED INTO EVIDENCE.)

16 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 136
17 WAS RECEIVED INTO EVIDENCE.)

18 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 137
19 WAS RECEIVED INTO EVIDENCE.)

20 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 138
21 WAS RECEIVED INTO EVIDENCE.)

22 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 139
23 WAS RECEIVED INTO EVIDENCE.)

24 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 140
25 WAS RECEIVED INTO EVIDENCE.)

1 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 141
2 WAS RECEIVED INTO EVIDENCE.)

3 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 142
4 WAS RECEIVED INTO EVIDENCE.)

5 Q And we have some additional cases that were found.

6 A One unfired shot shell from estate box on bookshelf in
7 gun room head stamped Winchester 12 gauge.

8 Q That will be State's 149.

9 A And one unfired shot shell head stamped 12 gauge
10 Federal from red bin on workshop bench.

11 Q State's 150.

12 A One unfired shot shell head stamped 12 gauge Federal
13 from the red bin on workshop bench.

14 Q That will be State's 148.

15 A One unfired shot shell from nightstand in Paul's
16 bedroom head stamped Winchester 12 gauge.

17 Q State's 147.

18 A One unfired shot shell from tin box on bookshelf in
19 gun room head stamped Winchester 12 gauge.

20 Q That will be 146.

21 A One unfired shot shell from estate box on the
22 bookshelf in gun room head stamped Winchester 12 gauge.

23 Q That's 145.

24 A One unfired shot shell head stamped 12 gauge Federal
25 from the red bin on the workshop bench.

1 Q That will be State's 144.

2 A And another unfired shot shell head stamped 12 gauge
3 Federal from the red bin on the workshop bench.

4 Q That would be State's 143.

5 MS. GOUDE: Your Honor, the State would move these
6 items -- exhibits into evidence at this time.

7 THE COURT: Any objection?

8 MR. HARPOOTLIAN: No objection, Your Honor.

9 THE COURT: They're admitted without objection.

10 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 143 WAS
11 RECEIVED INTO EVIDENCE.)

12 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 144 WAS
13 RECEIVED INTO EVIDENCE.)

14 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 145 WAS
15 RECEIVED INTO EVIDENCE.)

16 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 146 WAS
17 RECEIVED INTO EVIDENCE.)

18 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 147 WAS
19 RECEIVED INTO EVIDENCE.)

20 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 148 WAS
21 RECEIVED INTO EVIDENCE.)

22 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 149 WAS
23 RECEIVED INTO EVIDENCE.)

24 (SHOT SHELL MARKED AS STATE'S EXHIBIT NUMBER 150 WAS
25 RECEIVED INTO EVIDENCE.)

1 Q Okay. What else do we have there, Agent Worley?

2 A One cartridge case head stamped S&B 300 BLK from the
3 Sanguineum bag in the gun room.

4 Q So, this State's 126 is from the gun room? Okay.

5 A One cartridge case head stamped Hornady 300 BLK
6 collected from black Ford F150 under the driver's seat.

7 Q That's going to be State's 127.

8 MS. GOUDE: The State would move State's 126 and 127
9 into evidence.

10 MR. HARPOOTLIAN: Which one is this did you say?

11 MS. GOUDE: State's Exhibit 126, one 300 -- S&B 300
12 Blackout, and 127 is a Hornady 300 Blackout.

13 MR. HARPOOTLIAN: Those came from the inside of the
14 house, correct?

15 MS. GOUDE: State's 127 is from the black Ford F150
16 under the driver's seat from the search -- we'll let Agent
17 Worley testify here.

18 A That same search that day.

19 MR. HARPOOTLIAN: But that would be not Paul's car,
20 not Alex's car. I don't quite -- Your Honor, I object on
21 the basis of relevance. I don't know why it's a bullet
22 from somebody's car that's not involved in this.

23 THE COURT: All right. Well, admitted over objection.

24 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 126
25 WAS RECEIVED INTO EVIDENCE.)

1 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 127
2 WAS RECEIVED INTO EVIDENCE.)

3 Q Okay. What other exhibits do we have there?

4 A These are magazines containing ammunition. One of
5 them contains 300 Blackout ammunition collected from the
6 shelf in the gun room, and then the other one is a magazine
7 containing cartridges, 300 Blackout cartridges collected
8 from the black Ford F150.

9 Q Okay. So, this -- those items collected from the
10 black F150, that truck was searched that day, too.

11 A It was, yes.

12 Q And where was that truck at?

13 A If I remember correctly, it was in front of the
14 residence.

15 Q It was a truck that was on the property?

16 A Yes, it was on the property.

17 Q Was it on the property the night of the murders?

18 A It might have been the one that was parked off away
19 from the workshop.

20 Q Do you know why that truck was searched that day?

21 A It was on the property and the search warrant included
22 vehicles.

23 Q Okay, and those items were found inside that vehicle?

24 A Yes, one of these was.

25 Q Okay, and what is the other one?

1 A That's from the shelf in the gun room.

2 Q Okay.

3 A That's the one from the gun room.

4 Q Okay. State's Exhibit 152, what did you say that was?

5 A A magazine containing 300 Blackout ammunition
6 collected from the shelf in the gun room.

7 Q Okay.

8 MS. GOUDE: The State would move State's 152 into
9 evidence.

10 MR. HARPOOTLIAN: No objection.

11 THE COURT: It's admitted.

12 (AMMO MARKED AS STATE'S EXHIBIT NUMBER 152 WAS
13 RECEIVED INTO EVIDENCE.)

14 (CARTRIDGE CASE MARKED AS STATE'S EXHIBIT NUMBER 258
15 FOR IDENTIFICATION.)

16 Q And then we had State's 258. What was that?

17 A Cartridges collected from the workshop bench head
18 stamped Barnes 300 BLK.

19 Q Okay. Did you collect any other items that day when
20 the property was searched?

21 A I don't believe so.

22 Q Okay. All right. Let's go back a little bit in your
23 testimony when you were referring to the 300 Blackout that
24 you collected from Agent McCallister. If you wouldn't mind
25 looking back at your notes, I believe you testified that

1 that was Item 34, but that was actually Item 33 is the
2 Palmetto State Armory PSAPA 15 multi rifle with a night
3 scope.

4 A Yes.

5 Q That is item 33, the gun.

6 A I have that the night vision scope was 33.

7 Q I believe if you'll look closely, you'll see where the
8 gun with the night vision scope --

9 A Oh, yeah. It's the gun with the scope on it, yes.

10 Q Is that correct?

11 A That's correct.

12 Q The gun with the night vision scope being Item 33.

13 A Right.

14 Q And then to clarify, Item 34 would be the one 30 round
15 magazine containing the multiple S&B 300 Blackout
16 cartridges. Is that right?

17 A Right. It was separated from the gun when I took
18 custody of it, so I log them in as separate items.

19 Q All right, but you did collect those from the house.

20 A Right.

21 Q All right, and then also going back to the scene, you
22 mentioned a projectile that was found near a tire
23 impression?

24 A Yes. When we were setting up to take examination
25 quality photographs of the tire impressions at Marker 8, we

1 located another fired projectile just lying on the ground.

2 Q I'm going to show you State's Exhibit 250. If you'll
3 take a look at that? Could you tell us what that is?

4 A This is that projectile near the tire impressions.

5 MS. GOUDE: Your Honor, the State would move State's
6 Exhibit 250 into evidence.

7 MR. HARPOOTLIAN: No objection.

8 MS. GOUDE: Admitted without objection.

9 (PROJECTILE MARKED AS STATE'S EXHIBIT NUMBER 250 WAS
10 RECEIVED INTO EVIDENCE.)

11 MS. GOUDE: Your Honor, I believe that is finally all
12 we have for -- excuse me, Your Honor.

13 (Break in proceedings.)

14 Q Agent Worley, I'll have you take a look --

15 MS. GOUDE: And mark this as a State's exhibit.

16 Q Do you recall collecting the shotgun from Officer
17 Green?

18 A Yes.

19 Q Or Sergeant Greene. When you collected that gun, did
20 you swab it?

21 A I did.

22 Q I'm going to hand you State's Exhibit 259. If you
23 could tell us what that exhibit is?

24 A There was -- I took two swabs of suspected blood from
25 the side of the shotgun, and two swabs from the muzzle end

1 of the barrel of the shotgun, and that was as a precaution.
2 When I was unloading the weapon, the 16 gauge shot shell
3 got logged in the barrel, and before I placed one of my own
4 dowel rods down the barrel to push it back out, I swabbed
5 the muzzle of the barrel just in case.

6 Q You swabbed it just in case why?

7 A I didn't want to contaminate any -- if there was
8 potential evidence at the bottom of the barrel or in the
9 muzzle end of the barrel before I placed my dowel rod in
10 that end of the barrel.

11 Q And the other swab, did it appear that there was
12 visible blood on that gun?

13 A Yes. Suspected blood, yes.

14 Q And what did you do with those swabs once they were
15 collected?

16 A I packaged them in the envelopes, sealed them, and
17 transported them to the lab.

18 MS. GOUDE: Your Honor, at this time the State would
19 move State's Exhibit 259 into evidence.

20 MR. HARPOOTLIAN: No objection.

21 THE COURT: It's admitted.

22 (SWABS MARKED AS STATE'S EXHIBIT NUMBER 259 WERE
23 RECEIVED INTO EVIDENCE.)

24 MS. GOUDE: Court's indulgence, Your Honor.

25 (Break in proceedings.)

1 Q Agent Worley, did you collect some additional items
2 from Agent Croft? I'm going to have you take a look at
3 State's Exhibit 260.

4 A I believe those are the ones I took custody of from
5 Katie McCallister.

6 Q From Katie McCallister.

7 A Uh-huh.

8 MS. GOUDE: We'll mark State's Exhibit 260 for
9 identification purposes only. It's cartridge cases that
10 Agent Worley took custody of from Katie McCallister. And
11 then also these items 40 through 44, which would be State's
12 Exhibit 212, 254, 255, 256, and 257 for identification
13 purposes only.

14 A Yes.

15 Q And what are those?

16 A These are the other items I took custody of from Katie
17 McCallister.

18 Q So, items collected from Katie McCallister you took
19 custody of?

20 A Right.

21 Q Okay.

22 MS. GOUDE: Your Honor, the State would offer Exhibits
23 260, 212, 254, 255, 256 and 257 for identification purposes
24 only.

25 MR. HARPOOTLIAN: I'm not quite sure what they are.

1 (Break in proceedings.)

2 MR. HARPOOTLIAN: No objection for identification,
3 Your Honor.

4 THE COURT: They're admitted for identification
5 purposes.

6 (UNFIRED AMMO MARKED AS STATE'S EXHIBIT NUMBER 212 FOR
7 IDENTIFICATION.)

8 (UNFIRED AMMO MARKED AS STATE'S EXHIBIT NUMBER 254 FOR
9 IDENTIFICATION.)

10 (SHOTGUN SHELL MARKED AS STATE'S EXHIBIT NUMBER 255
11 FOR IDENTIFICATION.)

12 (SHOTGUN SHELL MARKED AS STATE'S EXHIBIT NUMBER 256
13 FOR IDENTIFICATION.)

14 (SHOTGUN SHELL MARKED AS STATE'S EXHIBIT NUMBER 257
15 FOR IDENTIFICATION.)

16 (SHOTGUN SHELL MARKED AS STATE'S EXHIBIT NUMBER 260
17 FOR IDENTIFICATION.)

18 Q Okay, Agent Worley, one more thing. State's Exhibit
19 261 for identification purposes only. Can you tell us if
20 these are items that you received into your custody?

21 A Yes, they are.

22 Q Okay. How do you know that?

23 A It's my handwriting on this outer packaging.

24 Q So, there are quite a lot of items in there that you
25 received from -- is it Agent Croft or Agent McCallister?

1 A These, I believe, are the ones I took custody from
2 Lieutenant Todd Schenk.

3 Q But those are items that you took custody of.

4 A That's right. I logged them into the lab. I didn't
5 collect them myself. I got them via chain of custody and
6 then I logged them into the lab.

7 MS. GOUDE: And that's State's Exhibit 261 for
8 identification purposes only. Any objection?

9 MR. HARPOOTLIAN: Identification only?

10 MS. GOUDE: Yes.

11 MR. HARPOOTLIAN: Yeah, no objection.

12 THE COURT: They'll be marked for identification.

13 (COLLECTION OF SHELL CASINGS MARKED AS STATE'S EXHIBIT
14 NUMBER 261 FOR IDENTIFICATION.)

15 MS. GOUDE: Your Honor, Court's indulgence just one
16 moment, Your Honor. I think we're about through.

17 (Break in proceedings.)

18 MS. GOUDE: Thank you, Agent Worley. Please answer
19 any questions from the defense.

20 THE COURT: Cross-examination.

21 MR. HARPOOTLIAN: Your Honor, may we approach?

22 THE COURT: To tell me what?

23 MR. HARPOOTLIAN: Well, I can say it right here. My
24 cross-examination of this witness will take several hours
25 and if we begin this afternoon, I'm afraid Monday morning

1 I'm going to go through everything that I went through
2 today and ensure there's some continuity there, no offense
3 to the jury. I'm not sure that I'll remember what I did
4 today on Monday. So, I would ask you if we could go ahead
5 and take our weekend break today.

6 THE COURT: All right, ladies and gentlemen, we will
7 recess for the weekend and resume at 9:30 Monday morning.
8 Please do not discuss the case.

9 (The jury left the courtroom.)

10 THE COURT: We are in recess.

11 MR. WATERS: Thank you, Your Honor.

12 THE COURT: 9:30 Monday morning.

13 (Whereupon, the case was at ease.)

14 *MONDAY, JANUARY 30, 2023*

15 (Court resumed at 9:30 a.m.)

16 THE COURT: Anything before we proceed?

17 MR. WATERS: Nothing from the State, Your Honor.

18 MR. HARPOOTLIAN: Nothing from the defense, Your
19 Honor.

20 THE COURT: All right. If we may have our witness
21 back.

22 (The jury returned to the courtroom.)

23 THE COURT: Good morning.

24 (The jury responded good morning.)

25 THE COURT: Welcome back, ladies and gentlemen, to day

1 number six. Has anyone attempted to contact or talk with
2 you, or anyone?

3 (All jurors said no.)

4 THE COURT: Very good.

5 Cross-examination begins. Mr. Harpootlian.

6 MR. HARPOOTLIAN: Please the Court, Your Honor?

7 THE COURT: Yes, sir.

8 MR. HARPOOTLIAN: Beg the Court's indulgence one
9 moment.

10 (Break in proceedings.)

11 MR. HARPOOTLIAN: Good morning.

12 (The jury responded good morning.)

13 The witness, MELINDA WORLEY, remained under oath and
14 testified as follows:

15 CROSS-EXAMINATION

16 BY MR. HARPOOTLIAN:

17 Q So, get organized here. I'm calling you Ms. Worley.

18 Do you have a rank?

19 A I'm a senior criminalist.

20 Q But not lieutenant or captain. Senior?

21 A Criminalist.

22 Q What is a criminalist?

23 A I'm in the lab basically.

24 Q I'm sorry?

25 A I'm based in the lab, the forensic lab.

1 Q But you went out to this crime scene?

2 A I did.

3 Q Do you normally go out to crime scenes?

4 A At that time, yes. I was a special agent.

5 Q You were a what?

6 A I was a special agent at the time that I worked this
7 case.

8 Q Okay, and a special agent is -- what's so special
9 about the special agent?

10 A That's what SLED agents are referred to as.

11 Q Okay.

12 MR. HARPOOTLIAN: Beg the Court's indulgence one
13 moment.

14 (Break in proceedings.)

15 Q So, let's talk a little bit about what you did on this
16 case, and I'm try not to repeat a lot of testimony from our
17 scintillating Friday afternoon together. When did you
18 first go to the scene?

19 A I responded as soon as I got the phone call at
20 10:33 p.m. I got on the road from my house within 30
21 minutes and arrived on scene at 12:07 a.m.

22 Q 12:07 a.m.?

23 A Yes, sir.

24 Q Now when you got there, the Colleton County Sheriff's
25 Department, were they supposed to process the scene?

1 A No.

2 Q What they were supposed to do?

3 A Secure it.

4 Q Secure it so nobody could walk over things and nobody
5 could in any way disturb trace evidence, forensic evidence.
6 Isn't that correct?

7 A Yes, sir.

8 Q Now when you got there, did you determine they had
9 done more than just secure the scene?

10 A They marked some evidence that they found before we
11 got there.

12 Q And you also found, for instance, that -- we've shown
13 you videos that they actually -- some of them, or at least
14 one of them, if not two of them, walked into the feed room
15 where with Paul was killed, correct?

16 A Someone did to place Marker 1.

17 Q I'm sorry?

18 A Someone had walked in there to place Marker 1.

19 Q And matter of fact, when you did your footwear
20 placement impression examination, you found that there was
21 a bloody footprint caused by one of the officers. Isn't
22 that right?

23 A After we had started processing the scene, yes.

24 Q Yes, but, I mean, one of the bloody footprints in that
25 feed room was not Paul, not the perpetrator. It was a

1 police officer.

2 A Yes.

3 Q Probably a Colleton County police officer.

4 A I don't know that for sure.

5 Q Who else could it be?

6 A It could have been one of us from SLED.

7 Q One of yours?

8 A I don't think it was mine, but it could be been from
9 SLED. I don't know.

10 Q Could have been SLED, could have been Colleton County,
11 could have been the coroner.

12 A Sure.

13 Q But, I mean -- and in your business there are rules
14 about who should be walking through crime scenes, right?

15 A Preferably as few people as possible. If you don't
16 need to be in there, then you shouldn't be in there.

17 Q And when they, like, went around and pulled the sheet
18 up, they were walking in an area where most likely the
19 perpetrator had walked, correct?

20 A Possibly, yes.

21 Q I mean, that's right outside of the feed room.

22 A Right.

23 Q And those shells casings that were near, or some of
24 them were near, some of them from further away from
25 Maggie's body. Walking in the dark likens -- like --

1 increases the probability that some trace evidence has been
2 disturbed or destroyed.

3 A It was probably why they went ahead and marked
4 evidence before we got there because they found it and went
5 ahead and marked it so it wouldn't be disturbed.

6 Q But couldn't they have stood back and said there are
7 shell casings in there so when you got there, you would
8 have been -- maybe you even would have waited until the
9 next morning when you had some light, right?

10 A No. We would have started like we did: as soon as we
11 got on the scene.

12 Q Okay. Well, you did some measurements.

13 A Yes.

14 Q And those measurements are recorded on a sketch you
15 did.

16 A Yes.

17 Q Not to scale.

18 A Right.

19 Q And --

20 MR. HARPOOTLIAN: Make sure. Yeah -- yeah, that's my
21 stuff.

22 (Break in proceedings.)

23 Q So, let's look at.

24 (Break in proceedings.)

25 THE COURT: Mr. Harpootlian, do you need more time

1 before proceeding?

2 MR. HARPOOTLIAN: Well, I'm just trying to --

3 THE COURT: Do you need more time?

4 MR. HARPOOTLIAN: No, sir, I'm ready. Let me see if
5 she can identify this.

6 Q Can you tell me what that is, please?

7 A This is my final crime scene diagram.

8 Q Okay, and you did it.

9 A I did.

10 Q You can identify it.

11 A Yes.

12 MR. HARPOOTLIAN: Your Honor, we would offer this
13 document into evidence, please. It's her crime scene --

14 THE COURT: What number would that be for the defense?

15 MR. HARPOOTLIAN: 4.

16 THE COURT: Any objection?

17 MS. GOUDE: No, Your Honor.

18 THE COURT: It's admitted without objection.

19 (DIAGRAM MARKED AS DEFENDANT'S EXHIBIT NUMBER 4 WAS
20 RECEIVED INTO EVIDENCE.)

21 MR. HARPOOTLIAN: So, can you put Worley Number 1 up,
22 please?

23 Q And you can see that on your screen?

24 A Yes, sir.

25 Q And that is what I just showed you, right?

1 A Yes, sir.

2 Q And -- but what's important to note at the outset is
3 this is not to scale, correct?

4 A We never do our diagrams to scale, no.

5 Q Okay, but it does tell us some things.

6 A Yes.

7 Q You found a projectile that went through the dog
8 house.

9 A That's right.

10 Q And you found a projectile that went through the small
11 animal cage.

12 A We didn't locate that projectile, but --

13 Q But you had an entrance and exit wound.

14 A Yeah, that's right.

15 Q And -- now, these yellow items over here near Maggie's
16 body, those represent Blackout ejected shells?

17 A Yes. Those are the evidence markers marking 300
18 Blackout.

19 Q Okay, and did you take measurements of where those
20 were compared to anything else? And, for instance, we see
21 a 23.9 between this post and that post. Did you do
22 anything like that for the projectiles?

23 A I don't believe I did the dog house because it was
24 inside the bedding of the dog house.

25 Q I'm sorry, what now?

1 A We didn't measure the projectile that was in the dog
2 house.

3 Q No. I'm talking about these yellow --

4 A Yes.

5 Q Okay. Did you measure where they were?

6 A Yes, I did.

7 Q And there are measurements somewhere?

8 A I believe on the second page.

9 Q Pardon me?

10 A The second page of my diagram, it should be one of
11 those.

12 Q Okay. Let me go to page 2. Do you have your report
13 with you?

14 A I do.

15 Q Do you have that page 2? I want to make sure I'm
16 referring to the right one. Page 2 of 8, right?

17 A Yes.

18 Q When it says you measured them RP1, RP2, what does
19 that mean?

20 A Reference point. This corner of the feed room was
21 reference point 1, this column was reference 2, and this
22 column was reference point 3.

23 Q Can you find page 2 for me, please?

24 (Break in proceedings.)

25 Q Let me give you yours back and ask you --

1 MR. HARPOOTLIAN: What did I do with it? Here it is.

2 Q Is that what we were just looking at?

3 A Yes.

4 Q And are these your calculations?

5 A They are.

6 Q And this is what you recorded?

7 A Yes.

8 MR. HARPOOTLIAN: Any objection?

9 MS. GOUDE: No.

10 MR. HARPOOTLIAN: I'm sorry?

11 MS. GOUDE: No objection.

12 MR. HARPOOTLIAN: No objection. Okay. Your Honor, I
13 would like to offer this into evidence. I think it's
14 Defense 5.

15 THE COURT: It's admitted.

16 (MEASUREMENTS MARKED AS DEFENDANT'S EXHIBIT NUMBER 5
17 WAS RECEIVED INTO EVIDENCE.)

18 Q We'll go back again and look at that again in a
19 minute. And so --

20 MR. HARPOOTLIAN: Could I have Worley Number 1 up
21 again, please?

22 Q Okay. So, you located these shell casings, right?

23 A Right.

24 Q You did measurements of how far the small animal cage
25 was from a reference point?

1 A Yes.

2 Q And how far did you -- what was the reference point
3 for the dog house?

4 A I'm not sure that I measured the dog house to a
5 reference point.

6 Q You did not measure the dog house?

7 A I don't think so.

8 Q Okay. So, let's get a little more --

9 MR. HARPOOTLIAN: Could you put K&W 1644 up, please?
10 Let me show this to her. I'm sorry, I'm getting this out
11 of whack.

12 Q Can you tell me what this is a photo of?

13 A It's the dog house.

14 Q Well, and I'll -- but did you make this or was this
15 done under your supervision?

16 A Yes.

17 MR. HARPOOTLIAN: Your Honor, we'd offer this into
18 evidence.

19 MS. GOUDE: No objection.

20 MR. HARPOOTLIAN: Number 6.

21 THE COURT: It's admitted.

22 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 6 WAS
23 RECEIVED INTO EVIDENCE.)

24 Q Now, hold on one second. So to give the jury some
25 sense of your -- I'm not saying your sketch is bad but it's

1 not to scale, though, and to give them some idea of the
2 layout, this is the dog house, correct?

3 A Yes, that's right.

4 Q This is the -- what you call the small animal cage
5 right here?

6 A Right.

7 Q And that's off the ground.

8 A It has legs, yes.

9 Q Legs, right. The dog house has got, like, a couple of
10 two by fours on it so it's not laying directly on the
11 ground, correct?

12 A Yes, that's right.

13 Q And then if we look over to the right, that would be
14 the door to the feed room where Paul was shot and killed.

15 A That's right.

16 Q Right?

17 A Yes.

18 Q So we are all singing from the same sheet of music
19 here, there's the small animal -- I want to call it quail
20 but it's not -- is it quail? Quail, they apparently kept
21 quail in there. And then there's the dog house, and then
22 there's the door to the feed room. Did you do any
23 measurements, or can you give us any -- if you're standing
24 at the quail pen right over here and you're looking at a
25 90-degree angle, that is out in front of you. Am I right

1 on that, 90 degrees?

2 A Right.

3 Q Are you looking at the door to the feed room, or is it
4 to the right or the left? Well, let me ask you this. Do
5 you take any measurements?

6 A Not directly from the cage to the door, no.

7 Q Can you tell me whether -- what -- is it a 10 degree
8 this way, 10 degree that way?

9 A I mean, I would have to look at the photographs, if
10 any of the photographs show from the door to that animal
11 cage or the animal cage to the door, and see if it was at
12 an angle or not, but --

13 Q But you didn't take any measurements when -- and when
14 were you on the scene doing these measurements?

15 A My initial measurements were the night of the
16 incident, and then that picture was taken July 16th when we
17 went back to take additional measurements.

18 Q After July 16th, you generated the sketch we saw a
19 moment ago.

20 A No. I think I did this before we went back to the
21 scene on the 16th.

22 Q So, nothing changed in your sketch?

23 A No.

24 Q And to your knowledge, you never took any sort of
25 directional -- directional examination of the reference

1 points, for instance, the dog pen and the door to the feed
2 room, or from the quail cage to the door of the feed room,
3 correct?

4 A That's right.

5 Q Okay. Now, do you know what -- hold on a second.

6 MR. HARPOOTLIAN: Do we have FARO?

7 Q What's FARO? Tell the jury what FARO is.

8 A FARO is a 3D laser scanner that we use to document
9 scenes in case --

10 Q And did you use a FARO scanner on this scene?

11 A On the July 16th we did. We couldn't the night of the
12 incident because it was raining.

13 Q So, tell us how one scans for a FARO -- and by the
14 way, is the end result of that FARO process a three
15 dimensional view of the scene?

16 A Yes, that's right.

17 Q And so if -- you can manipulate it, turn it, examine
18 it in any direction you want, correct?

19 A Yes.

20 Q And you had that done in this case.

21 A Yes.

22 Q I did not hear the Attorney General ask you about it
23 in your direct. Was it brought here to the courtroom?

24 A I believe it's here, yes.

25 Q It's here. Okay. Well, I have a copy of what you

1 furnished to us.

2 MR. HARPOOTLIAN: Any objection to this coming into
3 evidence?

4 MS. GOUDE: No objection.

5 THE COURT: It's admitted without objection.

6 (FARO DVD MARKED AS DEFENDANT'S EXHIBIT NUMBER FOR 7
7 WAS RECEIVED INTO EVIDENCE.)

8 MR. HARPOOTLIAN: Can you play that for me? Wait one
9 second.

10 Q Does FARO stand for something, or is it a brand name
11 like Coca Cola or Xerox or --

12 A It's a brand name. I think it does stand for
13 something, I'm not sure what. We just always call it a
14 FARO.

15 Q But it's a brand. When somebody says FARO, it's
16 not -- there is a specific commercial produced called FARO
17 that law enforcement uses and other folks use, too, right?

18 A Yes.

19 MR. HARPOOTLIAN: How about play that for me, and I
20 may stop it from time to time.

21 MR. WATERS: I believe a juror raised his hand, Your
22 Honor.

23 THE COURT: Yes.

24 THE JUROR: May I ask for that box to be moved to a
25 lower location so I can see that screen?

1 MR. HARPOOTLIAN: Yeah, I apologize.

2 Okay, start it and then stop it. Go ahead. Now, stop
3 it briefly.

4 Q Is this a drone video?

5 A No. It's created by the FARO software.

6 Q Created by the FARO software.

7 A Right.

8 Q Okay.

9 MR. HARPOOTLIAN: Go ahead.

10 (The video continued to play.)

11 MR. HARPOOTLIAN: Stop it again.

12 Q That would be -- right down here, that would be the
13 dog house, right?

14 A Right.

15 Q Okay.

16 MR. HARPOOTLIAN: Keep going.

17 (The video continued to play.)

18 MR. HARPOOTLIAN: Okay. Stop right there.

19 Q Now, we're seeing the inside of -- what is this room
20 called?

21 A I refer to it as a workshop.

22 Q Okay, and the bullet that went into the quail cage
23 went through the quail cage and came out of this wall,
24 right?

25 A That's right.

1 Q Okay.

2 MR. HARPOOTLIAN: Go ahead.

3 (The video continued to play.)

4 Q Again --

5 MR. HARPOOTLIAN: Stop one second. Make sure I look
6 this straight on.

7 Q And the quality of this isn't very good. Why is that?

8 A I'm not really sure.

9 Q But, I mean, isn't there a final product you get from
10 this?

11 A I'm not sure if there's something more final than -- I
12 don't do the rendering of the software, so I'm not sure if
13 there's something more than that.

14 MR. HARPOOTLIAN: Keep going.

15 (The video continued to play.)

16 MR. HARPOOTLIAN: Okay. Stop.

17 Q That's the quail cage right over here, correct?

18 A That's right.

19 Q Right here. Okay.

20 MR. HARPOOTLIAN: Go ahead.

21 (The video continued to play.)

22 Q That would be the dog house?

23 A Yes.

24 Q Okay.

25 MR. HARPOOTLIAN: Let's keep going.

1 (The video continued to play.)

2 MR. HARPOOTLIAN: Stop it, please.

3 Q Now, the bullet hole into the dog house is on the side
4 facing this greenery, or is it on this side over here?

5 A It's on the other side.

6 Q On the other side. So, there's a bullet hole that
7 comes in here on this side?

8 A Right. The kennel side, yes.

9 Q The what now?

10 A The side that the kennels are on.

11 Q No. The kennel is back this way, right?

12 A Yeah, but it's on that -- you're looking at the front
13 of the dog house.

14 Q Okay. Right, right, right. So, it's coming in here.

15 A Yes.

16 Q And where is it exiting?

17 A It goes into the dog house. There was a dog bed in
18 the dog house and it was in there.

19 Q Okay.

20 MR. HARPOOTLIAN: Keep going.

21 (The video continued to play.)

22 MR. HARPOOTLIAN: Stop right there. Go back just a
23 little bit. Okay. Go ahead.

24 (The video continued to play.)

25 Q So as we watch it come around, you would agree with me

1 that the dog house is not perpendicular to --

2 MR. HARPOOTLIAN: Stop it.

3 Q -- to the door to the feed room, correct?

4 A Right.

5 Q Okay.

6 MR. HARPOOTLIAN: Keep going.

7 (The video continued to play.)

8 Q And that would be --

9 MR. HARPOOTLIAN: Stop it.

10 Q That would be the feed room right here, correct?

11 A Yes, that's right.

12 Q And these are the dog kennels up here.

13 A Right.

14 Q Okay.

15 MR. HARPOOTLIAN: Keep going.

16 (The video continued to play.)

17 Q So, you can see -- that's like a chicken coop right,
18 there?

19 A I believe so.

20 Q Okay.

21 MR. HARPOOTLIAN: Keep going.

22 (The video continued to play.)

23 Q And that's looking at a structure that's back probably
24 150 or 200 feet away from the kennels, right?

25 A Yes.

1 Q It's got farm equipment in it?

2 A Yes.

3 Q Okay.

4 MR. HARPOOTLIAN: That's it.

5 Q So, we have -- and you could take this and convert it
6 into -- well, let me ask you this. Do you know how they do
7 this?

8 A On scene we take the scans on the scanner, anything
9 that the laser touches and records. Beyond that I'm --

10 Q Well, there's a laser touch, and then isn't there a
11 camera that goes 360 degrees this way and 360 degrees this
12 way, and the laser and the camera sync up and you do a
13 number of them --

14 A Yes.

15 Q -- maybe 100 or so, and then it knits it together --

16 A That's right.

17 Q -- to get this?

18 A Yes.

19 Q But you agree with me that you could do a much more
20 focused look. This obviously has not been converted
21 totally to 3D, has it?

22 A I'm not sure.

23 Q Okay. Who ordered this? Who said we need this?

24 A I'm not really sure. I was told go to the scene and
25 initial documentation and that's what we -- so, I'm not

1 sure.

2 Q So, I mean, if I told you your chain of custody on
3 this indicates it was -- y'all received it some time in
4 July or August of last year and it's been in the custody of
5 SLED since early January, probably three weeks ago. Is
6 that correct?

7 A I'm not sure when it was made, but --

8 Q But it wasn't turned over or pulled out of the
9 evidence locker until three weeks ago, correct?

10 A I'm really not sure.

11 Q Okay. Now, let me ask you to look at that report of
12 the sketches, right?

13 A Uh-huh.

14 Q Well, let me do this first. Okay, let me ask you
15 to --

16 MR. HARPOOTLIAN: Well, let me show them to the
17 Attorney General.

18 (Break in proceedings.)

19 Q Let me ask you to examine these photos and see if you
20 can identify them.

21 A Yes.

22 Q Okay. What are they?

23 A Those are photographs that we took when we returned on
24 July 16th.

25 Q And these are specifically photographs of the dog

1 house?

2 A Yes.

3 Q And I'll get to these in just a minute.

4 MR. HARPOOTLIAN: So, this would be 7 -- this would be
5 8, 9, and 10. Make sure I don't put duplicates in.

6 Q Let me also show you this photograph and see if you
7 can identify it.

8 A Yes.

9 Q What is that?

10 A It's a picture earlier that determined the angle of
11 that defect in the dog house.

12 Q Okay. The defect would be the bullet hole?

13 A Yes, sir.

14 MR. HARPOOTLIAN: I offer this into evidence as Number
15 11 without objection.

16 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 11 WAS
17 RECEIVED INTO EVIDENCE.)

18 THE COURT: Ladies and gentlemen, I'll have y'all go
19 to the jury room for a break. Please do not discuss the
20 case.

21 (The jury left the courtroom.)

22 THE COURT: I will give y'all an opportunity to review
23 and pre-mark exhibits and determine what you agree on and
24 do not agree on, and we'll proceed in a few minutes.

25 MR. HARPOOTLIAN: Thank you, Your Honor.

1 (A break was taken.)

2 MR. HARPOOTLIAN: Give us one minute, Your Honor.
3 She's still marking.

4 THE COURT: You can bring the jury.

5 (The jury returned to the courtroom.)

6 THE BAILIFF: The jury is present, sir.

7 THE COURT: Thank you.

8 (Break in proceedings.)

9 THE COURT: Exhibit numbers.

10 COURT REPORTER: 9, 10, 12, 13, 14, 15, 16, 17, 18,
11 19, 20, 21, 22, 23, 24, 25, 26, 27, 28.

12 THE COURT: They're all admitted without objection.

13 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 9 WAS
14 RECEIVED INTO EVIDENCE.)

15 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 10 WAS
16 RECEIVED INTO EVIDENCE.)

17 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 12 WAS
18 RECEIVED INTO EVIDENCE.)

19 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 13 WAS
20 RECEIVED INTO EVIDENCE.)

21 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 14 WAS
22 RECEIVED INTO EVIDENCE.)

23 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 15 WAS
24 RECEIVED INTO EVIDENCE.)

25 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 16 WAS

1 RECEIVED INTO EVIDENCE.)

2 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 17 WAS
3 RECEIVED INTO EVIDENCE.)

4 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 18 WAS
5 RECEIVED INTO EVIDENCE.)

6 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 19 WAS
7 RECEIVED INTO EVIDENCE.)

8 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 20 WAS
9 RECEIVED INTO EVIDENCE.)

10 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 21 WAS
11 RECEIVED INTO EVIDENCE.)

12 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 22 WAS
13 RECEIVED INTO EVIDENCE.)

14 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 23 WAS
15 RECEIVED INTO EVIDENCE.)

16 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 24 WAS
17 RECEIVED INTO EVIDENCE.)

18 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 25 WAS
19 RECEIVED INTO EVIDENCE.)

20 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 26 WAS
21 RECEIVED INTO EVIDENCE.)

22 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 27 WAS
23 RECEIVED INTO EVIDENCE.)

24 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 28 WAS
25 RECEIVED INTO EVIDENCE.)

1 Q So, you took measurements, for instance -- let me show
2 you the picture I wanted to show you to begin with, which
3 is of the quail cage. Well, let me first of all show you
4 Exhibit Number 20, which is Worley Page 7.

5 MR. HARPOOTLIAN: If you could put that up on the
6 screen.

7 Q Do you recognize that?

8 A I do.

9 Q And what is that?

10 A That's one of the diagrams that I created.

11 Q What's it a diagram of?

12 A That quail cage.

13 Q Okay. Now, you did a -- okay, that sketch, and that
14 sketch shows -- so it says: Defect interior side of cage
15 in -- defect interior side wall of cage and defect interior
16 back wall of cage. Right?

17 A Right.

18 Q So, you have an entrance and an exit hole, correct?

19 A That's right.

20 Q Now, what did you try -- what did you do to try to
21 determine the trajectory on that? Where did it come from?

22 A We placed a flight path rod through Defect J all the
23 way through to where it went through the back wall of the
24 cage.

25 Q And let me see. I know I have a picture of that

1 somewhere. Is that a picture of that rod?

2 A It's one of the many pictures, yes.

3 Q No. But, I mean, does that picture accurately depict
4 the rod you put through from the exterior to the interior?

5 A Yes.

6 Q Okay.

7 MR. HARPOOTLIAN: How about put that up, please?

8 Q And so you're telling the jury that this is a rod that
9 you ran from that -- from the entrance hole to the exit
10 hole. And what are you doing right here?

11 A That's where we're determining the angle.

12 Q Upward or downward angle?

13 A That's right.

14 Q Okay. Now, let's talk about how you determined the
15 angle of front to back. I don't know what you call that
16 scientifically. I mean, did you determine the angle of
17 that rod as to the exterior wall of that --

18 A Yes.

19 Q Okay, and the -- based on the exhibit we saw a moment
20 ago, the entrance wound would have been on the --

21 MR. HARPOOTLIAN: How about go back to Worley page 7.

22 Q The entrance would have been on this side, correct?

23 A Yes.

24 Q Now the feed room, you would agree with me, is not on
25 that side of the quail cage, correct?

1 A That's right.

2 Q Matter of fact, this side faces the feed room,
3 correct?

4 A I believe so, yes.

5 Q Now, did you determine -- and I can walk through all
6 of the technical things you did, but did you ultimately
7 determine the angle -- you can check your notes -- the
8 angle of the entrance hole over here to that side? That is
9 at what is the -- is that horizontal? Am I talking
10 horizontal?

11 A Yes.

12 Q Okay. The horizontal entrance and exit wound, if you
13 put that rod through it, what did it tell you about the
14 angle as opposed to that flat area?

15 A We determined it was approximately 41 degrees.

16 Q 41 degrees. And if I'm standing at that edge, is it
17 41 degrees to my right or my left?

18 A I believe to the right. I'm not sure.

19 Q Can you look and see?

20 A I don't have that in my notes.

21 Q Okay. Let me show you a picture. They're worth 1,000
22 words.

23 (Break in proceedings.)

24 Q Does this help refresh your memory?

25 A Yes.

1 Q And so let me --

2 MR. HARPOOTLIAN: Could you put KNWL 2019 up, please?

3 Q Okay, and what you did was, correct me if I'm wrong,
4 is you put that rod through and then you put a protractor
5 up against it, and then the protractor told you it was
6 41 degrees from flat or -- I don't know what you call it.

7 A From the -- where the bullet went in the wall, from
8 that flat edge to where the angle is was 41 degrees.

9 Q Okay, and let me show you KNWL 2007. I'll ask you a
10 question as soon as it comes up. You know, strike that --
11 well, that's it. But that depicts that rod you put from
12 the exterior through the interior, right?

13 A That's right.

14 Q And so as that rod sticks out, it would be the path of
15 the bullet.

16 A Approximately, yes.

17 Q Approximately. Okay, and at 41 degrees from neutral
18 or --

19 A Yes.

20 Q I mean, it would be, if this were the wall of the --
21 the wall of the bullet went into it would be -- 41 degrees
22 would be over here?

23 A Yes.

24 Q Right. So that side -- right. Okay, and so -- and I
25 see from that picture we showed a moment ago you used a

1 protractor like this one similar, or maybe similar to this
2 one, to determine that angle, right?

3 A That's right.

4 Q And basically you just put -- you take the rod and
5 then you put this up to it and then figure out what the
6 angle is, right?

7 A You line up the middle of the protractor on where the
8 defect is, yes.

9 Q Where the defect -- where the bullet hole is.

10 A Right.

11 Q Okay. Now, did you do the same thing for the dog pen,
12 the dog house?

13 A Yes, we did.

14 Q And let me walk you through a couple of those
15 pictures. Let me see if I have -- okay.

16 MR. HARPOOTLIAN: Let's go to page 6 of 8 of her
17 report.

18 Q Is that something you prepared?

19 A It is.

20 Q Okay. So, as we look at this --

21 MR. HARPOOTLIAN: Could you zoom in just a little bit
22 more for me, please? Here we go.

23 Q So, Defect 1 is the entrance hole?

24 A It's Defect I, yes.

25 Q I'm sorry?

1 A Defect I.

2 Q Okay, and Defect H is what?

3 A It -- we weren't sure if it was a defect. It didn't
4 go through the wall, but we marked it.

5 Q Did you have anything that went all the way through?

6 A Just I.

7 Q Just I. But you also stuck a rod in that, correct?

8 A Yes, we did.

9 Q And what was the -- and the dog -- this side of the
10 dog house would be the side facing the kennels?

11 A Yes.

12 Q Okay, and what was the angle, entrance angle on that?
13 You put a rod through and measured just like you did before
14 with the protractor, and what was the angle in that?

15 A The horizontal angle was approximately 84 degrees.

16 Q So, 84 degrees. Now, the side the bullet went in was
17 facing the dog pens.

18 A Yes.

19 Q And as we see from the photos approximately, I mean,
20 again, I'm -- just some guesswork, but not square with the
21 dog pens, a little bit further to -- if you're standing in
22 the feed room, if you're looking at the dog house, it would
23 be a little bit to your left, correct?

24 A That's right.

25 Q And then this trajectory into the dog house is

1 84 degrees, which means it's coming -- that's the feed
2 room. It's coming from even further over here, correct?

3 A Yes.

4 Q Okay. So, let me have you do this for me. If I had
5 your sketch of the dog house and the quail cage, you could
6 take that projector right there and basically show the line
7 out, correct?

8 A From the quail cage to the dog house?

9 Q No. From the quail cage, the trajectory -- if I put
10 down that protractor on the side where the bullet went in,
11 that's pretty easy to identify in your sketch.

12 A Right.

13 Q And went to -- what was the first one, how many
14 degrees? I'm sorry, I can't remember it either.

15 A It was 41 degrees. 41 degrees.

16 Q 41 degrees on your sketch, you could follow the
17 trajectory of that bullet out, correct?

18 A Yes.

19 Q Do the same thing on the dog house.

20 A Right.

21 Q Okay. Wait one second.

22 MR. HARPOOTLIAN: Beg the Court's indulgence one
23 moment.

24 (Break in proceedings.)

25 Q Okay. So --

1 MR. HARPOOTLIAN: How about show that to her, please?

2 Q Is that just a blowup of what we previously put into
3 evidence?

4 A Yes.

5 Q Okay. How about do me a favor and keep track of what
6 the different angles are because I will never remember them
7 when you get down here. So, if you could step down,
8 please?

9 A (Witness complies.)

10 Q Let's get this oriented correctly. Is the dog house
11 on this? Okay, I'm looking at it upside down. Okay. So,
12 if you -- does this protractor work for you? It's got a
13 little thing that allows you to -- okay. If you take it
14 and let's go from the quail -- or here it is, small animal
15 cage, and the projectile came in on this side over here,
16 correct?

17 A That's right.

18 Q So, if you'll come over here for me, please, and put
19 the projector -- projector -- put the protractor,
20 protractor, against the -- there you go. And how many
21 degrees does that go?

22 A 41 degrees.

23 Q Could you put that on 41 degrees?

24 A 41.

25 Q Okay, and could you take that line out for me, please?

1 Is there a way for you do draw that? This is pretty fine
2 point sharpy.

3 A (Witness complies.)

4 Q I'm going to hold this down. If you'll draw that line
5 for me, please? Okay, and let's go to the dog house. What
6 was the degrees on that?

7 A 84.

8 Q Okay. 84 degrees. Okay, and how about draw a line
9 for that, please, from this side of dog house?

10 A (Witness complies.)

11 Q Okay. Now --

12 MR. HARPOOTLIAN: I'll take that easel now.

13 Q If you'll just step over there for a second. Now,
14 correct --

15 (Break in proceedings.)

16 Q So, correct me if I'm wrong, but if you look at the
17 photographs and you look -- well, if you look at this, the
18 feed room door is approximately right here, correct?

19 A That's right.

20 Q Would you circle that with a red circle for me,
21 please?

22 A (Witness complies.)

23 Q And the trajectory on both these shots -- so, let's
24 take the small animal cage. Does that come from anywhere
25 near the feed room?

1 A It doesn't appear to, no.

2 Q It would have been up -- if you follow that out -- are
3 you familiar with where that grapevine was if you're
4 looking at the feed room all the way to the right?

5 A Over here somewhere?

6 Q Well, I think a little bit further up than that, but
7 even up beyond that, one of the shots fired by that AR
8 Blackout was fired from somewhere way up here, correct? I
9 mean, that's the trajectory.

10 A I can't tell you the distance it was from animal cage
11 to wherever. I can't tell you where the shooter was within
12 that line.

13 Q But that line is way away from the -- from it, right?

14 A Right.

15 Q And this one, while it's closer, it's still many feet
16 away from the feed door.

17 A Yes.

18 Q So, if you saw this area right here that night, you
19 assumed, I think -- not assumed, but everyone has sort of
20 concluded that it was a really close shot into the feed
21 room that killed Paul, correct? Two shots.

22 A I believe so, yes.

23 Q Okay. Now, the AR -- at least this line would
24 indicate that the AR was some distance away from the feed
25 room when those two shots were fired, correct?

1 A Yes.

2 Q Okay. Now, when you recovered these projectiles, were
3 they tested for blood or tissue so that you could determine
4 whether they passed through Maggie or just were misses?

5 A I submitted them to the lab. I don't --

6 Q You don't know whether they tested it or not? If I
7 told you they didn't test it, would that surprise you?

8 A No.

9 Q Okay. Now, does this lead you to believe -- and
10 you're someone that processes crime scenes. I mean, if
11 this had been sketched out the night of the -- I mean, you
12 didn't take these measurements until a month later.

13 A I took these measurements on scene the night of.

14 Q Oh, so you had these measurements?

15 A Right.

16 Q But did you know the degrees?

17 A No. That was later.

18 Q Until July 12th.

19 A Yes.

20 Q But on July 12th, did anyone go back out and walk this
21 line? Did you think maybe there are shell casings way up
22 here? No one looked up here, correct?

23 A Not that I'm aware of.

24 Q Okay. No one did a topographical study to indicate if
25 you follow these lines back whether the -- wherever a

1 shooter could have been were higher or lower than the dog
2 house or the small animal cage, right?

3 A Right.

4 Q But doesn't this indicate to you there were two
5 shooters? There was a shooter up here and a shooter down
6 here? Is there a possible -- let me say this. Is it a
7 possibility that there are two shooters based on the data
8 you collected?

9 A It just indicates there was movement to me.

10 Q Movement from here all of the way up to here?

11 A I don't know that it went all the way up there.

12 Q But -- I'm not telling you. I mean, one explanation
13 would be movement, correct?

14 A Yes.

15 Q One explanation would be two shooters. I'm sorry?
16 Yes?

17 A I wasn't there --

18 Q No. No. No. But one explanation of this data would
19 be two shooters. One explanation, not the -- but one.

20 A Not the only one.

21 Q Yeah, not the only one. But it is a reasonable
22 explanation, just like one shooter running off that way,
23 correct?

24 A Sure.

25 Q So, a -- one of the reasonable explanations is there

1 are two people there, there are two guns there, one is a
2 shotgun, one is an AR, and we now see that that AR is being
3 shot from way up here, correct?

4 A I can't say that, no. It's somewhere with -- along
5 that line.

6 Q And that line goes a dozen, two dozen, three dozen
7 yards from the feed room if you follow it straight up.

8 A I don't know. Within that line.

9 Q Could someone have been a lookout there and went there
10 to kill Paul and that's the lookout? Maggie surprised
11 them. They thought she was gone?

12 A I have no idea.

13 Q Reasonable, though, right? Right?

14 A I have no idea. I wasn't there.

15 Q I know you weren't there, but none of us were there.
16 We're trying to figure out what happened that night, and
17 clearly one reasonable explanation is two shooters. One
18 explanation.

19 A One, yeah.

20 Q Right, and a number of them. I would like to offer
21 this into evidence.

22 THE COURT: Talk to the Court, not with each other.

23 MR. HARPOOTLIAN: I'm sorry. Your Honor, I'm offering
24 this into evidence.

25 THE COURT: What says the State?

1 MS. GOUDE: No objection, Your Honor.

2 THE COURT: It's admitted without objection.

3 (LARGE DIAGRAM MARKED AS DEFENDANT'S EXHIBIT NUMBER 29
4 WAS RECEIVED INTO EVIDENCE.)

5 (Break in proceedings.)

6 MR. HARPOOTLIAN: Beg the Court's indulgence one
7 moment.

8 (Break in proceedings.)

9 Q Check your report on the dog house shot. You
10 testified it was 80-something degrees, right?

11 A 84 degrees.

12 Q It's not 90-something degrees?

13 A I had 84.

14 Q Huh.

15 MR. HARPOOTLIAN: Beg the Court's indulgence and let
16 me go get these exhibits one second.

17 (Break in proceedings.)

18 Q Okay. Let me show you Defense Exhibits 19 and 22.
19 Are these the actual protractor measurements you did
20 that --

21 A Of the animal cage.

22 Q Okay. Both of them are of the animal cage?

23 A Yes.

24 Q Okay, and did you do the same measurements on the dog
25 house?

1 A Yes.

2 Q What does that indicate?

3 A You mean what is this --

4 Q No. What is the angle based on that?

5 A I can't really -- 80 something.

6 Q Okay. You have in your notes -- let me see what you
7 have in your notes you recorded. And that's -- where is
8 your full report?

9 A This is --

10 Q Yeah, I'm looking for the sketch, though. And where
11 is the dog house? What does the horizontal 96 degrees
12 mean?

13 A I'm not sure why that says 96.

14 Q I'm sorry?

15 A I'm not sure why it says 96. I had 84.

16 Q In your crime scene notes?

17 A That's right.

18 Q But you wrote down -- your official report said
19 96 degrees.

20 A My notes said 84 degrees.

21 Q Well, did you just -- notes were taken at the scene?

22 A Yes.

23 Q Okay.

24 MR. HARPOOTLIAN: Beg the Court's indulgence.

25 (Break in proceedings.)

1 Q So, let me move on to a different area. Let me say
2 this to you. Based on your calculations, both of those
3 shots came well to the right -- if you're facing the feed
4 room, well to the right of where the feed room is, correct?

5 A Thereabouts.

6 Q I'm sorry?

7 A Thereabouts, yes.

8 Q Thereabouts?

9 A Yeah.

10 Q Is that what you said?

11 A Yes, sir.

12 Q So, I'm trying to look for some concise -- you're a
13 criminalist. You would agree with me that they did not
14 come from the feed room --

15 A Right.

16 Q -- from the vicinity of the feed room. And they're
17 literally yards away from the feed room, correct?

18 A Yes.

19 Q I'm not going to beat that horse anymore. So, let's
20 talk a little bit about footprints, okay?

21 A Okay.

22 Q So, I notice in your report -- correct me if I'm wrong
23 -- that you were unable to identify, either exclude or
24 include, a number of different footprints in and around the
25 feed room, bloody footprints and other footprints, because

1 of the quality of the photography. Is that correct?

2 A I was able to attribute them to Paul's shoes.

3 Q I'm sorry?

4 A I was able to attribute them to Paul's shoes, though.

5 Q Well, we'll talk about Paul's shoes in just a minute.

6 But when you -- what's the process to take a photograph of
7 footwear or imprint that's recognized by a number of
8 different agencies, including the FBI? What is that
9 process?

10 A Place the scale, and preferable a L scale, around the
11 impression and document it with a camera parallel to the
12 surface so you get a straight-on shot. Put the camera in
13 raw settings so you capture all the data with that
14 photograph.

15 Q So, let me ask you. So, the process is first of all
16 you take a general photograph of the impression, right?

17 A Yes.

18 Q Doesn't matter what angle, doesn't matter what the
19 lighting is at that point, correct?

20 A If you're just documenting that it's there, yes.

21 Q If you're just documenting. But when you go to take a
22 photograph of a footprint for forensic analysis later on to
23 compare it to a known shoe, you're supposed to do a couple
24 of things. One, you're supposed to have good lighting if
25 you can get it, right?

1 A Preferably.

2 Q Two, you're supposed to put a scale down next to it so
3 that later on you can -- I mean, because you need to
4 understand how big or how small the foot is and the
5 distance between the treads. So, the scale is a little --
6 like a little ruler. It's just a piece of a ruler that you
7 put down next to it go get some idea what an inch looks
8 like, like what two inches look like. And that's really
9 important, is it not?

10 A It is to make sure it's to scale.

11 Q Okay, and then you're supposed to do a photograph
12 straight down on it with, again, with good lighting so that
13 you can have -- you can understand what you're seeing is a
14 straight-on impression, correct?

15 A That's right.

16 Q Now, was that done on any, any of the impressions that
17 y'all analyzed?

18 A No. We didn't recognize on scene --

19 Q I'm sorry?

20 A We didn't recognize on scene that there was footwear.

21 Q You didn't recognize on scene there was what?

22 A Footwear impressions in the room.

23 Q Well, that brings up another topic. There was a --
24 what appeared -- may have been a footwear impression on
25 Maggie's calf, correct?

1 A I couldn't say that that was a footwear impression,
2 just an impression.

3 Q Well, there was something on her leg that could have
4 been a footwear impression, correct?

5 A Possibly.

6 Q Possibly. And, again, they didn't put a scale, they
7 didn't do any of this procedure, correct?

8 A That's right.

9 Q And it was in dirt.

10 A Yes.

11 Q So -- or mud, and so once her body was removed from
12 the scene, that examination could never be done, correct?

13 A That's right.

14 Q Matter of fact, none of the impressions could be
15 examined after the next day at best, correct?

16 A Not physically.

17 Q Right. I mean, you couldn't go back out and take new
18 photographs.

19 A Right.

20 Q So, the procedures followed were not the procedures
21 recommended by every agency and your agency, correct?

22 A If I had realized that was footwear on scene, I would
23 have documented it properly, yes.

24 Q Okay, but since it wasn't documented properly, we
25 can't include or exclude except for Paul's, correct?

1 A That's right.

2 Q Now, are you a certified footwear examiner?

3 A I am, yes.

4 Q By who?

5 A Well, within SLED, yes.

6 Q I'm sorry?

7 A Within SLED.

8 Q Within SLED, but you're not peer reviewed or --

9 A Oh, yes, I am peer reviewed.

10 Q By someone at SLED?

11 A Yes.

12 Q And your analysis is that one set of those footwear
13 impressions is Paul facing the back of the feed room,
14 right?

15 A Right.

16 Q And yet we know -- and they're bloody, so he's already
17 been shot.

18 A Right.

19 Q And we know the initial shot came -- buckshot, very
20 small pattern -- in his chest and came out underneath his
21 left arm. Matter of fact, there was wadding under his left
22 arm and buckshot went through the back window and embedded
23 in the window seal. You documented that, right?

24 A Right.

25 Q And then I think some of it embedded in a tree back

1 behind that window, correct?

2 A Yes.

3 Q And he's facing backwards, bloody footprints. Has
4 anyone discussed with you how he got faced away from where
5 he was shot?

6 A No.

7 Q Were the footprints smudged as if he was turning?

8 A There was blood dripping, and he was stepping in the
9 blood and leaving his own footwear impressions in the
10 blood; I don't know that it was smeared necessarily.

11 Q Well, we also know that a second shot, literally his
12 head exploded. His brain flew out. May have -- we know
13 there's hair and blood all over that door up high. It's
14 actually hair and blood and pieces of his skull in the
15 ceiling and around him. Assuming that the first shot would
16 not have been immediately fatal because it didn't hit any
17 critical organs, he would have been alive for some period
18 of time after that shotgun blast to the chest. But the
19 second shot, as you've seen in the pictures and you were
20 there that night. Wasn't his brain laying at his feet?

21 A It was beside his left leg, yes.

22 Q I'm sorry?

23 A It was beside his left leg, yes.

24 Q Yeah, and he's -- his feet were just -- or one of them
25 is just inside the feed room and the other is not.

1 A Yes.

2 Q And he's face down.

3 A Right.

4 Q So, you can't explain how he got shot in the front
5 when he's at some point soon thereafter is facing
6 backwards?

7 A I can't say which way he was facing when he was
8 actually shot. The second shot, he was right there at the
9 door, and I can tell you that.

10 Q So, he got from facing the back door after he was
11 shot -- I mean, the back window, to facing forward for the
12 second shot. Is that right?

13 A Right.

14 Q Has anyone from SLED briefed you after you identified
15 those footprints?

16 A No.

17 Q They didn't ask for any explanation?

18 A Not from me, no.

19 Q Okay, and you would agree that because of the way the
20 scene was processed, most of the footprints you were unable
21 to do any comparison to because of the way the pictures
22 were.

23 A No. I was able to do a comparison, and they were
24 mostly Paul's shoes.

25 Q Other than those two?

1 A There was one right inside the door, there was one
2 further to the left where the door was, and then there were
3 at least two by Marker 1.

4 Q And correct me if I'm wrong. At least one of those
5 bloody footprints initially identified as Paul's turned out
6 to be a police officer's. Isn't that correct?

7 A It wasn't initially identified as Paul's, no.

8 Q But there was a bloody footprint near his that turned
9 out to be law enforcement, correct?

10 A Yes.

11 Q In the feed room.

12 A Right.

13 Q In blood. Is that preservation of the scene that your
14 standards require?

15 A Not exactly, no.

16 Q Not exactly. Should the police be walking through the
17 scene?

18 A No.

19 Q Do we know what other evidence they may have
20 destroyed?

21 A I have no idea.

22 Q That's right. We don't.

23 (Break in proceedings.)

24 Q Have you seen this photograph before? Can you
25 identify it?

1 A It's not one that we took.

2 Q But does it appear to be in the area you've been
3 describing?

4 A Close, yes. It's in the feed room.

5 Q So, you don't know whose feet those are?

6 A No.

7 Q Okay. Did you collect other foot impressions in the
8 feed room and exclude Paul?

9 A No.

10 Q There were other bloody footprints or impressions in
11 the feed room. Did you identify them as Paul's?

12 A I thought I accounted for all of the ones that we knew
13 of.

14 Q Okay. Now --

15 MR. HARPOOTLIAN: Let me make sure this is not already
16 in evidence, Your Honor. Could we look at Defense Exhibit
17 Number 2? And we need to cover the screens.

18 Q So, we talked about this previously just a moment ago.
19 I'm going to put it up here so we can blow it up. Okay, do
20 you recognize this photo?

21 A Yes.

22 Q Is that the way you saw Maggie that night?

23 A It is.

24 MR. HARPOOTLIAN: Now, how about zoom in on her calf
25 right there? Yeah.

1 Q Now, somebody even that night, we see in notes, thinks
2 that maybe could be a footwear impression, or it could be
3 something else, correct?

4 A I couldn't determine what kind of impression it was,
5 no.

6 Q But you would agree with me, there is something on the
7 back of her leg that has some sort of pattern in it.

8 A It is, yes.

9 Q Okay. Not naturally occurring pattern.

10 A Right.

11 Q And this is the only photograph you received that
12 night or you received ever of Maggie's calf, correct?

13 A That's not the photo I used at all.

14 Q I'm sorry?

15 A That's not the photograph I used at all for my
16 footwear examination.

17 Q What photograph did you use?

18 A 420.

19 Q 420?

20 A Yes.

21 MR. HARPOOTLIAN: Have you got it? Okay. Put that
22 one up and then we'll see if she can identify it.

23 Q Is that 420?

24 A Yes.

25 Q Okay.

1 MR. HARPOOTLIAN: We would like to offer photograph
2 420 into evidence, Your Honor.

3 MS. GOUDE: No objection. We would just ask to see
4 the photo before it's offered.

5 THE COURT: It's admitted.

6 MR. HARPOOTLIAN: Thank you. We don't have it. We'll
7 get it.

8 Hollie, have you got a hard copy of that? Thank you.
9 We'll get it to you in just a minute.

10 Q But so -- could you come down here for just a second,
11 please? How about point to the jury where that impression
12 is on her leg?

13 A This whole area right here (indicating.)

14 Q And it has -- if you blow it up, you could see some
15 regular lines as opposed to irregular, right?

16 A Yes.

17 Q Which would indicate some not natural, but when I say
18 unnatural -- manmade something caused that, correct?

19 A There's a distinct pattern to it.

20 Q Okay. Now, were you able to -- why were you not able
21 to get significant definition to compare to a footwear?

22 A I felt like I had enough definition. I just couldn't
23 attribute it to any type of footwear.

24 Q Any type of footwear?

25 A As far as any type of shoe. I wasn't able to

1 attribute it to a specific type of shoe.

2 Q Now -- and you would agree with me there's no scale.

3 A Right.

4 Q There's no multiple pictures of from different angles
5 for the purpose of giving you the more definition so you
6 could make a comparison, correct?

7 A There's not.

8 Q So, this was not done according to procedure.

9 A I mean, I didn't know about this on scene.

10 Q Yeah, but as your photographers take pictures, aren't
11 they -- wouldn't it be good just to put down a scale no
12 matter what?

13 A If I had seen that, it would have if somebody had.

14 Q But, I mean, a lot of these photographs were taken
15 without you present, correct?

16 A No, I was there.

17 Q You were there for that photograph?

18 A Yes.

19 Q And did you notice the mud on her leg?

20 A No.

21 Q As you look at it, now you agree that a better
22 photograph taken under the procedures of SLED and the FBI
23 and everybody else could have given you a better ability to
24 match it to a piece of footwear, correct?

25 A Well, I don't know that a better photograph would have

1 given me better results. I think I saw enough of it to
2 know I wasn't going to be able to attribute it to a type of
3 footwear.

4 Q Without a straight-on shot, without a scale, without
5 all of the things recommended?

6 A I couldn't even say it was a footwear impression. I
7 just called it an impression.

8 Q Based on that -- based on that photograph --

9 A Yes.

10 Q -- which is not a photograph done to compare footwear.

11 A Not ideal, no.

12 Q Not ideal. There's not -- there's no -- the standards
13 say that is not within the standards, correct?

14 MS. GOUDE: Objection. Argumentative.

15 THE COURT: You may answer the question.

16 Q Go ahead.

17 THE COURT: If you understood what the question is.

18 Q The questions is --

19 MR. HARPOOTLIAN: I'm sorry, Your Honor.

20 THE COURT: Did you understand the question?

21 THE WITNESS: Yes.

22 THE COURT: What's the answer?

23 THE WITNESS: It would be better to take the
24 photograph properly with the scale.

25 Q But you would concede this was not taken pursuant --

1 and what you're saying is no one appreciated the fact that
2 it was a footwear -- or could be a footwear impression that
3 night, so no one treated it like a piece of footwear.

4 A Right.

5 Q But we know that same night they didn't treat any
6 suspected footwear according to procedures, correct?

7 A No.

8 Q No scale, no multiple pictures, no 90 degree, right?

9 A Right.

10 Q Okay. Thank you, you can go ahead and take the stand.
11 So.

12 MR. HARPOOTLIAN: Let me see if I can find these
13 pictures.

14 Q Did you participate in processing Alex's T-shirt,
15 shorts, and shoes?

16 A The T-shirt and shorts, yes.

17 Q Okay, and what did you do with that?

18 A As far as the LCD?

19 Q Yeah.

20 A We documented the entire process from start to finish
21 with the starting of the packaging the shirt was in. Took
22 the shirt out of the package, photographed it front and
23 back, inside and out to show how it was before we did
24 anything to it. Then we hung it up and applied LCD, which
25 is a liquid spray. Any stains that we saw after using the

1 spray, we documented those in photographs without scale,
2 and then we just photographed them with the scale. Then we
3 laid the shirt flat and photographed each of those stains
4 on the shirt. It was stains A through H on the front, and
5 stains I and J on the back. We labeled those A through H,
6 I, and J with the scale and photographed each one of them
7 before we did anything else.

8 Q Let me show you a couple of photographs.

9 MR. HARPOOTLIAN: Any objection?

10 MS. GOUDE: No objection.

11 Q Can you identify these, please?

12 MR. HARPOOTLIAN: Doug, 19A, please.

13 A Yes.

14 Q Is that the shirt as you saw it that night?

15 A No that night, no.

16 Q When did you see it?

17 A When we processed it at the lab.

18 Q Okay. So, you would agree with me that this shirt has
19 a -- it doesn't look like it just came back from the
20 laundry. It's got smudges down here and generally stains
21 here and there, correct?

22 A It's not completely clean.

23 Q Yeah. Okay. Well, that's it. It's not completely
24 clean, correct?

25 A Right.

1 Q And then --

2 MR. HARPOOTLIAN: I would offer that into evidence,
3 Your Honor.

4 THE COURT: It's admitted without objection.

5 COURT REPORTER: 31.

6 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 31 WAS
7 RECEIVED INTO EVIDENCE.)

8 Q Tell me what this is, please.

9 A All right. After we had sprayed the shirt with LCD,
10 we laid it in a grid to account for where on the shirt each
11 stain was.

12 Q And there seemed to be something on the bottom that
13 looks like a handprint, does it not?

14 A I didn't see a handprint. That was on the body cam
15 footage where he was wiping his face with the shirt right
16 there.

17 Q Okay.

18 MR. HARPOOTLIAN: I offer this into evidence.

19 MS. GOUDE: No objection.

20 THE COURT: It's admitted without objection.

21 COURT REPORTER: 32.

22 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 32 WAS
23 RECEIVED INTO EVIDENCE.)

24 Q Can I have that 19 -- what does it say at the bottom?

25 MR. HARPOOTLIAN: KNM3282.

1 Q Okay, and we agree that you did -- this was LCD,
2 right? That's what they call a presumptive test. It could
3 be human blood. It could also be animal blood. It also
4 could be detergent.

5 MS. GOUDE: Objection, Your Honor. Could we ask one
6 question at a time?

7 MR. HARPOOTLIAN: I was trying to summarize, but I'll
8 do it.

9 THE COURT: Okay.

10 Q Could it be something other than -- if it -- something
11 than human blood?

12 A It doesn't determine whether it's human or not.

13 Q Right. So, it could be animal blood.

14 A It's possible.

15 Q It could be detergent. Detergent often times --

16 A Not -- bleach maybe.

17 Q Bleach? Okay. What about organic matter like plants?

18 A The only thing I know really is bleach, rust, that --

19 Q Rust?

20 A Right.

21 Q Okay, but there are other things that will -- and
22 that's why you do a confirmatory test.

23 A Right.

24 Q And that's done with hematrace.

25 A I'm not sure how -- I don't do that part, so --

1 Q But do you know what the results were when they
2 treated with hematrace?

3 A I'm not sure, no.

4 Q You never saw the report?

5 A No.

6 Q No human blood found? Now, did you test his shorts?

7 A We did the same procedure with the shorts.

8 Q And there was some presumptive -- I mean, some
9 indication it was human blood or something else, correct?

10 A Yes.

11 Q Do you know whether they ran a confirmatory test on
12 that?

13 A I assume they did. I'm not sure.

14 Q Well, but you don't know.

15 A Right.

16 Q Do you know whether -- did you use LCD on the shorts
17 or did you use something else?

18 A We used LCD.

19 Q Okay. Did you do the shoes?

20 A No.

21 MR. HARPOOTLIAN: Beg the Court's indulgence one
22 moment, please. I may be almost through.

23 (Break in proceedings.)

24 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 30 WAS
25 RECEIVED INTO EVIDENCE.)

1 MR. HARPOOTLIAN: Beg the Court's indulgence. We're
2 trying to make sure that one --

3 (Break in proceedings.)

4 MR. HARPOOTLIAN: Let me put up on the screen. I'll
5 give you a copy of it if she can identify it, okay, and I
6 think she can.

7 Go ahead and put it up; go ahead and put it up.

8 Q This is number 217. Can you see it?

9 A Yes.

10 Q It's not very bright. Is that a picture that you
11 took?

12 A Yes.

13 Q Okay.

14 MR. HARPOOTLIAN: Your Honor, we would offer this
15 picture into evidence.

16 MS. GOUDE: No objection.

17 THE COURT: It's admitted.

18 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 33 WAS
19 RECEIVED INTO EVIDENCE.)

20 Q Can you step down here, please?

21 A (Witness complies.)

22 Q So, the angle -- this is the dog house. What's the
23 angle on this?

24 A Approximately 84 or 83 degrees.

25 Q Yeah. Okay. I just wanted to make sure we're all on

1 the same sheet of music even though you wrote down 96 in
2 your report.

3 A In my diagram of that, yes.

4 Q Right. The official report, the official.

5 A My official notes say 84 degrees.

6 Q But I'm talking about what you -- what we got. I
7 mean, we got your notes also, but in your printed document
8 you said 96.

9 A On the diagram, yes.

10 Q But it's only 84.

11 A Right.

12 Q Okay. Thank you. So, again, maybe I need to check
13 you on this, but the angle from the dog house you seem to
14 indicate as going still to the right of the dog kennels,
15 but let me check it out just one second.

16 (Break in proceedings.)

17 THE COURT: Any further questions?

18 MR. HARPOOTLIAN: Your Honor, just give me two seconds
19 here.

20 THE COURT: Ladies and gentlemen, let's stand for a
21 moment.

22 (Break in proceedings.)

23 THE COURT: If you'll proceed.

24 MR. HARPOOTLIAN: Thank you. No further questions.

25 THE COURT: Redirect?

1 MS. GOUDE: Thank you, Your Honor.

2 REDIRECT EXAMINATION

3 BY MS. GOUDE:

4 Q All right, Agent Worley, let's see. All right, we saw
5 this big diagram and the other diagrams that you prepared.
6 What was the purpose of you preparing all of these
7 diagrams?

8 A To show for that one where the evidence was in
9 relation to each other, where the victims were in relation
10 to the evidence, where the kennels were, and the workshop
11 overhang, the measurements. All of the other diagrams, the
12 dog house, animal cage, to show more measurements of where
13 the bullet defects were.

14 Q Would those be done for reconstructive purposes?

15 A That's right.

16 Q And was that really done here on this case?

17 A Not that I'm aware of, no.

18 Q And in this diagram, Defense Exhibit 29, we see 2, 3,
19 4, 5, 6, and 7, and what were those? What do those
20 indicate?

21 A Those were 300 Blackout cartridge cases.

22 Q And this is not to scale. Is that right?

23 A No, not at all.

24 Q So, what does that mean if something is not to scale?

25 A It's not -- like, an inch on there is not an inch in

1 real life. It's just an approximation of where everything
2 was in relation to each other.

3 Q So, it may not correspond to the actual dimensions of
4 things on the scene?

5 A Right.

6 Q Now, are you aware that there was stippling on the
7 victim Maggie Murdaugh?

8 A Yes.

9 Q And what does it mean if there's stippling on the
10 victim?

11 A A close gunshot. It was -- she was shot close range.

12 Q And the defense asked you about some different
13 possibilities here. It's possible that people can move
14 around?

15 A Yes.

16 Q And it's also possible that one person could have had
17 two guns.

18 A That's right.

19 Q All right. Then we talked a lot about footprints.
20 Let's see here.

21 (Break in proceedings.)

22 Q In the feed room, was there a bunch of bloody
23 footprints?

24 A There were.

25 Q You were --

1 MS. GOUDE: Things have kind of gotten in disarray
2 over here. If I could have a moment?

3 (Break in proceedings.)

4 Q I'm going to show you State's Exhibit 35. Are those
5 the bloody footprints in the feed room?

6 A Two of them, yes.

7 Q And those were determined to be the footprints of Paul
8 Murdaugh?

9 A Right.

10 Q And now just to be clear, I mean, in this picture we
11 aren't seeing, like, five sets of other bloody footprints.

12 A No.

13 Q So, you talked about some other footprints in the feed
14 room. Could you kind of elaborate on that?

15 A Closer to the door there was one, and also closer to
16 the door, the actual physical door, there was one, a
17 partial impression.

18 Q And did you determine who those footprints belonged
19 to?

20 A Those were similar with Paul's shoes.

21 Q And is it possible that after SLED took some crime
22 scene photos and moved Paul's body, that someone could have
23 come in along later and stepped in --

24 MR. HARPOOTLIAN: Objection, Your Honor. Leading.

25 THE COURT: Objection is overruled.

1 Q Is it possible that if there were more prints in
2 there, that those could have been after SLED's pictures
3 were taken.?

4 MR. HARPOOTLIAN: Objection. Speculation.

5 THE COURT: Objection is overruled.

6 A I suppose so, yes.

7 Q And we also talked about footprints in State's 194 and
8 195. Why couldn't you do anything with those footprints?

9 A I was not made aware of those footwear impressions
10 until June 15th when I saw them on those photographs.

11 Q So, you didn't take any of these pictures while you
12 were out there on the scene.

13 A No. It was on the other side of the workshop.

14 Q And we have no way to know when these footprints
15 occurred.

16 A Right.

17 Q Now, the defense showed us a picture of that dirt on
18 the back of Maggie Murdaugh's leg. Do we even know if
19 that's a shoe print?

20 A No.

21 MR. HARPOOTLIAN: No objection. As long they were
22 taken by her, Your Honor, we don't have any objection.

23 Q Agent Worley, if you could please take a look at
24 State's Exhibits 70 and 71. Could you tell us what those
25 pictures are?

1 A These are pictures of the front of the ATV that was
2 parked near Maggie's body.

3 MS. GOUDE: Your Honor, the State would move 70 and 71
4 into evidence.

5 MR. HARPOOTLIAN: No objection.

6 THE COURT: Admitted without objection.

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 70 WAS
8 RECEIVED INTO EVIDENCE.)

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 71 WAS
10 RECEIVED INTO EVIDENCE.)

11 Q So if we look here at Defense Exhibit 9, can you point
12 out where the ATV was there the night of the murders?

13 A That photo was taken on July 16th.

14 Q But where were the photos -- or the ATVs on the
15 night -- ATV on the night of the murders?

16 A Under that overhang behind the dog house.

17 MS. GOUDE: At this time I'm going to publish State's
18 Exhibit 70.

19 Q Where was Maggie Murdaugh's body in relation to this
20 ATV?

21 A It would be toward the right of the ATV.

22 Q It was kind of in front of the ATV?

23 A Yeah.

24 Q And did you observe any kind of biological matter on
25 that ATV?

1 A Yes.

2 Q State's Exhibit 71, could you kind of point out or
3 describe for the jury where you can see spots of biological
4 matter?

5 A If I can step down.?

6 MS. GOUDE: Your Honor, may she step down?

7 THE COURT: Yes.

8 MR. HARPOOTLIAN: Objection, Your Honor, unless she's
9 going to indicate what appears to be biological matter.
10 Did she test -- was it tested?

11 THE COURT: I would have to hear the question before I
12 can hear an objection.

13 Q Agent Worley, if you could please point out for the
14 jury where would appear to be biological matter of tissue
15 on that ATV?

16 MR. HARPOOTLIAN: Object to the question. I object to
17 the response because it was never tested. It appears -- it
18 could be deer blood. It could be a number of different
19 things. This calls for speculation.

20 THE COURT: Objection is overruled.

21 A These areas right here, a little there, there. I
22 believe there was a little bit on the this tire, also.

23 MS. GOUDE: Thank you, Agent Worley.

24 That's all for this witness, Your Honor.

25 THE COURT: Further cross-examination?

1 MR. HARPOOTLIAN: Just a couple.

2 RECROSS-EXAMINATION

3 BY MR. HARPOOTLIAN:

4 Q You would concede, I mean, if you saw that -- I mean,
5 it looked like blood?

6 A Yes.

7 Q Did you test it for blood?

8 A No.

9 Q Gathered swabs, something so you could take it back to
10 the lab and see if it was Maggie's blood, Paul's blood,
11 deer blood? I mean, they hunt in those ATVs, right?

12 A I have no idea what they do in them.

13 Q You don't know if they hunt using ATVs? Really?
14 Is that one of the things you're aware that's done with
15 those?

16 A I am now, yes.

17 Q But the night you saw that blood, you didn't take a
18 swab of it or whatever you thought was blood? Didn't swab
19 it?

20 A No, I didn't.

21 Q And matter of fact, there's a pool of water around
22 Paul. Did anyone ask you to take a sample of that?

23 A No.

24 Q And determine whether or not there was human blood in
25 it?

1 A No.

2 Q Okay. Now, I'm looking at your shoes report. You
3 specifically say on a number of these that the photograph
4 is inadequate to do a comparison, right?

5 A I was able to -- my result was it was adequate enough
6 to determine the outsole design. I couldn't --

7 Q I'm sorry, adequate to do what?

8 A To determine the outsole design of the impression. I
9 wouldn't have been able to identify it.

10 Q On Paul's, the one you've already said he was facing
11 backwards, did you say that you had partials and in one
12 point you didn't know which way the foot was facing? Did
13 you say that?

14 A I'm not sure.

15 Q Did you come to any conclusions about any of the
16 other -- I mean, did you match his footwear to any of the
17 other bloody impressions in that feed room?

18 A Yes.

19 Q Which one?

20 A The one by the door, like right in front of doorway.

21 Q What's the number of that?

22 A 105.1.

23 Q I'm sorry?

24 A Item 105.1. It's facing the doorway.

25 Q It says that the outsole design is consistent with

1 Item 103, Paul's shoes. So, you also say that the way you
2 got scale was -- and some these were evidence markers, and
3 then you figured out how big the evidence marker was, and
4 that's what you used to get the scale.

5 A The marker and the shot shells in Markers 9 and 10
6 were measured.

7 Q Okay, and that's not the best way to do it, is it?

8 A No.

9 Q And in terms of the sketch we had, you -- a pretty
10 crude sketch, but have you ever been asked by SLED or the
11 Attorney General's Office to do this trajectory analysis
12 that I asked you to do today?

13 A No, but I don't necessarily do crime scene
14 reconstruction.

15 Q Who does?

16 A We don't necessarily do that ourselves. We process
17 the crime scene and document it, but we don't do
18 reconstructions.

19 Q But no one has consulted with you about a
20 reconstruction. No one has come from SLED and said let's
21 go over these angles or, you know, how did you conduct this
22 or -- no one has asked you to perform one.

23 A No.

24 Q Have you ever had a conversation with anybody from the
25 Attorney General's Office about this?

1 A No, I don't think so.

2 Q Have they ever talked to you about the video we showed
3 a little while ago and the process y'all use to try to make
4 a 3D --

5 A Not with me. With others who created the FARO
6 software video.

7 Q They talked about the people that did the FARO?

8 A I believe so.

9 Q What?

10 A I believe so, yes.

11 Q Do you know who that was or who they talked to?

12 A No.

13 Q Do you know when that was?

14 A Not really, no.

15 Q So, they have a 3D image of the crime scene, and you
16 don't know when they got it or what they did with it? They
17 never talk with you about it?

18 A No.

19 MR. HARPOOTLIAN: Begging the Court's indulgence.

20 (Break in proceedings.)

21 MR. HARPOOTLIAN: Thank you.

22 THE COURT: You may step down.

23 (The witness exited the stand.)

24 THE COURT: You may go to the jury room for a 10
25 minute recess. Please do not discuss the case.

1 (A recess was taken.)

2 THE COURT: We have a note from the jury:

3 Your Honor, will you please inform the parties
4 that the identity of each is to remain anonymous?
5 Secondly, please remove the cart in front of the
6 large TV.

7 MR. HARPOOTLIAN: I'm sorry, Your Honor. I moved it
8 back to lay that out.

9 THE COURT: Okay.

10 The audience is reminded, and as requested by the
11 jury, we have removed the cart.

12 You may bring the jury.

13 (The jury returned to the courtroom.)

14 THE BAILIFF: The jury is present.

15 THE COURT: All right. Thank you.

16 Ladies and gentlemen, I have addressed your concerns.
17 And you may call your next witness.

18 MR. WATERS: Thank you, Your Honor. We call Senior
19 Special Agent Jeff Croft.

20 The witness, JEFF CROFT, was first duly sworn and
21 testified as follows:

22 THE CLERK: Take a seat in the witness stand. State
23 your name again for the record. Spell your last name.

24 THE WITNESS: Jeff Croft. C-r-o-f-t.

25 DIRECT EXAMINATION

1 BY MR. WATERS:

2 Q Senior Special Agent Croft, how are you doing today?

3 A Doing well, sir.

4 Q So, your hair is about as gray as mine is, isn't it?

5 A Sir?

6 Q Your hair is about as gray as mine is.

7 A Yes, sir.

8 Q Is that how you get to be a senior special agent?

9 A I don't think so.

10 Q Tell us a little bit about yourself. Where did you
11 grow up, where are you from, and then tell us a little bit
12 about your career in law enforcement.

13 A I grew up in Barnwell County; I started my law
14 enforcement career in the early two thousands as a reserve
15 deputy with the Barnwell County Sheriff's Office. I got
16 hired full-time, started on the road; I did road patrol. I
17 then went to investigative services, or excuse me,
18 investigations where I worked narcotics and violent crime.
19 In 2012 I transferred over to SLED, where I worked in the
20 Lowcountry region and investigative services. I was
21 assigned to this area for investigative purposes working
22 homicides, violent crime, financial cases, all sorts of
23 stuff.

24 Q Okay, and how long have you been with SLED?

25 A I'm going on twelve years.

1 Q What -- where were you assigned back on June 7, 2021?

2 A I was assigned to the Lowcountry region here in
3 Colleton County.

4 Q And were you summoned and called out to respond to the
5 reports of the two deaths at 4147 Moselle Road?

6 A Yes, sir, I was.

7 Q About what time did you get the call?

8 A I got called out on actually June the 8th, the morning
9 of June the 8th about 5:30 that morning.

10 Q Okay, and where did you go from there?

11 A I was en route to the scene. I was rerouted to the --
12 our field office here in Walterboro and given instructions
13 from there.

14 Q Okay, and given -- having been given those
15 instructions, what did you go do to help the investigation?
16 What's the first thing you did?

17 A I located and interviewed Rogan Gibson.

18 Q And did you have a conversation with Rogan Gibson?

19 A Yes, sir, I did.

20 Q Did you ask Rogan Gibson about whether or not he had
21 phone communications with Paul Murdaugh the evening before?

22 A Yes, sir, I did.

23 Q Did you ask him whether he had phone communications
24 with Alex Murdaugh the night before?

25 A Yes, sir, I did.

1 Q Did you ask him whether or not he had phone
2 communications with Maggie Murdaugh the night before?

3 A Yes, sir, I did.

4 Q And did you ask to see Rogan's cell phone?

5 A Yes, sir, I did.

6 Q Did he allow you to take screen shots of some of the
7 records on his cell phone?

8 A Yes, sir, he did.

9 Q All right. I'm going to show you very quickly what's
10 been marked as Exhibits 165, 166, 167, 168, 169, 170, 171,
11 and 172. Just generally tell me if you recognize those
12 particular exhibits.

13 A Yes, sir. These are the snapshots which I took off of
14 Rogan Gibson's phone.

15 Q Okay. Bear with me one second.

16 (Break in proceedings.)

17 MR. WATERS: Your Honor, at this time I would move
18 into evidence State's Exhibits 165 through 172, I believe
19 without objection.

20 MR. GRIFFIN: No objection, Your Honor.

21 THE COURT: They're admitted.

22 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 165 WAS
23 RECEIVED INTO EVIDENCE.)

24 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 166 WAS
25 RECEIVED INTO EVIDENCE.)

1 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 167 WAS
2 RECEIVED INTO EVIDENCE.)

3 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 168 WAS
4 RECEIVED INTO EVIDENCE.)

5 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 169 WAS
6 RECEIVED INTO EVIDENCE.)

7 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 170 WAS
8 RECEIVED INTO EVIDENCE.)

9 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 171 WAS
10 RECEIVED INTO EVIDENCE.)

11 (SCREEN SHOT MARKED AS STATE'S EXHIBIT NUMBER 172 WAS
12 RECEIVED INTO EVIDENCE.)

13 MR. WATERS: All right. If I could get the ELMO up,
14 please, and see how that looks. Not great, is it?

15 Q All right, I'm going to put up on the screen State's
16 Exhibit 165. And is this one of those images that we were
17 just talking about from Rogan Gibson?

18 A Yes, sir, it is.

19 Q All right, and whose hand is that holding it up? Do
20 you know?

21 A That is Rogan Gibson holding the phone for me to take
22 a picture.

23 Q And was he manipulating the phone for you and then
24 showing you when he found things and then you taking a
25 picture of it with your phone?

1 A Yes, sir, he was.

2 Q And does this reflect an incoming call from Paul at a
3 particular time?

4 A Yes, sir, it does.

5 Q What time does it reflect that call?

6 A At 8:40 p.m.

7 Q All right, and this is going to be on June 7, 2021?

8 A That is correct, sir.

9 Q And how long does it reflect that call was?

10 A Approximately 4 minutes.

11 Q 4 minutes. All right. Let's look at the next one.

12 I'm going to publish what's been marked as State's Exhibit
13 166. Is this another screen shot that Rogan showed you
14 from his communication with Paul Murdaugh that night?

15 A Yes, sir, it is.

16 Q And does it show an incoming call from Paul Murdaugh
17 to Rogan Gibson?

18 A Yes, sir, it does.

19 Q And what time is that call?

20 A 8:44 p.m.

21 Q 8:44 p.m.?

22 A That is correct.

23 Q I'm going to show you next what's been marked as
24 Exhibit 167 of your testimony. Is this another screen shot
25 that was shown to you by Rogan Gibson from his

1 communications with Paul Murdaugh?

2 A Yes, sir, it is.

3 Q All right, and were these some texts between the two
4 of them?

5 A Yes, sir, it is.

6 Q All right, and does it reflect a text from Rogan to
7 Paul on there?

8 A Yes, sir, it does.

9 Q And what time is that? I'm sorry, go ahead.

10 A 8:49 p.m.

11 Q 8:49 p.m. Is that correct?

12 A That is correct.

13 Q And can you read that text to the jury, please?

14 A See if you can get a good picture of it.

15 Marianne wants to send it to a girl we know

16 that's a vet. Tell him to sit and stay and he

17 shouldn't move around too much.

18 Q All right. Does it reflect any response from Paul?

19 A It does not.

20 Q All right. What's the next communication on this
21 particular exhibit?

22 A It's got a glare on it. I can't -- it looks like
23 9:58 p.m.

24 Q All right. I'm going bring the exhibit up because I
25 know -- or ELMO is not working great. We're still working

1 on that, but let me actually have you look at it. So, we
2 said there's a communication to Paul from Rogan, and then
3 you said there was no response. Is that correct?

4 A That is correct, sir.

5 Q And then the next thing is Rogan sends a text. Is
6 that correct?

7 A That is correct, sir.

8 Q What time is that text?

9 A 9:58 p.m.

10 Q 9:58. And what does he say?

11 A Yo.

12 Q Yo?

13 A Y-o, Yo.

14 Q I'm going to put up on the screen State's Exhibit 168.
15 Can you see that all right?

16 A Yes, sir.

17 Q All right, and does this reflect a number of outgoing
18 calls from Rogan to Paul trying to get him to answer?

19 A Yes, sir, it does.

20 Q Can you tell the jury the times starting at the bottom
21 that he's trying to call Paul Murdaugh without an answer?

22 A At 9:10 p.m. there's a two second outgoing call. At
23 9:21 p.m. there's a one second outgoing call. At 9:42 p.m.
24 there's a one second outgoing call. And at 9:56 p.m.
25 there's a four second outgoing call.

1 Q I'm going to put up on the screen State's Exhibit 169.
2 And does this also reflect an outgoing call from Rogan to
3 Paul that's unanswered?

4 A Yes, sir, it does.

5 Q And what time was that?

6 A 10:08 p.m.

7 Q Okay. All right. We're now looking at State's
8 Exhibit 170. I'm going to bring it up to you real quick.
9 Who does this reflect communications with? Between Rogan
10 Gibson and who?

11 A Ms. Maggie Murdaugh.

12 Q All right. Let me go publish this real quick. So,
13 it's from who?

14 A Ms. Maggie Murdaugh.

15 Q All right, and Rogan sends her a text. Is that
16 correct?

17 A Yes, sir, he does.

18 Q And what time does he send that text?

19 A 9:34 p.m.

20 Q And what did he say?

21 A Tell Paul to call me.

22 Q I'm going to publish what's been marked as State's
23 Exhibit 171. Can you see that all right?

24 A Yes, sir. I can see the times. I can't see the top
25 of it.

1 Q Okay.

2 A Okay. I can see it.

3 Q All right, and who were these communications from on
4 Rogan Gibson's phone?

5 A Mr. Alex Murdaugh.

6 Q The defendant?

7 A That's correct.

8 Q All right, and were there missed calls from Alex
9 Murdaugh to --

10 A Yes, there is.

11 Q And can you tell the jury what times those were?

12 A At 10:21 p.m. and at 10:24 p.m.

13 Q And then finally State's Exhibit 172. Are these
14 additional missed calls on Rogan's phone or outgoing -- I'm
15 sorry, missed calls?

16 A Yes, sir, it's missed calls.

17 Q And who were they from?

18 A I can't see the top from that display.

19 Q I'm sorry.

20 A Mr. Alex Murdaugh.

21 Q Okay, and what time were these missed calls from Alex
22 Murdaugh to Rogan Gibson?

23 A 10:25 and 10:30 p.m.

24 Q Did you ultimately -- you ultimately interviewed Rogan
25 Gibson. Is that correct?

1 A Yes, sir, I did.

2 Q And without going into what he said, he told you what
3 his communications -- and what he did that night and all
4 the rest of it. Is that right?

5 A Yes, sir, he did.

6 Q Was there anybody with you when you interviewed him?

7 A Yes, sir, it was.

8 Q And who was that?

9 A Special Agent Katie McCallister.

10 Q Katie McCallister.

11 A Yes, sir.

12 Q Did you take a buccal swab from Rogan Gibson?

13 A Yes, sir, I did.

14 Q Tell the jury just really quickly. What is a buccal
15 swab?

16 A A buccal swab is used to get a DNA standard, or a
17 known standard that can be used by our lab to compare to
18 potential other evidence. It's a cotton swab which we use
19 on the inside of the cheek, very nonintrusive. Once we get
20 it, we seal it with evidence tape; it's transported to our
21 lab for our lab's use.

22 (Break in proceedings.)

23 (CHAIN OF CUSTODY FORM MARKED AS STATE'S EXHIBIT
24 NUMBER 154 FOR IDENTIFICATION.)

25 Q I'm going to show you what's been marked as State's

1 Exhibit 154 and see if you recognize this document.

2 A Yes, sir, I do.

3 Q Tell me what that is. Tell the jury what that is.

4 A It's a chain of custody form that we used when we
5 secured the buccal swab from -- or buccal swab from Rogan
6 Gibson.

7 Q All right. Put that up on the screen. So right
8 there, is that where it says what it is?

9 A That's correct, yes, sir.

10 Q And whose signature is that right there?

11 A That is myself.

12 Q And whose name and signature is that right there?

13 A Melinda Worley, Special Agent Melinda Worley.

14 Q Okay. After you had that interview with Rogan Gibson,
15 what's the next thing you did in the case to assist the
16 investigation?

17 A I went back to the scene where I briefed Senior
18 Special Agent David Owen and the others that was assisting
19 with the investigation. I was asked to go to the
20 residence, the Murdaugh residence, which was down from the
21 kennels.

22 Q And what was going to be your goal in going to the
23 residence?

24 A I went to the residence to secure any firearms or
25 ammunition, spent shell casings of that nature that would

1 be potentially compared to our -- or similar in nature to
2 what was at the scene.

3 Q Did you go by yourself or did you go with the team?

4 A It was myself, Anthony Sampson, and Katie McCallister,
5 both which are special agents.

6 Q What was your particular role or -- in this team?

7 What was going to be your main job and why you were picked
8 to be on this team to go in the house looking for firearms
9 evidence?

10 A I have some knowledge of firearms and ammunition, and
11 my main duty was to attempt to locate any firearms that
12 were capable of firing similar ammunition that was at the
13 actual crime scene, any spent shell casings that would be
14 similar in nature that could potentially be tested back to
15 a firearm if one was located, or tested in comparison to
16 the casings which were at the scene.

17 Q Had you been advised by other investigators what types
18 of weapons or what ammunition had been used to murder
19 Maggie and Paul?

20 A Yes, sir, I did.

21 Q And can you tell the jury what you'd been advised?

22 A I had been advised that it was a 12 gauge shotgun used
23 capable of shooting three inch magnum. I was also advised
24 that it was a 300 Blackout rifle -- or, excuse me, it was
25 an AR rifle chambered for 300 Blackout.

1 Q 12 gauge and 300 Blackout?

2 A That's correct, yes, sir.

3 Q Bear with me one second.

4 (Break in proceedings.)

5 Q All right, I'm going to show you what has been marked
6 as Exhibit 160 to your testimony and see if you recognize
7 that particular disc.

8 A Yes, sir, I do.

9 Q All right, and tell me what that disc is.

10 A It's a disc of my body worn camera recording from the
11 day of the house entry.

12 Q All right. I'm going to show you what's been marked
13 as Exhibit 159 and see if you recognize this particular
14 exhibit.

15 A Yes, sir, I do.

16 Q All right, and what is on that?

17 A This is, again, the recording of my body worn camera
18 for the house entrance.

19 Q All right, and why are there two recordings of body
20 cams? Why do we have two instead of just one?

21 A After the initial entry to the residence and some
22 initial items being secured, I stepped outside to speak to
23 the investigative team, which was up at the kennels, and
24 then I walked back in the house. While I was outside, I
25 noticed some items on the ground that needed to be secured,

1 so I walked back in the house, got Anthony Sampson, Special
2 Agent Anthony Sampson, to accompany me outside to collect
3 those items.

4 Q All right, and what were those items? Go ahead and
5 let's jump ahead. What were those items you collected out
6 there?

7 A It was 300 Blackout shell casings, which appeared to
8 be weathered, at the bottom of the stoop entered -- to the
9 entrance of the -- what I call the gun room and in the
10 flowerbed on each side.

11 Q All right, and when you say cases or casings, tell the
12 jury what we're talking about. What is a case or a casing
13 as opposed to the whole cartridge? Can you explain that to
14 the jury, please?

15 A Cartridge case is what's ejected from the weapon once
16 it's fired. It houses the powder and the primer and the
17 bullet on the end, which is the projectile, which leads to
18 the end of the barrel. It's basically just the housing
19 that holds the fire mechanism in a shell or in a casing.

20 Q And in a semiautomatic weapon, once the bullet is
21 fired, what happens to the casing?

22 A In a semiautomatic weapon, it is ejected.

23 Q It's ejected.

24 A Yes, sir.

25 Q Okay, and if nobody picks it up, it stays right there

1 on the ground, doesn't it?

2 A That is correct, yes, sir.

3 MR. WATERS: Your Honor, at this time I would move
4 State's Exhibit 159 and 160 into evidence.

5 MR. GRIFFIN: Your Honor, we don't object to the video
6 of either one. And there's one longer video that's in the
7 house -- I don't know if it's 159 or 160 -- that we would
8 object to the audio portions being played.

9 MR. WATERS: Your Honor, I have no problem with that.
10 I'm going to play that particular video with the audio down
11 because there is discussions with other witnesses who will
12 testify in the house, and so that's acceptable to the State
13 with that particular exhibit.

14 THE COURT: Mr. Griffin?

15 MR. GRIFFIN: Yeah, that's acceptable.

16 THE COURT: All right.

17 MR. GRIFFIN: As long as there's no hearsay from the
18 witnesses.

19 THE COURT: He said the audio is down, so it's
20 admitted under those conditions.

21 MR. WATERS: Thank you, Your Honor.

22 (DVD OF BODY-WORN CAMERA MARKED AS STATE'S EXHIBIT
23 NUMBER 159 WAS RECEIVED INTO EVIDENCE.)

24 (DVD OF BODY-WORN CAMERA MARKED AS STATE'S EXHIBIT
25 NUMBER 160 WAS RECEIVED INTO EVIDENCE.)

1 MR. WATERS: For the record, 159 is the exhibit we
2 will play with the audio down.

3 MR. GRIFFIN: Thank you.

4 Q All right. So, Special Agent Croft, since we don't
5 have audio on this, we might just kind of narrate it for
6 the jury while things are happening. Okay?

7 A All right.

8 Q All right. Let's do that.

9 (The video was played without audio.)

10 Q All right. What's happening right now?

11 A We are walking up to the side door of the residence,
12 which enters the gun room.

13 Q All right, and just real quick, we see that side stoop
14 right there?

15 A Yes, sir.

16 Q And what's -- what was found right there, if anything,
17 by that stoop?

18 A 300 Blackout casings.

19 Q Is that what you just were talking about?

20 A Yes, sir, it is.

21 Q Right there, huh?

22 A Yes, sir.

23 Q Thank you. Who is that individual right there? Do
24 you know?

25 A Attorney Lee Cope.

1 Q Who is talking to him?

2 A Special Agent McCallister.

3 Q I'm going to move it forward going in the house a
4 little bit. Where are we now?

5 A We're inside of the residence at 4147 Moselle Road in
6 the gun room.

7 Q Who are you shaking hands with right now?

8 A That would be Attorney Mark Ball.

9 Q All right. Who's getting their hand shook right now?

10 A Mr. -- Attorney Ronnie Crosby.

11 Q All right. You mentioned Lee Cope and Mark Ball and
12 Ronnie Crosby. Who are these individuals? What, if
13 anything, is their relationship with Alex Murdaugh?

14 A They are law partners with -- or were law partners
15 with Mr. Alex Murdaugh at PMPED.

16 Q Do you know what Alex Murdaugh did for a living?

17 A He was a trial lawyer, and he also was a prosecutor
18 for the Fourteenth Circuit Solicitor's Office under
19 Solicitor Duffy Stone.

20 Q And what does a prosecutor do?

21 A They try cases for the State.

22 Q Criminal cases?

23 A Criminal cases for the State, yes, sir.

24 Q That's what he did?

25 A That is correct.

1 Q Fast forward just a little bit. What's that sort of
2 in the center of the screen right there?

3 A That's a gun cabinet or a gun shelf.

4 Q And what's going on right now?

5 A Special Agent McCallister is explaining why we're
6 there, kind of what we're looking for, and gaining consent
7 to search that area.

8 Q Was consent ultimately obtained to search?

9 A Yes, sir, it was.

10 Q Let me back it up real quick. All right, at this
11 point are y'all having a conversation with people who were
12 there? I'm not trying to get into the conversation, just
13 were you having a conversation?

14 A Yes, sir, we were.

15 Q All right, and who were the two individuals you were
16 talking -- or three individuals you're talking to right
17 there?

18 A Ronnie Crosby on the right, Mark Ball in the center,
19 and Mr. Lee Cope on the left-hand side. Agent McCallister
20 is standing with her back turned.

21 Q At some point did Mark Ball point to anything?

22 A Yes, sir, he did.

23 Q And what did he point to?

24 A A 300 Blackout rifle which was sitting in the gun
25 wall.

1 Q Did Ronnie Crosby point to it? Let me back up.

2 A Yes, sir.

3 Q All right. Whose body cam are we looking at right
4 now?

5 A That would be mine.

6 Q And where are you going right now?

7 A I'm walking over to the gun wall, or gun cabinet, in
8 order to get a better picture of what Mr. Ball is pointing
9 to.

10 Q Is that it right there in the middle?

11 A That is it, yes, sir.

12 Q All right. What is Mark Ball pointing to right now?

13 A He's pointing to the numbers which are displayed on
14 the bottom of the magazine.

15 Q All right, and is this the Blackout we're talking
16 about?

17 A That is correct.

18 Q All right. Did you look at that particular magazine?

19 A Yes, sir, I did.

20 Q What, if anything, did you notice about that magazine?

21 A The magazine was stamped with 223.

22 Q All right. Is 223 the same ammunition as 300
23 Blackout?

24 A It is same in length. A 223 magazine is capable of
25 housing a 300 Blackout round.

1 Q All right. Well, explain to me a little bit about 223
2 and -- which is a type of ammunition, and Blackout. What
3 are the differences and what are the similarities between
4 those two rounds?

5 A They both can be fired from the AR frame. It's -- the
6 300 Blackout is actually approximately a 30 millimeter
7 projectile, a little bit larger bullet than the 223. It
8 has a little more kinetic energy and a little more stopping
9 power than the 223. The 223 is a faster bullet, a little
10 flatter trajectory. It does not have the stopping power
11 that the 300 has. Because the 300 is a larger bullet and
12 you're trying to use it in an AR frame, it's not down so
13 you don't have quite as much speed coming out -- or
14 velocity coming out of the barrel than you would with a
15 223.

16 Q What is it you just said, though? A 300 Blackout has
17 more of --

18 A Stopping power than the 223.

19 Q And stopping power, what does that mean? What is
20 stopping power?

21 A It has more impact than the 223 round has.

22 Q Impact. Okay. All right.

23 (The video continued to play.)

24 Q What else are you looking for right now as you look
25 through the other firearms on that particular gun rack?

1 A Any additional rifles capable of shooting a 300
2 Blackout, and also any 12 gauge shotguns which are capable
3 of shooting three inch magnum.

4 Q Let me ask you this. Did you find any other weapons
5 that could shoot 300 Blackout?

6 A No, sir, we did not.

7 Q Did you ever find any other weapons on Alex Murdaugh's
8 property that could shoot 300 Blackouts other than that one
9 that was in the gun room?

10 A No, sir, we did not.

11 Q And we're going to talk more about this in a minute,
12 but did you find some 12 gauges?

13 A Yes, sir, we did.

14 Q All right. What are we looking at right here?

15 A That's to the right of the gun wall or gun cabinet.
16 It's various ammunition for different types of weapons,
17 shell casings. It's parts for the gun wall.

18 Q Okay, and you're having a conversation with who right
19 there?

20 A Attorney Mark Ball.

21 Q As a result of that conversation, was Mark Ball
22 pointing to things?

23 A Yes, sir, he was.

24 Q Specific things?

25 A Yes, sir, he was.

1 Q Did you ultimately come back and collect some of those
2 things?

3 A Yes, sir, I did.

4 Q Fast forward to about 7 minutes and 30 seconds to
5 keep this thing moving. Right there. What is that right
6 there?

7 A That is an empty box with the label S&B 300 BLK.

8 Q All right. Did you ultimately collect that box?

9 A Yes, sir, I did.

10 Q All right. I'm going to show you what's been marked
11 as State's Exhibit 213 and see if you recognize that item.

12 A Yes, sir, I do.

13 Q All right. Stand by for me real quick.

14 (Break in proceedings.)

15 MR. WATERS: All right, Your Honor, at this time we
16 would move State's Exhibit 213 into evidence, I believe
17 without objection.

18 MR. GRIFFIN: No objection.

19 THE COURT: It's admitted.

20 (EMPTY BOX OF AMMO MARKED AS STATE'S EXHIBIT NUMBER
21 213 WAS RECEIVED INTO EVIDENCE.)

22 Q I'm going to show it to you again, and I'm going to
23 put it up on the screen. Does that box reflect the grain
24 weight of the bullets of that ammunition that were inside
25 of it?

1 A Yes, sir, it does.

2 Q And what is that?

3 A 147 grains.

4 Q All right, and tell the jury. What is 147 grains, or
5 just grains in -- generally when it comes to a bullet, what
6 does that mean?

7 A It's the weight of the projectile.

8 Q All right, and it's possible to have certain
9 ammunition of the same caliber but it has different
10 weights. Is that correct?

11 A That is correct, yes, sir.

12 Q And this Blackout is 147 grains, correct?

13 A That is correct, yes, sir.

14 Q All right.

15 MR. WATERS: Sorry.

16 (Break in proceedings.)

17 MR. WATERS: Everybody can see that?

18 Q And that's the empty box you found in the gun room?

19 A Yes, sir, it is.

20 Q All right, and right there, is that the grains that
21 you were talking about?

22 A Yes, sir, it is.

23 Q Step down if you need to and see what I'm pointing at.

24 A I can see you, sir.

25 Q All right. Can you read that right there?

1 A Yes, sir, I can.

2 Q And what does it say?

3 A Sellier and it looks like Bellot.

4 Q And shorthand when your people are talking about
5 ammunition, how do they say that?

6 A S&B.

7 Q S&B. Then on the back right here, can you read that?

8 A Yes, sir, I can.

9 Q And what does that say?

10 A 300 AAC Blackout.

11 MR. WATERS: If we can go back to the video, please.

12 (The video continued playing.)

13 MR. WATERS: For the record, I'm fast forwarding a
14 little bit just to keep us going.

15 Q At this particular time as it relates to the shotguns,
16 are you looking to collect every single shotgun that's on a
17 rack or only specific shotguns?

18 A Only specific shotguns.

19 Q And what specific gauge of shotgun were you looking to
20 collect?

21 A 12 gauge.

22 Q And why only 12 gauge?

23 A That was what we -- that was the shell casings or --
24 that was located at the crime scene.

25 Q Who is that individual standing in the center of the

1 screen?

2 A That would be Mr. John Marvin Murdaugh.

3 Q Now you mentioned attorneys Lee Cope, Mark Ball, and
4 Ronnie Crosby were in that room as well. Is that correct?

5 A That is correct, yes, sir.

6 Q And Mr. John Marvin Murdaugh. Is that correct?

7 A That is correct, yes, sir.

8 Q And what's his relation to the defendant?

9 A He is the brother.

10 Q Was that everyone that was kind of there, or was there
11 another attorney as well that was present?

12 A There was an additional attorney that walked in the
13 room early in the recording.

14 Q And who was that?

15 A Chris Wilson.

16 Q Chris Wilson? Just generally, what are you doing
17 right here?

18 A Just getting an overall of where things were at when
19 we went into the room before anything was actually moved.

20 Q I saw you doing something with your hands, what are
21 you doing right there?

22 A I was putting latex gloves on my hands.

23 Q What is it you're about to do?

24 A I'm going to start collecting or securing those
25 firearms.

1 Q Okay. What is that in your hand right there?

2 A That's a 300 -- or an AR15 chambered 300 Blackout.

3 Q What's that in your hand right there? I kind of fast
4 forwarded it.

5 A That was the magazine which I removed from the 300.

6 Q What ammunition was in that magazine?

7 A S&B 147 grain.

8 Q 300 Blackout?

9 A 300 Blackout.

10 Q If I may see another item, Item 33, please. All
11 right. I called it Item 33 because that's the SLED item,
12 but actually it's been marked as State's Exhibit 88. I'm
13 going to have you take a look at that and see if you
14 recognize that. You may go ahead and pull it out, just
15 make sure not to point it at the jury. And if you could
16 also make sure that it is not in a firing state, please,
17 sir.

18 A It is safe.

19 Q All right, and what is that item right there?

20 A This is the 300 Blackout rifle, which I secured from
21 the gun wall.

22 Q All right. Let me see it.

23 MR. WATERS: Your Honor, at this time we would move
24 State's Exhibit 84 into evidence.

25 MR. GRIFFIN: Your Honor, I would on relevancy

1 grounds. There's no evidence that this gun was the gun. I
2 mean, it's just not relevant, it was found in the house.

3 THE COURT: The objection is overruled.

4 MR. WATERS: Thank you, Your Honor.

5 (300 BLACKOUT RIFLE MARKED AS STATE'S EXHIBIT NUMBER
6 88 WAS RECEIVED INTO EVIDENCE.)

7 (AMMO AND MAGAZINE FROM EXHIBIT MARKED AS STATE'S
8 EXHIBIT NUMBER 210 WAS RECEIVED INTO EVIDENCE.)

9 Q Hold on to that gun for me, please, Special Agent
10 Croft. Let's see what else is in this box. And I'm going
11 to show you the other part of State's Exhibit 88, and
12 that's marked actually as State's Exhibit 210. What is
13 that?

14 A This will would be the magazine which I removed from
15 this rifle on the video, and the ammunition which it
16 contained.

17 Q All right, and what kind of ammunition is that?

18 A It's head stamped S&B 300 Blackout.

19 Q All right, and do you know the specific brand, and
20 make, and caliber of ammunition that was used to kill
21 Maggie Murdaugh?

22 A The head stamps on the shell casing at the crime scene
23 was S&B 300 Blackout.

24 Q Same thing?

25 A Yes, sir.

1 Q Okay. Let's talk a little bit about this firearm.
2 What's this thing on the top here?

3 A That's a -- I call it a optic, but it's actually a
4 thermal scope, which can be used for shooting in the dark.

5 Q Okay, and this particular weapon, is this a
6 semiautomatic weapon?

7 A Yes, sir, it is.

8 Q And what does that mean? Can you tell the jury what
9 that means?

10 A Each press of the trigger it will fire and eject the
11 spent cartridge.

12 Q And where are the cartridges going to eject when the
13 this weapon is fired?

14 A It will eject from the right hand side right here.

15 Q All right. So if it's being fired they're coming out
16 this way. Is that correct?

17 A To the right and generally back.

18 Q Can we go back to the ELMO, please? All right. Are
19 these the rounds you're talking about right here?

20 A Yes, sir, it is.

21 Q Are those the S&B 300's?

22 A Yes, sir, they are.

23 Q And this is that magazine that said 223 on it that you
24 were talking about. Is that correct?

25 A That is correct.

1 Q All right.

2 (The video continued to play.)

3 Q What's that you've got in your arm now?

4 A That's is a 12 gauge Browning.

5 Q All right. All right. Let me back up just a hair.

6 All right. So that's the Browning you collected. Is that
7 correct?

8 A Yes, sir, it is.

9 Q All right. I'm going to bring you Item 31 here real
10 quick. Before you open it, just give me one second and I'm
11 get this Blackout rifle out of the way.

12 MR. WATERS: And that's going to block you, isn't it?

13 Q All right. That's -- I've been using the SLED item
14 number, but that's State's Exhibit 90. Is that correct?
15 I've got you right there.

16 A Yes, sir.

17 Q All right. Could you open that up and tell me what's
18 in that and if you recognize it, please.

19 A That would be the Browning, which I secured from the
20 gun room.

21 Q All right. Can you -- is it in an unfired condition?
22 If you show that to the jury, please.

23 A It's in a safe condition, breach open.

24 Q All right, and this is chambered in what gauge?

25 A 12 gauge.

1 MR. WATERS: All right. Your Honor, at this time we
2 would move State's Exhibit 80 (sic) into evidence.

3 MR. GRIFFIN: Objection to relevancy unless they have
4 evidence tying it to the murders. There's a lot of guns
5 that were seized, Your Honor.

6 THE COURT: Yes, sir. Objection is overruled.

7 MR. WATERS: Thank you, Your Honor.

8 THE COURT: No need to thank me.

9 MR. WATERS: My apologies.

10 MR. GRIFFIN: Excuse me, Your Honor. I just want to
11 add a Rule 403 grounds for my objection to this gun and all
12 of other guns they plan to --

13 THE COURT: Yes, sir.

14 You may proceed.

15 MR. WATERS: Thank you, Your Honor.

16 (SHOTGUN MARKED AS STATE'S EXHIBIT NUMBER 90 WAS
17 RECEIVED INTO EVIDENCE.)

18 Q All right. Let's return to the video.

19 (The video continued to play.)

20 Q As you were looking through these various shotguns and
21 picking some up and putting them back and all the rest of
22 it, what were you looking for in making that determination
23 of the ones you could take and the ones that you're putting
24 back?

25 A That it was chambered in 12 gauge.

1 (The video continued to play.)

2 Q All right. You just put another gun on the table. Do
3 you recognize that particular gun?

4 A Yes, sir, I do.

5 Q All right, and what about the particular condition of
6 that gun did you notice, if anything?

7 A That is a 12 gauge pump and the breach is open.
8 Inside of the chamber is a shotgun shell that's ready to be
9 chambered into the -- to be fired.

10 Q And I paused it at 20 minutes and 17 seconds. What do
11 we see right there?

12 A That is a 12 gauge shotgun shell that's ready to be
13 chambered. Once you slide the pump action forward, it
14 would be chambered into the chamber and ready to fire.

15 Q All right.

16 MR. WATERS: And, Your Honor, just very quickly for
17 the record, that Browning shotgun, I believe I referred to
18 it as State's Exhibit 80. It's actually State's Exhibit
19 90, which I believe was entered over objection.

20 All right, let's go to 32, please.

21 Q All right. I'm going to show you what's been marked
22 as State's Exhibit 91. If you could just take a look at it
23 before you pull it out and tell me if you recognize what
24 that is?

25 A Yes, sir, I do.

1 Q And what is that?

2 A That is a Benelli 12 gauge.

3 Q All right. Thank you. Let me close that up real
4 quick. All right. We've got one step ahead of ourselves,
5 so let's do this one. This is State's Exhibit 87. Let's
6 try this one. Can we do this without knocking everything
7 over?

8 A I think so.

9 Q All right. Let's try a take a look -- don't show it
10 to the jury -- and tell me if you recognize that.

11 A Yes, sir, I do.

12 Q All right. Tell me what that is.

13 A That is the pump shotgun, which I secured from the gun
14 wall, which is depicted in the video.

15 Q All right. This is the one that's on the screen right
16 now?

17 A Yes, sir, it is.

18 Q All right.

19 MR. WATERS: For the record, this is State's Exhibit
20 89.

21 Q Let's go ahead and take a look and see if you
22 recognize that. That's the gun we were just talking about?

23 A Yes, sir, it is.

24 Q All right.

25 MR. WATERS: Your Honor, at this time I would move

1 State's Exhibit 9 (sic) into evidence.

2 THE COURT: What says the defendant?

3 MR. GRIFFIN: Your Honor, object on relevance, 403.
4 There's no evidence linking these guns to the crime, and
5 they're just cumulative and prejudicial.

6 THE COURT: Did you want to respond to the speaking
7 objection?

8 MR. WATERS: Yes, sir, I do want to respond to the
9 speaking objection. It is very important to show the
10 extensiveness of the investigation that was done,
11 particularly as it goes to firearms, and there were
12 multiple guns that were tested, and there will be an
13 analyst here later to show how those guns were tested and
14 what are the results of those. So, admitting these guns
15 into evidence to show the extent of what was tested is very
16 relevant, Your Honor.

17 THE COURT: They're admitted over objection.

18 MR. WATERS: Thank you -- I'm sorry.

19 (SHOTGUN MARKED AS STATE'S EXHIBIT NUMBER 89 WAS
20 RECEIVED INTO EVIDENCE.)

21 Q All right, let's go ahead and show the jury this one
22 if we can, please. Is it not in a fired condition,
23 fireable condition?

24 A The breach is open. It's not in fireable condition.

25 Q All right, and when you first got this particular --

1 or took this weapon off the wall, what was different about
2 its conditions that we talked about?

3 A It had a round that was here ready to be chambered
4 once the fore grip is pushed forward.

5 Q All right. Let me see it just real quick. So, is
6 this a semiautomatic type shotgun or a pump shotgun?

7 A It's a pump shotgun.

8 Q All right, and when a shell is fired and the mechanism
9 is used, what happens to the spent shell case?

10 A When you bring the forearm back, the shell case is
11 ejected similar to a semiautomatic weapon.

12 Q Okay, and which way would it go out of this particular
13 firearm?

14 A It would go to the right.

15 Q As an example, it would be to the right?

16 A Yes, sir.

17 Q All right.

18 MR. WATERS: I just pointed it at the court reporter,
19 sorry.

20 Q All right. This item was found within that weapon.
21 Is that correct?

22 A Yes, sir.

23 Q Tell me what that is.

24 A It's a 12 gauge three and a half inch shell, two and a
25 quarter, number 79.

1 Q Okay. Is that a turkey load?

2 A Yes, sir, it is.

3 Q All right. Let's close this box up. Help me out if
4 you would real quick.

5 (The video continued to play.)

6 Q Do you recall -- what are y'all doing right now?

7 A We are securing a Benelli shotgun.

8 Q All right. So we just did State's 89, and now let's
9 do State's -- can you tell me the number on the bottom of
10 that one?

11 A 91.

12 Q 91. All right. Just real quick, if you can just take
13 a look without showing it to the jury and see if you
14 recognize that.

15 A Yes, sir, I do.

16 Q And tell me what that is, please.

17 A That is the Benelli shotgun which I secured that's
18 depicted in the video.

19 MR. WATERS: All right, your Honor, at this time we
20 move State's 91 into evidence.

21 THE COURT: Any objection?

22 MR. GRIFFIN: Yes, Your Honor, relevance and 403.

23 THE COURT: It's admitted over objection.

24 (SHOTGUN MARKED AS STATE'S EXHIBIT NUMBER 91 WAS
25 RECEIVED INTO EVIDENCE.)

1 Q All right, let's go ahead. Again, if you can show
2 that to the jury, please? All right. Thank you very much.
3 Just put it back. You can point it at me; that's all
4 right. All right, I'm going to show you what's inside this
5 particular exhibit and see if you recognize those items,
6 please.

7 A Yes, sir.

8 Q All right, and what are those items?

9 A Those are two 12 gauge shells which were loaded in the
10 Benelli at the time we secured it.

11 Q What, if anything, can you tell me about the type of
12 shells those are?

13 A Head stamp is Winchester 12 gauge Long Beard. It's a
14 three inch number four. And the head stamp on the red one
15 is a Federal 12 gauge seven, two and a half ounce. It's a
16 three and a half inch Federal Premium shell.

17 Q Different types of ammunition, even different sizes.
18 Is that correct?

19 A That's correct.

20 Q One is a Winchester and one is a Federal. Is that
21 correct?

22 A That is correct.

23 Q Let's close this box if we could. All right. Back to
24 the video. We're picking up at 21:58.

25 (The video continued to play.)

1 Q At this point on that gun rack, did you observe any
2 other 12 gauges?

3 A No, sir.

4 (The video continued to play.)

5 Q Who are you having a conversation with right there?

6 A Attorney Mark Ball.

7 Q Is he pointing in that box?

8 A Yes, sir, he is.

9 Q Was he pointing about what y'all were talking about?

10 A Yes, sir, he is.

11 MR. WATERS: For the record, I'm fast forwarding a
12 little bit.

13 Q We're going to talk more about this, but after
14 collecting these various firearms, did you and the other
15 agents ultimately collect both spent rounds as well as
16 unfired rounds on the property and at the house?

17 A Yes, sir, we did.

18 Q And that's what generally the video is depicting from
19 here on out?

20 A Yes, sir, it is.

21 (The video continued to play.)

22 Q Is that that empty box we were just talking about
23 earlier?

24 A Yes, sir, it is.

25 (The video continue to play.)

1 MR. WATERS: And for the record, we're at 28 minutes
2 59 seconds.

3 Q Right up there at the top of the screen on top of
4 those little shelves, do you know what that is?

5 A I don't see where you're talking, sir.

6 Q Let me back it up. If you could step down for me real
7 quick, let me back it up one more time. That silvery
8 thing, do you know what that is right there?

9 A I can't get a good look at it, sir. It looks like a
10 juice box drink.

11 Q Okay. Juice box drink. All right. Keep on going
12 real quick.

13 (The video continued to play.)

14 MR. WATERS: For the record, I'm just kind of fast
15 forwarding it.

16 Q What's generally going on right here?

17 A Still looking for any additional weapons or
18 ammunition.

19 Q Right there on the image at 38:04, who is sitting on
20 the couch?

21 A That would be Attorney Chris Wilson.

22 (The video continued to play.)

23 Q All right, bear with me. I'm going to kind of fast
24 forward through this.

25 MR. WATERS: For the record I'm at 47:08.

1 (The video continued to play.)

2 Q Did you see who was on their cell phone right there?

3 A Yes, sir, I did.

4 Q Who was that?

5 A Captain Ryan Neill.

6 Q Was that your boss at the time?

7 A Yes, sir, it was.

8 Q Okay, and so what are you doing right now?

9 A I'm fixing to step outside to talk to him.

10 Q All right. Does your body camera go off at that
11 point?

12 A It does.

13 Q All right. Tell me what happens when you go outside.
14 Do you go outside to that stoop you showed earlier?

15 A Yes, sir. I go out the side door, the same door we
16 entered.

17 Q All right, and what, if anything, did you observe
18 outside?

19 A I observed on the ground right at the edge of the
20 stoop what appeared to be a 300 Blackout spent shell
21 casing. Appeared to be weathered as if it had been there
22 for some time.

23 Q Okay. What, if anything, did you decide to do at that
24 point?

25 A After talking to Captain Neill, I went back inside. I

1 asked Special Agent Anthony Sampson to step outside with me
2 so that we could secure those shell casings. We, again,
3 activated the body worn cameras and we walked outside and
4 we secured those -- or we secured shell casings from around
5 that stoop.

6 Q Okay. Bear with me real quick.

7 (Break in proceedings.)

8 Q All right, I have what's been marked as State's
9 Exhibit 260 for identification at this time, and I want you
10 to have -- to take a look at that and see if you recognize
11 that.

12 A Yes, sir, I do.

13 Q All right. Let me take them back real quick. And
14 what are these?

15 A Those are the spent shell casings which I picked up
16 from around the stoop on the outside of 4147 Moselle Road
17 outside of the gun room.

18 Q All right, and when you say they were in weathered
19 condition, what do you mean by that?

20 A The brass is tarnished; they had dirt in them. It
21 just appeared they'd been sitting in the weather for
22 awhile.

23 Q Okay, and did --

24 MR. WATERS: If I can have the ELMO back, please?

25 Q Did they appear to be shiny like the bullets that were

1 with the magazine that the jury earlier saw from the prior
2 exhibit?

3 A No, sir.

4 Q All right. I'm just going to put this exhibit --

5 MR. WATERS: Without objection, I'll put it up on the
6 screen. It's marked for identification at this time.

7 Q And, again, if you could describe for the jury the
8 condition of those casings when you -- when they caught
9 your eye.

10 A I apologize. I couldn't hear what you said.

11 Q All right. My apologies. Again, if you would, just
12 describe for the jury what you're talking about about these
13 casings when they caught your eye when you saw them
14 outside.

15 A Well, the brass was not shiny as a new casing would
16 be. It appeared that it had been sitting in the weather
17 for some time. It had began to tarnish inside of the where
18 the bullet had been expelled. The inside had dirt, grass;
19 obviously it had been there for awhile.

20 Q All right, and what was the brand and type of
21 ammunition that's in this particular exhibit that you
22 found?

23 A S&B 300 BLK, which is Blackout.

24 MR. WATERS: Let me go to the video if I could,
25 please.

1 (The video continued to play.)

2 Q All right. What are y'all doing on the screen right
3 here?

4 A We are locating the 300 shell casings.

5 Q All right. What's Agent Sampson doing right there?

6 A He is picking the shell casings up.

7 Q Is that one of the casings that's in this bag right
8 here that you identified?

9 A Yes, sir, it is.

10 (The video continued to play.)

11 Q What's that right there?

12 A That is another shell casing on the -- if you're
13 facing the door, or the stoop door, it would be on the
14 left-hand side of the stoop.

15 Q Is that one of the ones that's in this bag, State's
16 Exhibit 260?

17 A Yes, sir, it is.

18 Q And what brand and type?

19 A S&B 300 BLK.

20 (The video continued to play.)

21 Q What did you find there that you just picked up?

22 A That would be another S&B 300 Blackout shell casing.

23 Q One of the ones in this bag we've been talking about?

24 A Yes, sir.

25 MR. WATERS: We're at 301. I'm going to fast forward

1 it just a little bit.

2 (The video continued to play.)

3 Q At that point, had y'all collected all five casings
4 that are in this bag?

5 A Yes, sir, we had.

6 (The video continued to play.)

7 Q All right. Did you go to any other locations that
8 day? What day is this right now on these videos you just
9 watched?

10 A 6-8 of '21.

11 Q On June 8th of 2021, the day after the murders, did
12 you go to any other location in the property to search, to
13 your recollection?

14 A I don't think it was that day, no, sir.

15 Q Okay. Did you ultimately go and search a shed at the
16 property?

17 A Yes, sir.

18 Q Okay, and what specifically did y'all search at the
19 shed?

20 A The trash that had been taken away from the house.

21 Q Okay, and I'm going to show you what's been marked as
22 State's Exhibit 161 to your testimony and see if you
23 recognize that exhibit.

24 A Yes, sir, I do.

25 Q All right. Tell me what that exhibit is, please.

1 A This is a video of my body worn camera when we're
2 actually digging in the trash that was -- we took to the
3 shed and dug through.

4 Q All right.

5 MR. WATERS: Your Honor, at this time I would offer
6 State's Exhibit 161 into evidence, I believe without
7 objection.

8 MR. GRIFFIN: That's correct.

9 THE COURT: It's admitted.

10 (DVD OF BODY-WORN CAMERA MARKED AS STATE'S EXHIBIT
11 NUMBER 161 WAS RECEIVED INTO EVIDENCE.)

12 MR. WATERS: All right, at this time I'm going to
13 publish Exhibit 161.

14 (The video was played.)

15 Q All right, tell me what we're seeing. We're at 28
16 seconds in. What are we seeing right there?

17 A That is the large shed that's -- or a hangar. Just
18 probably to the right middle of the screen would be the dog
19 kennels, dog house. To the far right is the -- I think
20 it's a chicken coop, but the shed is where we went through
21 some trash that we had secured.

22 Q All right. Step down for me if you would, please.
23 Let's kind of point that out for the jury. So, where are
24 the kennels in this particular video?

25 A The kennels are right here.

1 Q And where is the feed room in this video?

2 A The feed room would be right here on the end.

3 Q All right, and where is the dog house in this video?

4 A This should be the dog house.

5 Q All right. What is this thing right there underneath
6 the shed?

7 A That's a UTV under the shed.

8 Q And then the kennels extend down this way with various
9 cages?

10 A Yes, sir, it does.

11 Q Thank you. You can retake your seat.

12 (The video continued playing.)

13 Q What are y'all about to do right here?

14 A We're about to dig in trash.

15 Q Dig in trash?

16 A Yes, sir.

17 Q Is that a fun job?

18 A It's not but it has to be done.

19 (The video continued playing.)

20 Q All right. At 1:24. I'm just going to fast forward
21 some. What is that image right now at 1:45 that's on the
22 screen?

23 A That is an empty box 12 gauge Premium Turkey Load
24 ammunition.

25 Q All right. What is that right there?

1 A Empty box of 12 gauge Long Beard three and a half
2 inch number -- let's see, two ounce number four shot.

3 Q And what is that right there?

4 A That is a empty box of 12 gauge. It's got Browning on
5 it, TSS, a three and a half inch two and a quarter number
6 seven and nine.

7 Q All right.

8 MR. WATERS: For the record I'm fast forwarding it.

9 (The video continued playing.)

10 Q What is this right now that we're seeing at 3 minutes
11 and 7 seconds?

12 A That is a -- appears to be a credit card statement or
13 receipt, and it's got an item circled on it.

14 Q All right, and was -- there was an item circled on it?

15 A That's correct.

16 Q And what was the store on that particular item?

17 A Gucci, Gucci.

18 Q Gucci?

19 A Yeah.

20 Q And what was the amount?

21 A \$1,021.10.

22 Q Okay, and somebody had circled that particular entry.
23 Is that correct?

24 A That is correct.

25 (The video continued to play.)

1 Q For the record, I'm just fast forwarding through y'all
2 searching through the trash. Is that right?

3 A Yes, sir, we are.

4 Q Did you find anything else of note in that trash?

5 A No, sir, we did not.

6 Q All right.

7 MR. WATERS: Court's indulgence one moment.

8 (Break in proceedings.)

9 Q All right. I'm going to show you -- stand by for me
10 real quick.

11 (Break in proceedings.)

12 Q All right. I'm going to show you what's been marked
13 as -- stand by.

14 (Break in proceedings.)

15 Q All right. I'm going to show you what's been marked
16 as State's Exhibit 214, which is an evidence bag, and see
17 if you recognize what's in there.

18 A Yes, sir, I do.

19 Q All right. Tell me what's in that bag.

20 A These are the shell boxes which I described on the
21 video, or observed on the video, and it's the receipt,
22 credit card receipt which was torn, that we collected from
23 the trash.

24 Q All right, the one with the circled thing with Gucci
25 on it?

1 A Yes, sir.

2 Q All right.

3 MR. WATERS: Your Honor, at this time I would move
4 State's Exhibit 214 into evidence, I believe without
5 objection.

6 MR. GRIFFIN: No objection, Your Honor.

7 THE COURT: Admitted.

8 (AMMO AND RECEIPT MARKED AS STATE'S EXHIBIT NUMBER 214
9 WAS RECEIVED INTO EVIDENCE.)

10 Q All right, I'm going to jump ahead in the story just a
11 little bit. Did you ultimately return out to the scene to
12 do an additional search, or out to the property as a whole
13 to do an additional search?

14 A Yes, sir, I did.

15 Q All right. Do you remember what date that was
16 roughly?

17 A I think it was the 13th.

18 Q Okay, and what were you looking for on that particular
19 search?

20 A Again looking for any firearm, shells, shell casings
21 that would -- could be tested for a potential weapon used
22 during the crime.

23 Q All right, and do you remember who were some of the
24 other agents that were out there, or what else was going on
25 at that time?

1 A I think Agent McCallister was there. If I'm not
2 mistaken, Mindy may have been there. There was a number of
3 agents there.

4 Q Okay. All right. I'm going to show you what's been
5 marked for identification, or marked right now as State's
6 152 and 151 and see if you recognize those items generally.

7 A Yes, sir, I do.

8 Q And can you tell the jury just generally what those
9 items are?

10 A It's 300 Blackout ammunition and a magazine containing
11 300 Blackout ammunition that was collected.

12 Q All right. Was this collected at various locations on
13 the property during that search?

14 A Yes, sir.

15 Q Stand by for me.

16 (Break in proceedings.)

17 MR. WATERS: Your Honor, at this time I would offer
18 State's Exhibit 152 and 151 into evidence, I believe
19 without objection.

20 MR. GRIFFIN: No objection.

21 THE COURT: Admitted without objection.

22 (AMMO MARKED AS STATE'S EXHIBIT NUMBER 151 WAS
23 RECEIVED INTO EVIDENCE.)

24 (AMMO MARKED AS STATE'S EXHIBIT NUMBER 152 WAS
25 PREVIOUSLY RECEIVED INTO EVIDENCE.)

1 THE COURT: How much time do you have with this
2 witness on direct?

3 MR. WATERS: We -- there's still some fair amount to
4 cover, Your Honor.

5 THE COURT: All right, ladies and gentlemen, we're
6 going to break.

7 Talking only to the jury. Everyone else remain
8 seated.

9 We will reconvene at -- in an hour and 20 minutes, an
10 hour and 20 minutes.

11 (The jury left the courtroom.)

12 THE COURT: With regard to the admissions of guns, any
13 further -- anything further the State or defense wants to
14 place on the record?

15 MR. GRIFFIN: Your Honor, I would put up some further
16 argument in the record in that the guns had been tested
17 ballistically. The test excluded the guns as being in the
18 murder as a murder weapon is my understanding, and as a
19 result they're just not relevant. They have photos of the
20 guns, which is completely sufficient information for the
21 jury, and to get the information in that they were tested.
22 But sending, you know, just weapon after weapon back in the
23 jury room during jury deliberations we think is unfairly
24 prejudicial.

25 THE COURT: All right, and response, Mr. Waters?

1 MR. WATERS: Your Honor, the defense, as you might
2 expect, has already challenged the sufficiency of the
3 investigation and what was done. I think the State not
4 only just generally but in response to that in its lines of
5 examination is entitled to show the extent of the
6 examinations that were done in the -- analyzing the
7 relevant firearms evidence that was on scene.

8 This agent gathered 12 gauge weapons for a reason,
9 because 12 gauge rounds were used to murder Paul Murdaugh,
10 and, therefore, admission of those, we believe, is relevant
11 and not overly prejudicial. Certainly nothing about the
12 way we did that examination did anything that was
13 prejudicial. It was all very straight to the point.

14 THE COURT: All right. Relevant evidence means any
15 evidence tending to make the existence of any fact that is
16 of consequence to the determination of the action more or
17 less probable than it would be without the evidence. This
18 evidence of these guns were part of the crime scene, in and
19 around the crime scene at or around the time of the
20 murders, issues have been raised regarding multiple guns,
21 multiple shooters, multiple spent rounds, and the Court in
22 its discretion admitted the evidence as being relevant.
23 And there's no dispute that the defendant had multiple guns
24 in and around his place, and I find that it's relevant and
25 more probative than prejudicial, and that's the basis for

1 the Court's order with regard to admitting that evidence.

2 And we'll be on break for an hour and 20 minutes.

3 (A lunch break was taken.)

4 THE COURT: All right, if we can have our witness
5 back.

6 You may bring the jury.

7 (The jury returned to the courtroom.)

8 THE BAILIFF: All jurors are present.

9 THE COURT: Thank you.

10 You may proceed.

11 MR. WATERS: Thank you, Your Honor. May it please the
12 Court?

13 BY MR. WATERS:

14 Q Senior Special Agent Croft, a couple of things I want
15 to kind of go back to just as a housekeeping matter before
16 we move on to a new matter. And I've previously shown
17 these to defense counsel.

18 (Break in proceedings.)

19 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 182 FOR
20 IDENTIFICATION.)

21 Q All right, I want to show you some images. I'm going
22 to show you what's been marked as State's Exhibit 163, 173,
23 158, 175, 176, 177, 179, 180, 181, and 183. Just have you
24 generally flip through those and see if you recognize those
25 images.

1 A Yes, sir, I do.

2 Q All right. Just generally what are these images of if
3 you would tell the jury?

4 A These are still images taken from my body worn camera
5 the day of the 8th.

6 Q So, these are still images from the body worn cameras
7 that the jury saw prior to lunch?

8 A That is correct.

9 MR. WATERS: Your Honor, at this time the State would
10 move in State's 163, 173, 158, 175, 176, 177, 179, 180,
11 181, and 183, I believe without objection.

12 MR. GRIFFIN: No objection.

13 THE COURT: They're admitted.

14 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 158 WAS
15 RECEIVED INTO EVIDENCE.)

16 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 163 WAS
17 RECEIVED INTO EVIDENCE.)

18 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 173 WAS
19 RECEIVED INTO EVIDENCE.)

20 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 175 WAS
21 RECEIVED INTO EVIDENCE.)

22 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 176 WAS
23 RECEIVED INTO EVIDENCE.)

24 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 177 WAS
25 RECEIVED INTO EVIDENCE.)

1 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 179 WAS
2 RECEIVED INTO EVIDENCE.)

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 180 WAS
4 RECEIVED INTO EVIDENCE.)

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 181 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 183 WAS
8 RECEIVED INTO EVIDENCE.)

9 Q All right. Let's go through these real quick if we
10 could?

11 MR. WATERS: If I get the input to the ELMO if I
12 could? And we've got this fancy hood up here. Let's see
13 if that will do better for us.

14 Q All right. Can you tell me what this image is of,
15 please?

16 MR. WATERS: And this for the record, my apologies,
17 would be State's 163.

18 A That is a picture of the pool table in the gun room
19 that -- with the 300 AR15 300 Blackout sitting on the pool
20 table, which I collected out of the gun rack.

21 Q All right, and that person right there, who is that?

22 A That is Mark Ball.

23 Q All right, and I'm going to show the jury now 173.
24 Tell me what this image is, please.

25 A That is that AR15 rifle 300 Blackout sitting in the

1 gun wall before it was pulled from the gun wall, placed on
2 the table.

3 Q Still image 158. Can you tell me what that is,
4 please?

5 A That is what I was describing as the side door, which
6 enters to the gun room without going through the main part
7 of the house, the stoop, and out in front of that is where
8 items were collected.

9 Q And what items are you talking about?

10 A The five 300 spent casings were collected out in front
11 of the stoop.

12 Q All right. I'm going to go now to Exhibit 175. What
13 is that image?

14 A That is the same side door, just a different angle,
15 same stoop.

16 Q All right. 176, tell me what that is, please.

17 A That is the brick landing at the bottom of the stoop,
18 and just in the center down low close to the bottom you can
19 see a 300 -- spent 300 Blackout casing.

20 Q What am I pointing out with my finger right now?

21 A That is the spent 300 Blackout casing.

22 Q All right. Exhibit number 177, tell me what this
23 still image from your body cam reflects.

24 A That is my hand, and I have picked up a spent 300
25 Blackout casing from this side of the stoop.

1 Q All right. 179?

2 A Those are the three 300 Blackout casings which were
3 collected at the -- in front of the stoop.

4 Q All right, and now 180?

5 A That is the left-hand side of the entrance of the gun
6 room just in the flower bed.

7 Q All right, and do we see cases in that image? And you
8 can step down if you need to. I know your screen is pretty
9 small. If you need to step down, that's fine.

10 A I can't pick it out on that picture.

11 Q All right, and I'm going to hand you State's Exhibit
12 180 and see if you can make it out.

13 A Yes, sir. It would be at the bottom of the picture
14 about the center.

15 Q All right. Well, let me have you come around, or you
16 can do it, and I'm going to put it back up if you need it
17 for the screen for the jury, please.

18 A It will be right here.

19 Q All right, sounds good. You can retake the stand,
20 please. Moving on to 181, tell the jury what this still
21 image reflects, please.

22 A That is three of the five 300 Blackout spent casings
23 that was collected at the base at the -- at the front of
24 the stoop.

25 Q All right, and then finally jumping the gun, we have

1 183. Tell me what that reflects.

2 A That would be to the, I believe, the right-hand side
3 of the stoop, and just at the end of my hand I'm fixing to
4 pick up a spent 300 Blackout casing.

5 Q What is my finger pointing to right there?

6 A This is the 300 Blackout casing which I'm talking
7 about.

8 Q All right. Right before lunch there was admitted into
9 evidence State's 152 and 151. And have you got your
10 readers with you?

11 A I do, yes, sir.

12 Q Can you remind us where those items were collected,
13 please?

14 A The ammo was collected from the shelving in the gun
15 room, 300 Blackout ammo on 9/13 of '21. And the 300
16 Blackout -- or, excuse me, the 243 magazine 300 Blackout
17 ammo in it was collected from a black Ford F150 that was
18 located on the property.

19 Q All right, and have you got a knife on you?

20 A I do, yes, sir.

21 Q Do you mind opening that exhibit for us and let's take
22 a look at those items, please.

23 (Break in proceedings.)

24 A You want me to open the brown bag, also?

25 Q I do, please. Let's go ahead and mess with that one

1 second, if you could. Can you remove the item from its
2 packaging, please?

3 A (Witness complies.)

4 Q What have you got there?

5 A It's a magazine which fits the AR style rifle that is
6 loaded with 300 Blackout ammunition.

7 Q All right, and can you see what brand that is in there
8 on the rounds that you can see?

9 A It appears to be S&B 300 Blackout.

10 Q S&B 300 Blackout?

11 A Yes, sir.

12 Q I'll take that item; I'm going to put that up on the
13 screen so the jury can see it. All right, go ahead and
14 open the other one for me, if you will, please. Before we
15 move on, we're not pulling all of the ammo out, but does
16 this magazine appear to be pretty full?

17 A It's pretty heavy, so it's pretty full.

18 Q All right.

19 (Break in proceedings.)

20 Q What have you got there?

21 A This is another magazine that fits the AR style rifle
22 that was loaded with the 300 Blackout.

23 Q Can you tell the particular brand of that 300
24 Blackout?

25 A It's head stamped S&B 300 Blackout.

1 Q All right. Let me go put that up on the screen for
2 the jury. All right, before you put it back, we're not
3 taking all of the bullets out, or cartridges out, but does
4 that appear to be fairly well loaded?

5 A It's got some weight to it; it feels like it's fairly
6 loaded.

7 Q All right. If you can return those to the bag,
8 please, and put those in the plastic bag for me. All
9 right, we've been talking about guns for awhile. Let's
10 talk about something else for a minute and we'll get back
11 to that. Have we got it back?

12 A Yes, sir.

13 Q All right. Going back to June 8th of 2021, did you --
14 were you present when any efforts were made to collect the
15 cell phone belonging to Maggie Murdaugh?

16 A Yes, sir, I was.

17 Q And who all were you present with when that -- when
18 that happened? And just kind of describe the events as
19 they took place, please.

20 A It was myself, Special Agent McCallister, Captain Ryan
21 Neill, Dylan Hightower. There was one or two more people
22 there, but I don't recall.

23 Q Okay, and ultimately was that phone located?

24 A The phone was located a short distance from the crime
25 scene.

1 Q All right, and where was it just generally?

2 A If you would come out of 40 -- out of the driveway of
3 the residence, take a right on Moselle Road, a quarter
4 mile, half mile -- I don't recall the exact distance -- on
5 the left-hand side of the road, kind of in the grass area.

6 Q When y'all found it, what happened then? Who picked
7 it up? Who collected it? What happened to it at that
8 point?

9 A Captain Neill picked it up. Special Agent McCallister
10 held it in her hand while a picture was taken of it, a
11 gloved hand. We were given the pass code to the phone.
12 The pass code was entered into the phone just to verify
13 that it would work, it would unlock, and it did work. It
14 did unlock. It was immediately shut, locked back, and then
15 the pass code was written on a sticky note. It was
16 packaged and ultimately turned over to crime scene.

17 Q Okay, and you were there when all of that happened.
18 Is that correct?

19 A That is correct, yes, sir.

20 Q Aside from the things y'all just described, was it
21 otherwise manipulated or tampered with or changed in any
22 way?

23 A No, sir, it was not.

24 Q All right. I'm going to show you what's been
25 previously marked for identification at this time as

1 Exhibit 204 and have you just take a look at that and see
2 if you recognize that item.

3 A Yes, sir, I do.

4 Q All right. Tell me what that item is.

5 A This is the phone that was recovered on the side of
6 the road belonging to Ms. Maggie Murdaugh.

7 Q The one you just described?

8 A Yes, sir, it is.

9 Q The one that was secured by Captain Neill?

10 A Yes, sir, it is.

11 Q And then turned over to crime scene?

12 A Yes, sir, it is.

13 Q All right. Put it back for me, if you will. Hold on
14 for me just real quick.

15 (Break in proceedings.)

16 MR. WATERS: All right, at this time, Your Honor, we
17 would move Exhibit 204 into evidence, I believe without
18 objection.

19 MR. GRIFFIN: No objection.

20 THE COURT: It's admitted.

21 (CELL PHONE MARKED AS STATE'S EXHIBIT NUMBER 204 WAS
22 RECEIVED INTO EVIDENCE.)

23 Q All right, let me ask you this question. Do you know
24 a guy by the name of John Bedingfield?

25 A Yes, sir, I do.

1 Q And is that somebody you knew before this case?

2 A Yes, sir, it is.

3 Q And how do you know him just generally?

4 A John grew up in Barnwell, just like myself. He
5 actually has a son that's the same age as my son. They
6 went to school together, played ball together. I've known
7 John for a number of years.

8 Q And what does that John do for a living? Do you know?

9 A He is a DNR officer.

10 Q All right, and does he have a side business?

11 A He does.

12 Q And just generally what is that side business?

13 A He's got a gun business where he builds and works on
14 firearms.

15 Q Okay, and prior to this case ever happening, did you
16 ever have any conversation with John Bedingfield about
17 whether or not he had assembled any guns for Alex Murdaugh?

18 A Yes, sir, I did.

19 Q Okay, and is that something that you knew prior to
20 this case ever taking place?

21 A Yes, sir, it is.

22 Q After this case took place -- well, let me ask you
23 this. Did you know what type of -- what ammunition was
24 used by those guns that were assembled by John Bedingfield
25 for Alex Murdaugh?

1 A Yes, sir.

2 Q And what ammunition was used --

3 MR. GRIFFIN: Objection, Your Honor. Based on
4 hearsay.

5 THE COURT: Any response?

6 MR. WATERS: Yes. Not offered for the truth of the
7 matter asserted at this time but affect on the listener for
8 his actions.

9 THE COURT: Anything further?

10 MR. GRIFFIN: It's still hearsay, and I'm not sure
11 what his actions are in response to the hearsay. He's
12 asking questions about what he learned well before these
13 crimes.

14 THE COURT: The objection is overruled.

15 Q And so what was the ammunition in the guns from what
16 John Bedingfield told you?

17 A The guns were built and chambered for 300 Blackout.

18 Q All right. As this case developed, did that --
19 that prior fact that you knew, did that cause you to take
20 any actions?

21 A Yes, sir, it did.

22 Q And tell me what actions you took based on that prior
23 knowledge you had.

24 A I contacted John Bedingfield and asked him if he could
25 provide me with paperwork for the weapons that was

1 purchased by Mr. Alex Murdaugh.

2 Q All right, and was that after these particular crimes
3 had took place?

4 A That was after, yes, sir.

5 Q All right, and do you remember roughly when that was?

6 A That was within a day or so that I talked to him, yes,
7 sir.

8 Q All right. Did he ultimately provide you some
9 paperwork?

10 A Yes, sir, he did.

11 Q Was that the only conversation you had with John
12 Bedingfield about the 300 Blackouts that he built for Alex
13 Murdaugh?

14 A No, sir, it was not.

15 Q Was there a subsequent conversation?

16 A Yes, sir.

17 Q Did you call him back or did he call you back?

18 A I called him back and then -- to inquire of potential
19 additional 300 Blackout that was purchased by and paid for
20 by Ms. Maggie Murdaugh.

21 Q So, you called him with an inquiry. Is that correct?

22 A That's correct.

23 Q And tell me what your inquiry was to John Bedingfield
24 after he initially provided you some paperwork.

25 A I'm sorry, sir, I couldn't hear you.

1 Q I'm sorry. I turned away.

2 A That's okay.

3 Q Tell me what your specific inquiry was to John
4 Bedingfield that second time when there was a subsequent
5 conversation.

6 A The second time that I talked to John was to inquire
7 about whether or not he built a third 300 Blackout to
8 replace a gun that Paul had misplaced or had gotten stolen
9 earlier in 2017.

10 Q All right, and in response to that inquiry, did John
11 Bedingfield provide you some additional paperwork?

12 A Yes, he did.

13 Q All right. I'm going to show you what's been
14 marked -- stand by for me.

15 (Break in proceedings.)

16 Q All right, I'm going to show you what's been marked at
17 this time for identification only State's 247. Stand by
18 for me just real quick.

19 (Break in proceedings.)

20 Q Staple those together. All right. I want to ask you
21 to look at what's been marked for identification only at
22 this time as Exhibit 247 and see if you recognize that
23 paperwork.

24 A Yes, sir, I do.

25 Q All right, and just, again, without describing the

1 contents tell the jury what this paperwork is, please.

2 A It's a copy of canceled checks and a copy of the sale
3 of the firearm.

4 Q All right, and this was documentation that was
5 provided to you in response to your inquiries to John
6 Bedingfield?

7 A That is correct.

8 Q And who gave this documentation to you?

9 A John Bedingfield.

10 Q All right. I am going to -- again, without going into
11 the contents, look at the second page and tell me. Is that
12 the document that was provided in response to your second
13 inquiry when you called him back about a third Blackout?

14 A Yes, sir, it is.

15 Q All right. Thank you. Okay. All right. I'm going
16 to show you two exhibits. I'm going to show you what's
17 been marked as State's Exhibit 162 first, and it's a disc,
18 and see if you recognize that particular exhibit, please.

19 A Yes, sir, I do.

20 Q All right. Tell me what that exhibit is.

21 A That is a disc from -- or, excuse me, a video from a
22 body worn camera of collection of shell casings.

23 Q All right, and does it have a date on when that
24 occurred on it?

25 A 6/16/2021.

1 Q All right. So, this is different from what we've
2 talked about. Is that correct?

3 A That is correct.

4 Q All right, and then I'm going to show you what's been
5 marked as Exhibit 248 and see if you recognize that
6 particular exhibit.

7 A Yes, sir, I do.

8 Q All right, and is that additional body cam footage
9 from that search on 6/16/21?

10 A That is correct.

11 MR. WATERS: All right, Your Honor, at this time I
12 would move both Exhibits 248 and 162 into evidence, I
13 believe without objection.

14 MR. GRIFFIN: That's correct, Your Honor.

15 THE COURT: It's admitted.

16 (DVD OF BODY-WORN CAM MARKED AS STATE'S EXHIBIT NUMBER
17 162 WAS RECEIVED INTO EVIDENCE.)

18 (DVD OF BODY-WORN CAM MARKED AS STATE'S EXHIBIT NUMBER
19 248 WAS RECEIVED INTO EVIDENCE.)

20 Q All right. So, we've got a search on 6/16/21. Can
21 you tell the jury a little bit about that search, how it
22 came to pass, what was going on, and then we'll get to the
23 footage as to what occurred.

24 A Okay. During the investigation process, we learned
25 that there was a shooting range and some bodies of water on

1 the property, and when I say on the property, it's across
2 the road from the incident location. Through discussion
3 with the investigative team, it was decided that we need to
4 go over to that shooting range and also search that body of
5 water for any potential evidence that may be found.

6 Q All right, and this shooting range, that was still
7 part of the Murdaugh property at Moselle. Is that correct?

8 A That is correct. It was -- would be kind of diagonal
9 to your left from where the kennels were at.

10 Q All right, and the information received was that the
11 family used that as a shooting range.

12 A That is correct, yes, sir.

13 Q Okay. All right. Let me show you quickly -- go ahead
14 and just quickly show you these. I show you what's been
15 marked as Exhibits 184, 185, and 186 and see if you
16 recognize those.

17 A Yes, sir, I do.

18 Q All right, and tell me what those are generally,
19 please.

20 A They're -- one is the picture of the shoot house, the
21 other is the picture of the inside of the shoot house, and
22 then the third picture is a picture of the area next to the
23 waterway where we collected some items.

24 Q All right.

25 MR. WATERS: Your Honor, at this time I would move

1 Exhibits 184, 185, 186, State's Exhibits, into evidence, I
2 believe without objection.

3 MR. GRIFFIN: No objection.

4 THE COURT: Admitted.

5 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 184 WAS
6 RECEIVED INTO EVIDENCE.)

7 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 185 WAS
8 RECEIVED INTO EVIDENCE.)

9 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 186 WAS
10 RECEIVED INTO EVIDENCE.)

11 Q All right. Very quickly let's put this up on the
12 screen. 184, again tell the jury what that is, please.

13 A That is what I'm describing as a shoot house. It has
14 a bench inside where you would set up to shoot targets out
15 in front.

16 Q All right. 185, what does that represent, please?

17 A That is on the inside of the shoot house: the chair,
18 the stand where you would sit, and obviously the rail where
19 you would rest your weapon.

20 Q All right. What are these little shiny things on the
21 floor there?

22 A That's brass from -- brass from firearms that's
23 already been fired.

24 Q All right, and is that how the scene looked when you
25 found it?

1 A Yes, sir, it is.

2 Q All right, and then finally 186, what does that
3 represent?

4 A That is two 12 gauge shotgun -- spent shotgun shells
5 that was collected over near the waterway behind where we
6 had set our dive trailer up.

7 Q All right.

8 MR. WATERS: If I could have the inputs changed to
9 video, please?

10 (Break in proceedings.)

11 MR. WATERS: All right, at this time we'll play
12 Exhibit 162. And for the record I'm going to fast forward
13 it to about 43 seconds into the video.

14 (The video was played.)

15 Q Is that the shooting house as you observed it?

16 A Yes, sir, it is.

17 Q All right. I'm now at 1 minute and 19 seconds and I
18 have it paused, but tell me. What is this thing right here
19 that's kind of up on the counter of that shooting house?

20 A That would be a rest that you would put your rifle in
21 when you're sighting it in or shooting down range at
22 targets to help stabilize it.

23 Q All right. When you're sighting it in, just real
24 quick, explain to the jury what you're trying to do with
25 you're sighting a rifle, what you would use that rest for.

1 A When you zeroing your rifle, whether it be 100 yards,
2 200 yards, you want to hold a rifle as still as possible
3 obviously. You would have a target down range at whatever
4 distance you're sighting it in at, you would fire one, two,
5 three rounds, and then you would adjust your optics and
6 continue until you get it zeroed to where you want it.

7 Q And zero means shooting where you're aiming.

8 A Yes, sir.

9 Q Ultimately -- and I'm going to fast forward through a
10 fair amount of this, but ultimately after seeing those
11 cases on the floor, did you see any 300 Blackout that you
12 recognized just looking down on a 300 Blackout?

13 A Yes, sir, I did.

14 Q All right, and did you send Special Agent David Owen
15 to go get some envelopes so you could collect those?

16 A Yes, sir, I did.

17 Q And ultimately did you collect any 17 S&B cases at
18 that location?

19 A Yes, sir, I did.

20 MR. WATERS: And for the record I'm at 11 minutes and
21 three seconds in the video.

22 (The video continued to play.)

23 Q What are you reading out right there?

24 A I'm reading the number to identify -- excuse me, the
25 identifier off the head stamp of the shell casings.

1 MR. WATERS: Moving now to 12:07.

2 (The video continued to play.)

3 Q Same ammunition?

4 A Yes, sir.

5 Q All right.

6 MR. WATERS: And move now to 13:21.

7 (The video continued playing.)

8 Q Same thing?

9 A Yes, sir, it is.

10 (The video continued to play.)

11 Q Same thing?

12 A Yes, sir, it is.

13 MR. WATERS: Moving to 16:19.

14 (The video continued to play.)

15 Q Same thing?

16 A Yes, sir, it is.

17 MR. WATERS: Moving to 17:21. Check that, 17:17.

18 Went a little too far. Let's back up to 17:12.

19 (The video continued to play.)

20 Q Same thing?

21 A Yes, sir, it is.

22 MR. WATERS: Moving now to 18 -- about 18 minutes
23 even.

24 (The video continued to play.)

25 Q Same thing.

1 A Yes, sir, it is.

2 MR. WATERS: And now we're at 18:47.

3 (The video continued to play.)

4 Q Same thing?

5 A Yes, sir.

6 MR. WATERS: Moving now to 22:21. Excuse that, 22:16.

7 (The video continued to play.)

8 Q Same thing?

9 A Yes, sir, it is.

10 (The video continued to play.)

11 MR. WATERS: 23:09.

12 (The video continued to play.)

13 Q Same thing?

14 A Yes, sir, it is.

15 (The video continued to play.)

16 MR. WATERS: Now we're at 23:56.

17 (The video continued to play.)

18 Q Same thing?

19 A Yes, sir, it is.

20 MR. WATERS: And now moving to 24:52.

21 (The video continued to play.)

22 Q Same thing?

23 A Yes, sir.

24 Q Did y'all have to go get some more envelopes at this
25 point?

1 A I think that's what we just went to do.

2 MR. WATERS: I'm going to move it forward.

3 (The video continued to play.)

4 MR. WATERS: All right, we're now at 28:02.

5 (The video continued to play.)

6 Q Same thing?

7 A Same thing, sir.

8 MR. WATERS: We're now at 29:08.

9 (The video continued to play.)

10 Q Same thing?

11 A Same thing, sir.

12 (The video continued to play.)

13 MR. WATERS: Now we're at 30:27.

14 (The video continued to play.)

15 A It's the same thing, sir.

16 MR. WATERS: Now we're at 31:32.

17 (The video continued to play.)

18 Q Same thing?

19 A Yes, sir, it is.

20 Q Now we're at 32:16.

21 (The video continued to play.)

22 Q Same thing?

23 A Yes, sir, it is.

24 Q Almost done.

25 MR. WATERS: Now we're at 33:32.

1 (The video continued to play.)

2 Q Same thing?

3 A Yes, sir, it is.

4 MR. WATERS: We're now at 34:28.

5 (The video continued to play.)

6 Q Same thing?

7 A Yes, sir, it is.

8 Q You participated in multiple searches at various
9 locations on the Murdaugh property at Moselle Road. Is
10 that correct?

11 A Yes, sir, I did.

12 Q Did you repeatedly find S&B 300 Blackout ammunition,
13 both fired and unfired, at various locations throughout
14 that property?

15 A Yes, sir, I did.

16 Q One more, a very quick one, and this will be Exhibit
17 248. And I'm going to fast forward to about 1:02, and I've
18 got it paused, but tell us generally where we are and what
19 we're seeing here again, if you would.

20 A This is location is going to be between where the
21 shoot house is located and the body of water that was
22 there. It's where we had our dive trailer set up and table
23 set up with the shade so that we could actually get out of
24 the weather if we needed to.

25 Q And are you collecting any items here?

1 A Yes, sir, I am.

2 Q And what are you collecting?

3 A Spent 12 gauge shotgun shells.

4 Q I'm going to let that play for a second.

5 MR. WATERS: And we're at -- for the record we're at
6 24 seconds in.

7 (The video continued to play.)

8 MR. WATERS: All right, for the record I'm going to
9 stop it at 1 minute and 14 seconds.

10 Q I'm going to show you again what's been marked as
11 State's Exhibit 21. And are there, in fact, shotgun shells
12 present in there?

13 A There is.

14 Q All right, and where were those collected from, those
15 red shotgun shells?

16 A It's depicted on the video on the Murdaugh property
17 right near the waterway at the shooting range.

18 Q We talked about some of the things that you did in
19 this case, and you've told this jury that the primary focus
20 that you had here because of your general knowledge of
21 firearms was to gather that type of evidence. Is that
22 correct?

23 A That is correct, yes, sir.

24 Q But you also participated in interviews in this case
25 as well, didn't you?

1 A Yes, sir, I did.

2 Q You talked about interviewing Rogan Gibson. You
3 talked about interviewing John Bedingfield, right?

4 A That is correct, yes, sir.

5 Q Did you interview the defendant or participate in the
6 interview of the defendant?

7 A Yes, sir, I did.

8 Q Do you remember what day that was that you
9 participated in the interview of the defendant?

10 A I don't remember the actual date.

11 Q Well, let me show you Exhibit 243 and see if you
12 recognize this exhibit.

13 A Okay. Yes, sir, I do.

14 Q All right, and what is that disc?

15 A This is a recorded interview which was conducted with
16 Alex Murdaugh on 6/10 of 2021.

17 Q All right. Are your initials on this disc?

18 A They are.

19 MR. WATERS: Jim? Your Honor, at this time we would
20 offer into evidence State's Exhibit 243, I believe without
21 objection.

22 MR. GRIFFIN: No objection.

23 THE COURT: It's admitted.

24 (DVD MARKED AS STATE'S EXHIBIT NUMBER 243 WAS RECEIVED
25 INTO EVIDENCE.)

1 MR. WATERS: All right. Let's play the video.

2 MR. HARPOOTLIAN: Your Honor, while he's doing that,
3 might I move? The defendant can't see this.

4 THE COURT: Yes, sir.

5 (Break in proceedings.)

6 THE COURT: Let's stand right quick while they're --

7 (Break in proceedings.)

8 THE COURT: All right.

9 Q Just do a quick bit of housekeeping. You had talked
10 earlier about your inquiries to John Bedingfield about the
11 300 Blackouts. Is that correct?

12 A That's correct, yes, sir.

13 Q And I want to show you what's been marked for ID only
14 245 at this time and see if you recognize that document.
15 And you can pull it out of the sleeve.

16 A Yes, sir, I do.

17 Q And without going into the content of that document,
18 where did you get that particular document?

19 A I received documents from John Bedingfield.

20 Q As part of the inquiries that you earlier described to
21 the jury?

22 A That is correct.

23 Q All right. I'll take that back. The interview of the
24 defendant on June 10, 2021, where did that take place?

25 A It was in Senior Special Agent David Owen's patrol

1 vehicle in the yard of Mr. John Marvin Murdaugh's hunting
2 lodge.

3 MR. WATERS: Your Honor, at this time we're going to
4 play Exhibit 243, the second interview of Alex Murdaugh.

5 THE COURT: Yes.

6 (Interview of the defendant, Alex Murdaugh, was
7 played. Audio not transcribed.)

8 Q Who was the diagnostic that was there to download
9 Alex's phone? Do you remember.

10 A Dylan Hightower with the Fourteenth Circuit
11 Solicitor's Office.

12 Q He works with the Fourteenth Circuit Solicitor's
13 Office?

14 A That is correct.

15 Q At that point in time, was the prosecutor's office in
16 charge of the case?

17 A That is correct.

18 Q It was not until August that the case got sent to the
19 Attorney General's Office?

20 A That is correct.

21 (The video continued to play.)

22 Q Who was he just talking about right there?

23 A John Bedingfield, the DNR officer who is also the one
24 that built the AR style rifles 300 Blackout for him.

25 (The video continued to play.)

1 Q This is in response to a question as to what he was
2 doing the day of the murders?

3 A That is correct, yes, sir.

4 Q And he said he was working on some motions in the
5 Dominion Energy Case, and then also where he's personally a
6 defendant in the boat case. Is that correct?

7 A That is correct.

8 Q That's what he said he was doing the day of the
9 murders. Is that right?

10 A That is correct, yes, sir.

11 (The video continued to play.)

12 Q Real quick, what was the name of the housekeeper?

13 A Blanca.

14 (The video continued to play.)

15 Q Just real quick, Alex Murdaugh told you he left work a
16 little earlier than normal. Is that correct?

17 A Yes, sir, that's what he said.

18 Q And one of the things he told you is they were riding
19 around looking for hogs. Is that right?

20 A Looking for hogs, yes, sir.

21 Q Do people often use 300 Blackout to shoot hogs?

22 A They do.

23 (The video continued to play.)

24 Q He told you that they shot just a couple of times and
25 target shooting at a bottle, a 22 Magnum. Is that correct?

1 A That is correct.

2 Q A 22 Magnum, is that a very small round, or is that a
3 much larger rifle round like 300 Blackout?

4 A That's a small round.

5 Q 22 is about as small as it comes.

6 A They make them smaller, but it is small.

7 (The video continued to play.)

8 Q What did he tell you he did after Maggie and Paul went
9 to the kennels?

10 A He stayed in the house.

11 (The video continued to play.)

12 Q The defendant told you he thought he heard someone
13 pull up but they didn't?

14 A Yes, sir.

15 Q And that was before, according to him, he left the
16 house. Is that correct?

17 A That is correct.

18 (The video continued to play.)

19 Q At this point, the defendant tells you something about
20 a wildcat running, but he wasn't sure if it was a person.

21 A Yes, sir, that's what he says.

22 (The video continued to play.)

23 Q How did Alex Murdaugh say he went back to the house
24 after finding Maggie and Paul to go -- to supposedly go get
25 a gun?

1 A He drove.

2 (The video continued to play.)

3 Q The defendant actually thought Maggie was home when
4 they got back from riding around the property. Is that
5 correct?

6 A That is correct, yes, sir.

7 (The video continued to play.)

8 Q What did he say Paul liked to do?

9 MR. GRIFFIN: Your Honor, I'm objecting to this
10 repeating what the tape says. The jury can hear the tape.
11 He's just stopping and repeating exactly what Mr. Murdaugh
12 says on the tape.

13 THE COURT: Mr. Waters?

14 MR. WATERS: This witness was actually present. While
15 there is a recording, it's also fair to relate to the jury
16 what he heard being present for that very conversation.

17 THE COURT: I overrule the objection.

18 (The video continued to play.)

19 Q Well, let me ask the question again. What did Mr.
20 Murdaugh tell you that Paul liked to do?

21 A Ride around and shoot hogs.

22 Q And what did Mr. Murdaugh tell you that the weapon was
23 he used to do that?

24 A He used his brother's 300 Blackout.

25 (The video continued to play.)

1 MR. WATERS: Your Honor, at this time may I request a
2 brief break?

3 THE COURT: All right, ladies and gentlemen, we'll
4 take a break for about 10 minutes.

5 (The jury left the courtroom.)

6 (A recess was taken.)

7 THE COURT: Bring the jury, please.

8 (The jury returned to the courtroom.)

9 THE BAILIFF: The jurors are present, Your Honor.

10 THE COURT: Thank you.

11 You may proceed.

12 MR. WATERS: Thank you, Your Honor. For the record,
13 we're resuming with the publishing of State's Exhibit
14 number 243, and we're picking up at 36 minutes and 15
15 seconds in the video. I'm actually going to back it up 10
16 seconds just to -- since we took a break.

17 (The video continued to play.)

18 Q Let me ask you one thing right here. You had earlier
19 showed some body cam footage of your search of the gun
20 room. Is that correct?

21 A Yes, sir.

22 Q Ultimately that day on June 8, 2021, did agents also
23 go to other areas of the residence to look for any other
24 firearms that fit the description, or fit the caliber of
25 the two weapons from the murder scene?

1 A Yes, sir, they did.

2 Q And by the two weapons, I should say two calibers from
3 the murder scene.

4 A Yes, sir.

5 Q And that would be a 300 Blackout and 12 gauge.

6 A That is correct.

7 Q So ultimately these weapons that were seized, those
8 were the only ones recovered matching those two calibers.

9 A That is correct, yes, sir.

10 Q Okay. Thank you.

11 (The video continued to play.)

12 Q What did the defendant tell you about whether or not
13 there was a 300 Blackout present at the kennels on the
14 night of the murders?

15 A He said it was not out there.

16 (The video continued to play.)

17 Q After that long pause, what did Alex Murdaugh, the
18 defendant over there, tell you about the third Blackout?

19 A To his memory, it had been gone for a substantial
20 amount of time, too.

21 (The video continued to play.)

22 Q When you asked the defendant when was the last time he
23 saw Maggie and Paul, what did he tell you?

24 A When he was eating supper.

25 (The video continued to play.)

1 Q When the defendant was asked during this interview
2 where Paul normally kept his phone, what did he say?

3 A Usually in his hand.

4 (The video continued to play.)

5 Q When you asked the defendant about the traumatic
6 picture that he saw of Paul and Maggie, what did he say?

7 A It was just so bad. I did him so bad.

8 Q I did him so bad.

9 A Yes, sir.

10 (The video continued to play.)

11 MR. WATERS: Your Honor, at this time I'm going to
12 mute the video with the consent of defense just so that
13 number is not broadcast.

14 MR. GRIFFIN: Yes, Your Honor, we agree.

15 THE COURT: Okay.

16 (The video continued to play.)

17 MR. WATERS: Your Honor, again I'm requesting to mute
18 it with consent of the defense.

19 MR. GRIFFIN: Yes, Your Honor.

20 (The video continued to play.)

21 Q When there was a discussion about the victim's
22 advocate, what did Mr. Murdaugh tell you about his career?

23 A That he did some assistant solicitor's work and he was
24 familiar with the program.

25 Q And again, what is an assistant solicitor?

1 A He's a prosecutor which prosecutes criminal offenses.

2 Q Criminal prosecutor?

3 A Yes, sir.

4 (The video continued to play.)

5 Q On the date of this interview on June 10th of 2021, to
6 your knowledge had there been another death in the family?

7 A At this point it had not.

8 Q Okay. Was there one not long after this?

9 A Yes, sir.

10 Q Who died?

11 A Mr. Alex's father.

12 Q And what was his name?

13 A Randolph.

14 (The video continued to play.)

15 Q When there was a question asked about did he know if
16 he was through with that phone, what was he talking about?

17 A Mr. Alex's phone, which he'd given to us to do a
18 download on.

19 Q Who was doing that download again?

20 A Dylan Hightower.

21 Q And that was occurring while this interview was going
22 on?

23 A Yes, sir.

24 Q Now, you're discussing the buccal swab. Is that
25 correct?

1 A That's correct, yes, sir.

2 (The video continued to play.)

3 Q For the record, at this time the interview is 1 hour
4 and 2 minutes. What happens next? What, if anything, are
5 you going to do?

6 A I'm fixing to glove up. I'm going to secure the
7 cotton swabs, the sterile cotton swabs, and getting ready
8 to do the buccal swab.

9 Q Who do you do the buccal swab of?

10 A On Alex Murdaugh.

11 Q And the person you've been describing as Alex, the
12 person you interviewed, do you see him in the courtroom
13 here today?

14 A Yes, sir, I do.

15 Q Can you identify him for the jury, please?

16 A He's sitting at the defense table with what looks like
17 a navy blue blazer on.

18 MR. WATERS: Your Honor, can the record reflect he has
19 identified the defendant?

20 THE COURT: It does.

21 MR. WATERS: Thank you.

22 Q I'm going to show you real quick what's been marked as
23 State's Exhibit 157 and see if you recognize that.

24 A Yes, sir, I do.

25 Q All right, and can you tell the jury what that is?

1 A That is the buccal swab which I collected from
2 Mr. Alex Murdaugh.

3 MR. GRIFFIN: No objection.

4 MR. WATERS: All right. Your Honor, at this time I
5 would offer State's Number, I believe, Number 157 into
6 evidence, I believe without objection.

7 THE COURT: Is that correct?

8 MR. GRIFFIN: Yes, Your Honor.

9 THE COURT: It's admitted without objection.

10 (BUCCAL SWAB MARKED AS STATE'S EXHIBIT NUMBER 157 WAS
11 RECEIVED INTO EVIDENCE.)

12 Q This is the buccal swab you took that day that's on
13 the video?

14 A Yes, sir, it is.

15 Q After that, where did that buccal swab go?

16 A It was turned over to crime scene and went to the lab
17 for testing.

18 Q And is it general practice with any sort of evidence
19 like this to secure it from any tampering while it's turned
20 over to crime scene?

21 A Yes, sir, it is.

22 Q And the writing on the back of this evidence slip,
23 whose writing is that?

24 A That would be David Owen and collected by Jeff Croft.

25 Q Okay. Thank you.

1 MR. WATERS: Court's indulgence one moment, Your
2 Honor.

3 (Break in proceedings.)

4 Q I'm going to show you what's been marked as State's
5 218, State's 219, State's 220 and just generally see if you
6 recognize those particular documents.

7 A Yes, sir, I do.

8 Q All right, and generally what are those?

9 A Property receipts for items that were seized during
10 the search at the residence.

11 Q That you previously described to this jury?

12 A Yes, sir.

13 Q Firearms evidence and the like?

14 A That is correct.

15 MR. WATERS: Your Honor, at this time the State would
16 move 218, 219, and 220 into evidence, I believe without
17 objection.

18 MR. GRIFFIN: No objection, Your Honor.

19 THE COURT: It's admitted. They're admitted.

20 (PROPERTY RECEIPTS MARKED AS STATE'S EXHIBIT NUMBER
21 218 WERE RECEIVED INTO EVIDENCE.)

22 (PROPERTY RECEIPTS MARKED AS STATE'S EXHIBIT NUMBER
23 219 WERE RECEIVED INTO EVIDENCE.)

24 (PROPERTY RECEIPTS MARKED AS STATE'S EXHIBIT NUMBER
25 220 WERE RECEIVED INTO EVIDENCE.)

1 Q All right, I'm going to show you what's been marked as
2 State's Exhibit 156, and I'm going to get you to pull
3 out your -- in fact, though, if the clerk --

4 MR. WATERS: Do y'all have a pair of scissors I could
5 borrow real quick?

6 (Break in proceedings.)

7 Q All right. I'm going to show you what's been marked
8 as State's Exhibit 156, and I'm going to ask you, if you
9 could, to open the sealed pouch at the top so we could see
10 what's inside if we could, please.

11 (Break in proceedings.)

12 Q All right. I'm going to ask you to hold on to that
13 one and ask you to return these back into the pouch if you
14 could, please. All right, I'm going to put 156 on this
15 particular exhibit, and can you tell the jury if you
16 recognize that? What that is, please?

17 A That is the buccal swab that was collected from Rogan
18 Gibson.

19 Q All right, and who collected that buccal swab?

20 A I did.

21 Q Did Rogan consent to that buccal swab?

22 A He did.

23 Q And did you secure it from any tampering and turn it
24 over to crime scene?

25 A Yes, sir.

1 MR. WATERS: Your Honor, at this time would move
2 State's 156 into evidence, I believe without objection.

3 MR. GRIFFIN: No objection.

4 THE COURT: They're admitted -- or it's admitted
5 without objection.

6 (BUCCAL SWAB MARKED AS STATE'S EXHIBIT NUMBER 156 WAS
7 RECEIVED INTO EVIDENCE.)

8 Q I'm going to show you what's been marked as State's
9 155 for identification at this time and see if you
10 recognize this particular item.

11 A Yes, sir, I do.

12 Q And tell me generally what that is, please.

13 A It's a property receipt for the buccal swab that
14 was -- that we took -- or I took from Mr. Alexander
15 Murdaugh.

16 Q And that's the one from the video that's been played
17 for the jury?

18 A Yes, sir, it is.

19 MR. WATERS: At this time, Your Honor, I would move
20 State's 155 into evidence, I believe without objection.

21 MR. GRIFFIN: No objection.

22 THE COURT: It's admitted.

23 (PROPERTY RECEIPT MARKED AS STATE'S EXHIBIT NUMBER 155
24 WAS RECEIVED INTO EVIDENCE.)

25 MR. WATERS: Court's indulgence one moment. I think

1 I'm about done.

2 (Break in proceedings.)

3 MR. WATERS: Your Honor, that would conclude the
4 States's direct examination of Special Agent -- Senior
5 Special Agent Croft.

6 THE COURT: Thank you. We will call it a day and
7 start at 9:30 tomorrow morning. Please do not discuss the
8 case.

9 (The jury left the courtroom.)

10 THE COURT: Is there any matter we need to address
11 before the recess?

12 MR. WATERS: Nothing from the State, Your Honor.

13 MR. HARPOOTLIAN: Nothing from the defense, Your
14 Honor.

15 THE COURT: We will be in recess until 9:30.

16 (Whereupon, the case was at ease.)

17 *TUESDAY, JANUARY 31, 2023*

18 (Court resumed at 9:30 a.m.)

19 THE COURT: Good morning. Ready for the jury?

20 MR. HARPOOTLIAN: Judge, we want to just say something
21 here. We want to thank the Clerk of Court for her
22 assistance. Every time we need something, she has been
23 there for us. The Colleton County Sheriff's Department has
24 provided security and has given us total access to our
25 client. We feel like we've been treated extraordinarily

1 well by all court personnel, and I want to put on the
2 record since there seems to be a media interest here. I've
3 tried many cases in many jurisdiction, and I have never
4 been treated at this level of courtesy and understanding.
5 Thank you.

6 MR. WATERS: Absolutely echo that. Everybody has been
7 great, absolutely.

8 THE COURT: I echo that as well.

9 Very good. Bring the jury in.

10 (The jury returned to the courtroom.)

11 THE BAILIFF: The jury is present, sir.

12 THE COURT: Good morning.

13 (Jurors responded good morning.)

14 THE COURT: Day number seven, State's case. We'll
15 have our witness back.

16 I remind you you're still under oath.

17 THE WITNESS: Yes, sir.

18 THE COURT: Cross-examination.

19 MR. GRIFFIN: Thank you, Your Honor.

20 The witness, JEFF CROFT, remained under oath and
21 testified as follows:

22 CROSS-EXAMINATION

23 BY MR. GRIFFIN:

24 Q Good morning, Agent Croft.

25 A Good morning, sir.

1 Q On June 8th, I understood that was your first
2 involvement in this case. Is that correct?

3 A Yes, sir, that is correct.

4 Q And you went to Moselle on the morning of the
5 June 8th?

6 A I was en route to Moselle, got rerouted to the office,
7 and then went and conducted an interview, then back to
8 Moselle.

9 Q That's right. You interviewed Rogan Gibson and then
10 went to Moselle.

11 A That is correct.

12 Q And what time did you get to Moselle?

13 A It was around lunchtime when I got there.

14 Q And as I understood from your testimony that your role
15 primarily is because -- in this case is that because you
16 know a lot about guns and ammunition, did I understand that
17 correctly?

18 A That was not my sole role. I was at the search of
19 residence because of my familiarity with firearms.

20 Q Yes, sir, and you went and searched the residence with
21 other agents, and we saw those agents, some of them, on the
22 body cam video that played yesterday.

23 A Yes, sir. I was in the gun room.

24 Q And this search was a consent search, correct?

25 A That's correct, yes, sir.

1 Q You weren't there to execute a search warrant, right?

2 A No, sir, I was not.

3 Q And were you aware, though, that there was a search
4 warrant that had been obtained the night before?

5 A I was aware of the consent, the search at the incident
6 location. It's common practice that they get a search
7 warrant for -- to process the scene.

8 Q Yes, sir. Were there any limitations that you were
9 aware of on the scope of the consent to search?

10 A No, sir.

11 Q And so as far as you knew and understand -- understood
12 then and understand today, you or other agents at SLED
13 could have searched that house from top to bottom on the
14 8th. Is that correct?

15 A Other agents went through the residence with family
16 members.

17 Q And there were no limitations on what the other agents
18 could have looked for, right?

19 A Again, I can't say what limitations was placed on them
20 as they walked through the house. I was in the gun room.

21 Q Okay. Well, to your knowledge, did anyone look for
22 bloody clothes or dirty clothes in the house while you were
23 there on the 8th?

24 A I was in the gun room and I was collecting guns and
25 ammunition, sir.

1 Q Now, you mentioned that you had been provided some
2 information about the type of ammunition that was used down
3 at the crime scene where Maggie and Paul were murdered. Is
4 that correct?

5 A That is correct.

6 Q And one ammunition was a 300 Blackout shell casing.
7 Were you aware of that?

8 A Yes, sir, I was.

9 Q And who relayed the information to you as a type of
10 ammo that was used for the murder of Maggie and Paul?

11 A It came from the investigative team. I don't recall
12 exactly who called me or who told me the information, but I
13 was relayed the information through our investigative team
14 that was at the scene.

15 Q All right. So, you were informed that, you know, look
16 out, see what you can find in the gun room related to a 300
17 Blackout. Is that correct?

18 A It wasn't limited to specifically 300 Blackout. It
19 was -- that was a round of interest.

20 Q Okay, and then the other round of interest was 12
21 gauge, correct?

22 A That is correct.

23 Q And were you given any information as to what specific
24 type of 12 gauge ammunition was used at the crime scene?

25 A I knew we had a 12 gauge what was believed to be

1 turkey load, or BB load, and then a buckshot.

2 Q Okay, and let me talk to you a little bit about the
3 300 Blackout ammunition. You testified yesterday that the
4 grains -- the weight of the ammunition found at the house
5 was 147 grains. Is that right?

6 A That is correct. That's what is on the empty box,
7 which I located and --

8 Q Is this the empty box, State's Exhibit 213, that
9 you're referring to?

10 A That is correct.

11 Q And this -- I recall this pack of ammo on this exhibit
12 says it has a label of Woodies Pawn and Jewelry and \$11.99.
13 You couldn't buy this ammunition in July or June of 2021
14 for \$11.99, could you?

15 A I don't know what the ammunition cost.

16 Q Well, you know it was a lot more than \$11.99?

17 A I don't know the price of ammunition at that time.

18 Q All right, and are you familiar -- there's basically
19 two types of ammunition for the 300 Blackout. There's the
20 supersonic and subsonic.

21 A I am, sir.

22 Q And the subsonic is the heavier of the two, correct?

23 A That is correct.

24 Q And that would be a 220 grain.

25 A Thereabouts, yes, sir.

1 Q Yes, sir, and the most popular ammunition for hunting
2 is the supersonic, the 147 grain ammunition. Are you aware
3 of that?

4 A I can't say the most popular would be, but I am aware
5 that 147 grain is used for hunting.

6 Q And you're aware that 300 Blackout has -- it's not a
7 rare gun in the area of Hampton and Colleton County, is it?

8 A It's not as common as the general 223 or the AR15,
9 308, different caliber rifles. It's not as common.

10 Q But there are plenty out there, correct?

11 A I can't testify as to how many is out there, sir.

12 Q I understand, but it's not the first time you'd seen a
13 300 Blackout on June 8th of 2021, was it?

14 A I had seen one before, yes, sir.

15 Q All right, and then the 12 gauge, you didn't know what
16 type -- you weren't given any type of 12 gauge you're
17 looking for, you just -- from the information from the
18 crime scene, right?

19 A The type of weapon I was looking for? No, sir.

20 Q Yes, sir.

21 A No, sir.

22 Q And then were you given information as to the size of
23 the 12 gauge shell, two and a half inch, three inch?

24 A It was -- I was given three inch Magnum was what I was
25 given.

1 Q And that was on the buckshot.

2 A I was given three inch Magnum of -- a shotgun capable
3 of shooting a three inch Magnum.

4 Q Now -- and we're going to get to some of these
5 shotguns here in a minute, but that -- the Browning light
6 doesn't even shoot a three inch shell, does it?

7 A It does not. Two and three quarters is what it
8 shoots.

9 Q Right, and yet you seized it?

10 A I secured it, yes, sir.

11 Q And you brought it here in the courtroom and
12 introduced it in this case.

13 A I did, sir.

14 Q Yeah. A gun that couldn't even fire the bullet that
15 killed Paul, right?

16 A It did not fire the rounds that was located at the
17 scene.

18 Q Right. In fact, none of the shotguns that you brought
19 yesterday, according to the ballistic report, your lab
20 analysis, fired the shots that killed Paul, correct?

21 A I do not have the lab report in front of me.

22 Q Well, you certainly know that after June 8th, SLED was
23 diving in ponds and waterways looking for the murder
24 weapons. Isn't that correct?

25 A We were diving, looking for potential evidence from

1 the scene.

2 Q Have you ever found the murder weapons to your
3 knowledge?

4 MR. WATERS: Objection, Your Honor. That's outside
5 the scope of his knowledge.

6 THE COURT: Objection is overruled.

7 A Not that I'm aware of, sir.

8 Q And are you familiar with what ballistics tests were
9 done on Buster's 300 Blackout and whether that was excluded
10 as a weapon used to kill his mother?

11 A Again, I am not. I don't have the report in front of
12 me and I'm not able to testify to that, sir.

13 Q And you brought these empty Turkey Load, Exhibit 214,
14 I believe, brought these into evidence, these box of Turkey
15 shells?

16 A That is the box that I collected, yes, sir.

17 Q And these were empty?

18 A Yes, sir, they were.

19 Q And these were found in the trash can?

20 A Yes, sir. They were found in a trash bag, yes, sir.

21 Q Okay, and you -- let's see. Exhibit -- it's the other
22 end that has the exhibit number -- Exhibit 90 is the
23 Browning Auto Five Light 12 gauge, which we already talked
24 about wouldn't even hold a three inch shell. But there was
25 no shells, no ammo in the Browning weapon, which is

1 Exhibit 90 you brought to court, right?

2 A There was no rounds in that weapon.

3 Q When you seized it on the 8th, no rounds in it, right?

4 A That is correct, yes, sir.

5 Q All right. The Mossberg Model Ulti-mag, which is
6 Exhibit 89, you have a 12 gauge shot shell written on the
7 outside. So, there was one shot shell in this, loaded in
8 this gun, correct?

9 A That is correct, yes, sir.

10 Q And do you remember if it was buckshot or birdshot?

11 A It was black. I don't remember what it was.

12 Q Will you be able to look at it and tell us?

13 A Yes, sir.

14 Q All right. I'm going to hand you Exhibit 89 and ask
15 you if you can pull out the shot, the ammo in there, and
16 tell this jury if that's birdshot or buckshot first.

17 A It's a Browning 12 gauge three and a half inch Magnum
18 two and a quarter number seventy-nine.

19 Q And that's for hunting turkeys, right?

20 A That's my understanding, yes, sir.

21 Q All right. Thank you. You can put it back in there.
22 So, in the Mossberg there's one birdshot. Now, the other,
23 the Benelli Super Black Eagle 3, had two unfired shot
24 shells according to your notes on the box, and it's
25 Exhibit 91. Is that correct?

1 A Yes, sir.

2 Q And do you recall whether any of these are birdshot,
3 buckshot? Do you remember what they are?

4 A I would have to look at them again, sir.

5 Q All right.

6 MR. GRIFFIN: That was Exhibit 91 for the record.

7 A There's a black round in here that's a three inch
8 number four pellet. And then there's a seven two and a
9 quarter ounce three and a half inch with an 89 millimeter.

10 Q And then those are both turkey loads, right?

11 A It could be used for a turkey, yes, sir.

12 Q Well, let's just be clear. Neither one of those are
13 buckshot, correct?

14 A No, sir.

15 Q Thank you, and again, these were ruled out as being --
16 having any involvement in the murder of Paul, right,
17 Exhibit 91?

18 A I can't testify to any lab reports; I don't have the
19 lab reports inside of the scope of what I did.

20 Q Well, is it correct to say, Agent Croft, that you did
21 not find any guns loaded in the gun room or anywhere at
22 Moselle that had a birdshot and a buckshot loaded at the
23 same time?

24 A The only weapons I recovered are the weapons that are
25 there with the rounds that we have just looked at, yes,

1 sir.

2 Q And if you or another agent in your presence made a
3 representation that we found in the gun room a gun with
4 similar loads as that that we found at the crime scene,
5 that would be an incorrect statement, wouldn't it?

6 A I don't think it would be incorrect to say that there
7 was -- guns were loaded in a similar fashion using two
8 different types of ammunition, two different loads.

9 Q Well, there's no buckshot in any of the two guns that
10 you found loaded, correct?

11 A Not when we collected them, no, sir.

12 Q And the turkey loads, or the bird loads that we just
13 looked at, those pellets in those are lead, are they not?

14 A I would have to look at the actual box that it came
15 in, or the pellets that are in it. Some of them are steel.
16 I'm not sure.

17 Q So, do you know the difference between steel and lead?

18 A Do I know the difference?

19 Q Yeah. What's the difference -- why would you have
20 steel versus lead?

21 A A steel shot is used a lot in waterfowl hunting, that
22 type of stuff. Lead shot is used for normal everyday
23 rabbits, squirrel, dove.

24 Q Well, we do have some boxes here. 214, can you tell
25 us whether this is lead or steel?

1 A The Winchester 12 gauge shot lock lead is a turkey
2 load number four. The Browning box, I do not see it
3 indicated on the box what the ball is, or the pellets are.

4 Q Well, let me ask you. Is there a turkey on the face
5 of that box?

6 A There is a turkey on the face of the box, yes, sir.

7 Q And is turkey a waterfowl bird or a land bird?

8 A Turkey is a land bird, sir, and the other box is a
9 same with Federal. It's got a turkey on the front.

10 Q All right. So, these three boxes look like they're
11 turkey loads, right?

12 A That's what it appears.

13 Q Okay. Did you find any waterfowl shell boxes at
14 Moselle on June 8th?

15 A I did not collect any waterfowl shell boxes from
16 Moselle.

17 Q Did you collect any waterfowl unfired shotgun -- 12
18 gauge shotgun shells at Moselle on June the 8th?

19 A Not that I'm aware of, sir.

20 Q Have you ever collected unfired shotgun shells for
21 waterfowl at Moselle in part of this investigation?

22 A I do not recall collecting any waterfowl shot.

23 Q Are you aware, sir, that the shot that blew Paul
24 Murdaugh's head off was Winchester Drylok Steel waterfowl
25 12 gauge ammunition?

1 A I was aware that we were -- that the pellets were
2 steel.

3 Q Well, you can look at the outside of the spent shell
4 casing and see that it's Winchester Drylok, correct?

5 A If I had the shell casings, yes, sir I could see it.

6 Q Okay, and you know that to be a waterfowl duck load,
7 correct?

8 A I know that it's primarily used for duck load, yes,
9 sir.

10 Q And you know that's what killed Paul Murdaugh.

11 A I do know that it was steel shot.

12 Q And you didn't find any similar ammunition at Moselle
13 on June the 8th or any time after that, correct?

14 A I did not, sir.

15 Q Now, you were shown pictures of the gun room and a lot
16 of -- and I think you testified there's some 25 guns and
17 gun racks?

18 A It was roughly twenty to twenty-five guns.

19 Q And this is 1700 acres of hunting land?

20 A Yes, sir.

21 Q And, I mean, did it shock you to see that many guns?
22 There were all hunting guns, were they not?

23 A It did not shock me to see that many hunting guns.

24 Q And a lot of people in Hampton and Colleton, this part
25 of the Lowcountry, they hunt with those types of guns.

1 Isn't that correct?

2 A Yes, sir.

3 Q And nothing -- you didn't find anything unusual about
4 the number of guns they had in their house, right?

5 A I did not, sir.

6 Q Thank you. Now, you mentioned that you know something
7 about the ejection pattern of the 300 Blackout. Do you
8 remember testifying about that?

9 A I remember testifying that it ejects to the right and
10 slightly backwards.

11 Q And I'm going to let you take it out because I'm a
12 city boy.

13 A May I stand?

14 Q Yes, sir, please.

15 MR. GRIFFIN: Do you mind, Your Honor?

16 THE COURT: No.

17 Q So, if you could -- while you're standing, if you
18 could just step down and point the gun at that door, and
19 hopefully no one comes through, and show the jury the
20 direction that the shells would go.

21 A Can I point it up further than the door?

22 Q Well, that would great. That would probably be safer.
23 I told you I'm a city boy.

24 A The rounds would be ejected from this side across
25 my -- would be my right shoulder.

1 Q Okay, and so -- and it's a semiautomatic. I mean, you
2 have to pull the trigger each time. Is that right?

3 A That is correct, sir.

4 Q And every time you pull the trigger it shoots a shell,
5 ejects off toward your right shoulder toward the rear,
6 right?

7 A As long as there's ammunition in the magazine.

8 Q Okay, and how far does it go before it lands, roughly?

9 A I can't answer that, sir.

10 Q A foot, 2 feet, 3 feet?

11 A I can't testify to how far an ejection -- an ejection
12 shell is going to extend from the weapon.

13 Q Okay. That's fine. Will you put it back, please?

14 A Yes, sir.

15 Q Well, just while you have it up, will you point to the
16 jury -- I think they saw it before and let's just clear --
17 the thermal scope? Can you point that out?

18 A It would be this item here.

19 Q And you've got to charge that, right? That's sort of
20 a -- you've got to plug it in, battery operated of some
21 sort?

22 A It would have some sort of power. I don't know if
23 it's a rechargeable battery or batteries that has to be
24 replaced.

25 Q Okay, and the thermal scope is for hunting at night.

1 Is that right?

2 A It could be used for hunting at night, yes, sir, to
3 pick up infrared. It's heat sensitive.

4 Q Kind of hard to hunt at night with a regular scope
5 because it doesn't pick up infrared heat.

6 A A scope and a light would work, but this is also used.

7 Q Yeah. Okay. All right. Thank you.

8 A Yes, sir.

9 Q Agent Croft, I'm going to show you what went into
10 evidence yesterday as Defendant's Exhibit 29. And can you
11 see it from up there?

12 A Yes, sir, I can.

13 Q And these, like, Marker 7, 5, 6, I'll just -- it's
14 identified on the -- in the ledger over here, but these are
15 300 Blackout shell casings. Do you understand that to be
16 the case?

17 A I don't see Marker 5 on the printout on the left-hand
18 side there.

19 Q Well, you're right. It's not on -- well, let's follow
20 along. If these are, in fact, shell casings, from what you
21 just described to the jury, the ejection path of the 300
22 Blackout, where would the person shooting the gun be
23 standing in relation to these markers, 5, 6, and 7?

24 MR. WATERS: Objection. He's not been qualified as an
25 expert.

1 THE COURT: Objection is overruled.

2 A If 7, 5, and 6 are shell casings, it would be likely
3 that the shooter would be to the upper side of those
4 rounds.

5 Q Somewhere near this line in that area?

6 A I can't testify to that line or any kind of angle of
7 that line, no, sir.

8 Q I understand, but it would be on the side of the line.
9 It would be up in here somewhere, right?

10 A It would be on the left-hand side of where those
11 numbers are. It would be likely that the shooter would be
12 on the left-hand side of where those numbers are if you're
13 looking at it from where I'm sitting.

14 Q The shooter would be on the left-hand side of these
15 numbers and a little forward of those numbers. Is that
16 right?

17 A I can't say because I'm not sure if the round -- if
18 the ejection hit something on the way out or if there was
19 an obstruction on the ejection, I don't know. I can't
20 testify to how far they would go. I would just know that a
21 normal 300 ejects to the right and slightly backwards.

22 Q Yes, sir. Thank you. Oh, you were at Moselle on the
23 8th, I think we have established that, and did you go back
24 on the 13th?

25 A I did, sir.

1 Q And did you -- you went to the house on the 13th as
2 well?

3 A I did, sir.

4 Q And we saw body cam from when you're picking up shell
5 casings around the side door, 300 Blackout shell casings
6 around the side door, and I think it -- was that the 8th
7 when you got the shell casings next to --

8 A That was around the 2:00 on the 8th, a little after
9 2:00.

10 Q Now, the jury will have the video if they want to see
11 it, but as you're standing out there, you could see the
12 rooftops of the shed building and some other structures
13 down at the kennels where the murders took place. Do you
14 remember you could see the rooftops?

15 A I would think you could see the rooftops.

16 Q But that's all you could see, correct? You couldn't
17 see SLED agents working around there by the dog kennels.

18 A No, sir. There is planted pines between the residence
19 and the kennels.

20 Q So, the fact of the matter is you can't see people at
21 the dog kennels from the house based on your personal
22 observation. Is that correct?

23 A From where I was standing, no, sir.

24 Q Now, you also testified about the location of Maggie's
25 phone, how it was found?

1 A Yes, sir.

2 Q Did you go out there when it was located?

3 A Yes, sir, I did.

4 Q Do you recall how it was located?

5 A Yes, sir, I do.

6 Q How was it located?

7 A We sent information to the phone company for a ping.
8 The ping was actually 20 something hundred meters, which is
9 a long ways. We then learned she had Find My iPhone on her
10 phone. One of the family members assisted with locating
11 that phone, getting a better location on the phone, and we
12 were ultimately able to find it.

13 Q So you found the phone, Maggie's phone, by a family
14 member using Find My iPhone.

15 A And I think it was John Marvin is the one that
16 assisted us with that.

17 Q And do you think John Marvin was using Buster's phone
18 to do that?

19 A I don't have a clue what he was using.

20 Q And then when the phone was collected, you were
21 provided the password. Do you remember you testified the
22 password was provided?

23 A We were provided the PIN to open the phone, yes, sir.

24 Q And are you aware that Alex Murdaugh provided the PIN
25 to SLED so they could open Maggie's phone?

1 A Again, I don't know where we -- where the pass code or
2 PIN came from, but we were provided a PIN.

3 Q Do you know what a Faraday bag is?

4 A Yes, sir, I do.

5 Q Did anyone have a Faraday bag out --

6 A I did not have a Faraday bag out that way.

7 Q What's the purpose of a Faraday bag?

8 A To prevent any tampering from outside sources once a
9 cell phone is collected.

10 Q And you would put the cell phone inside the Faraday
11 bag so it can't hit WiFi, cell phone towers?

12 A Again, it prevents any tampering from outside to
13 prevent anybody from being able to communicate with the
14 phone --

15 Q It helps to --

16 A -- from any outside sources.

17 Q It's a tool to secure the evidence to prevent
18 tampering, inadvertent or intentional tampering, right?

19 A Yes, sir. It's one tool that can be used.

20 Q And was Maggie's phone put in a Faraday bag when it
21 was seized on the side of Moselle Road?

22 A No, it was not.

23 Q Did anyone ask or bring up the fact that, hey, maybe
24 we should get a Faraday bag before we move this phone?

25 A I did not ask.

1 Q Anybody ask in your presence?

2 A Not that I'm aware of.

3 Q Now on June 8th, you were briefed, and it was -- you
4 were advised that Alex found his wife and son murdered. He
5 was the one that discovered them, correct?

6 A Yes, sir.

7 Q And on June 8th, you knew that he was Maggie's husband
8 and Paul's father, immediate family, correct?

9 A Yes, sir.

10 Q And as part of your longtime experience investigating
11 crimes, murders in particular, someone who finds the bodies
12 and is related to the victims is always going to be looked
13 at. Is that fair?

14 A That would be a fair statement, sir.

15 Q And y'all were looking at Alex on the 8th, SLED was,
16 correct?

17 A We -- yes, sir.

18 Q And would you have a label? Was he a person of
19 interest or a suspect on the 8th?

20 A We were looking at Alex being one that found the
21 deceased, being the husband, the father, in an attempt to
22 get Mr. Alex out of that immediate circle.

23 Q And you've described this investigative circle. So,
24 you draw a circle around potential persons of interest, and
25 Alex was in that circle, correct?

1 A We don't draw a circle around any individual person.
2 We work with a crime scene, which is what we considered the
3 circle, and we worked from our way inside out in order to
4 find any potential suspects, identify suspects, clear
5 individuals. So, we start with a small circle.

6 Q So, when you started with the small circle, although
7 you don't draw it, it's sort of an investigative mental
8 tool, who was the person in the small circle.

9 A We had -- Ms. Maggie was in the crime scene, Paul was
10 in the crime scene, and Alex was in the crime scene.

11 Q And do you remember that on the morning of the 8th,
12 there were media report that Alex was a person of interest
13 in the murder of his wife and son? Do you remember that
14 being public knowledge?

15 A I try to avoid the media in any investigation because
16 I don't want to be influenced by anything that's said.

17 Q And the -- well, do you recall SLED putting out a
18 press release on the morning of the 8th that the public
19 need not be alarmed?

20 A I do not recall any press release being put out by
21 SLED.

22 Q Well, the point being, on the 8th there was a circle
23 and it was only around Alex. He was the only living and
24 breathing person in the circle. Is that correct?

25 A That is the only person that we could place in the

1 circle at that time.

2 Q And on the 8th, SLED knew that from interviews with
3 Alex that he said he left Moselle at shortly after
4 9:00 p.m., went to visit his mother in Almeda, stayed for
5 awhile, and came back. SLED and you were aware of that
6 fact.

7 A I am aware of that, yes, sir.

8 Q Did anybody at SLED ever on the morning of the 8th
9 hightail it over to Almeda and search the house for any
10 evidence whatsoever?

11 A I did not go to Almeda and search the house on the
12 8th.

13 Q Are you aware of anyone ever going to Almeda to search
14 the house until some time in September of 2021?

15 A There was a number of agents out working. I'm not
16 sure what the other agents did.

17 Q Wouldn't it have been a good idea to go a Almeda on
18 the morning of the 8th where the guy in the circle says he
19 was, right?

20 A I did not go, and I can't testify to what other agents
21 did.

22 Q Well, you've been working this investigation -- are
23 you the lead case agent?

24 A No, sir, I'm not.

25 Q Who is the lead case agent?

1 A David Owen.

2 Q All right. Now, every interview that Alex Murdaugh
3 gave, you participated in, right?

4 A I did, sir.

5 Q So, were you working -- you know, sort of Agent Owen's
6 right-hand man in this investigation?

7 A I was assigned by the captain to assist Agent Owens
8 (sic).

9 Q So, it's fair that you knew daily developments as the
10 investigation progressed, right?

11 A We had briefs with each other on the case, yes, sir.

12 Q And you knew that at no point in time in June, July,
13 August, anyone went over to Alameda and searched the house,
14 searched the property for any dirty clothes or any murder
15 weapons?

16 A I know that I did not go, and I'm not sure what the
17 other agents in the investigative circle had done.

18 Q Well, if you went over there -- if you had gone over
19 there on the morning of the 8th, scoured the place and not
20 find anything, that would sort of help nudge Alex outside
21 this investigative circle, would it not?

22 A I can't testify to what-ifs, sir. I did not go.

23 Q Okay. On the 8th, you were asked to point out who is
24 that person, who is that person, who is that person.

25 That's Ronnie Crosby, he's a lawyer; that's Mark Ball, he's

1 a lawyer; that's Lee Cope, he's a lawyer. Do you remember
2 that testimony?

3 A I do, sir.

4 Q Okay. Now, Alex wasn't lawyering up on the 8th.
5 Those were his friends who came over to help him, correct?

6 A They were giving counsel to Alex as far as what we
7 were doing. They were making phone calls to his counsel.
8 That was the instructions which we gave.

9 Q Okay.

10 A We were given.

11 Q And they were assisting you, as you saw on the body
12 cam, go through the evidence that you ended up seizing in
13 the gun room, right?

14 A They pointed out some items that they had concerns
15 about.

16 Q Did you find that their efforts were obstructing your
17 investigation?

18 A They didn't obstruct our search within that gun room,
19 no, sir.

20 Q Now, you went back, I think, on June 13th. Is that
21 correct?

22 A Yes, sir, we did.

23 Q And remind me. What was the purpose of the search on
24 June 13th?

25 A The search on June 13th was a follow-up search of the

1 residence. I would have to see the search warrant, the
2 actual search warrant to see what items was being sought at
3 that time.

4 Q Are you testifying that you had to get a search
5 warrant on the 13th?

6 A Search warrant or consent, I'm not sure. I don't know
7 what exact -- everything that was being looked for at that
8 time.

9 Q Well, in fact, Alex Murdaugh gave consent any time he
10 was asked by SLED if they could go on the property, right?

11 A My understanding is consent was obtained each time.

12 Q And so there was no search warrant on the 13th, was
13 there, Agent Croft?

14 A I would have to see our legal grounds for being there.
15 Whether it was consent or a search warrant, I do not know.

16 Q Right, and you don't need a search warrant if there's
17 consent.

18 A No, sir, you do not.

19 Q And in this interview -- excuse me, this search you
20 have seized Exhibit 151, which is -- and I'll hand it to
21 you -- that's a 300 Blackout clip. Is that right?

22 A It's a magazine with 300 Blackout ammunition, yes,
23 sir.

24 Q And that was found where?

25 A I collected it from a black Ford F150.

1 Q On the property. Is that correct?

2 A That is correct, yes, sir.

3 Q And I think you testified it was found on the
4 floorboard of the truck. Is that right?

5 A I didn't testify to where it was found, no, sir.

6 Q Do you know where it was found?

7 A No, sir, just a black Ford F150.

8 Q Did you find it?

9 A No, sir, I did not.

10 Q Oh, it was just provided to you?

11 A Yes, sir.

12 Q Okay. Now, the jury heard the videotape interview of
13 Alex on June 10th where he told you that Paul left
14 everything everywhere. Do you remember hearing that
15 statement?

16 A I do remember that, yes, sir.

17 Q And does this evidence support what Alex told you,
18 that Paul left everything everywhere if you found a clip, a
19 300 Blackout --

20 A I can't testify who had the magazine in the F150.

21 Q Do you know who last drove that F150?

22 A I do not, sir.

23 Q Was any analysis done of that clip?

24 A The way it's packaged there, it does not appear that
25 there's been any analysis done.

1 Q Were any fingerprints taken of that clip?

2 A Again, sir, the way it's packaged, it does not appear
3 that there was any analysis done.

4 Q And I think there was another clip that was seized
5 from the shelf in the gun room, and I don't have that
6 pulled up. I think it was 150 perhaps. Did -- do you
7 remember seizing that other clip from the gun room?

8 A Yes, sir. There was another magazine with a 300
9 Blackout.

10 Q Were there any fingerprints taken from the clip seized
11 from the shelf in the gun room?

12 A I don't think so, sir.

13 Q Was any analysis done of the clip taken from the shelf
14 in the gun room?

15 A The way I recall it being packaged yesterday, it would
16 appear there was no analysis performed.

17 Q Yet you brought it to court. You want this jury to
18 have it. Why is that?

19 MR. WATERS: Objection, Your Honor.

20 THE COURT: The basis for the objection?

21 MR. WATERS: I believe that's outside the scope of
22 this witness's purpose here as to why it's being offered
23 into court.

24 THE COURT: Response to the objection?

25 MR. GRIFFIN: Your Honor, I'm asking his knowledge,

1 not anything beyond his knowledge. He can say I don't know
2 or if he has a reason.

3 THE COURT: I overrule the objection.

4 A Can you repeat the question, please, sir?

5 Q Yeah. Do you know why you were asked do bring those
6 clips to court and put them into evidence before this jury?

7 A I do not, sir.

8 Q All right. Now, you also did a search of the shooting
9 range, and I couldn't -- I went through my notes and I
10 can't -- don't have a date. Was that on the 13th or a
11 different date?

12 A I'm not sure if it was the 13th or the 16th.

13 Q 16th? I think you may be right. Either way, again,
14 that was a consent search, right? You didn't have a search
15 warrant for that.

16 A We did get consent for that, yes, sir.

17 Q And the jury saw the video -- we're not going to
18 belabor that again -- but there was a shooting house, if
19 you will, with a chair and a thing you would rest a gun on,
20 and we saw you picking up a lot of shell casings, right?

21 A Yes, sir.

22 Q And the shell casings you were picking up were the 300
23 Blackout spent shell casing cartridges, right?

24 A That is correct, sir.

25 Q But there was a lot of brass in there that were not

1 300 Blackout cartridges, right?

2 A There was additional brass that was not 300, yes, sir.

3 Q Now, we didn't get a good look. If you're sitting in
4 that chair in the shooting house down range, do you
5 remember what was on the other end 100 yards or so away?
6 Do you remember what was on the other end?

7 A I do not recall what's back on that end, no, sir. A
8 target of some sort.

9 Q Are you aware there's a big dirt mound there?

10 A A berm or two.

11 Q That's safe, right? I mean, you don't want to be
12 shooting a rifle just going down, you know, without
13 something to stop it, so there's a berm there to stop it,
14 right?

15 A It was going into a wooded area, yes, sir.

16 Q But there was a berm --

17 A There was a dirt mound. There was a dirt mound.

18 Q There was a target and then a dirt mound behind it.
19 Is that right?

20 A That's correct.

21 Q Now, we saw you picking up brass. Who went down to
22 the other end and started digging in that dirt, earth and
23 dirt mound to find fired projectiles?

24 A I did not go down to the other end, no, sir.

25 Q In fact, nobody at SLED went to that other end to dig

1 out 300 Blackout fired projectiles, did they?

2 A I did not, and I don't know what the other agents did,
3 no, sir.

4 Q Well, you're assisting Agent Owen. You're going to
5 briefings. You didn't hear at any point in time, well, we
6 should have or we did dig out projectiles from the dirt
7 mound?

8 A I never heard of anyone digging out the dirt mounds --
9 or digging out brass in the dirt mounds.

10 Q If you had dug out projectiles from the dirt mound,
11 that could have been sent to the ballistics lab at SLED and
12 done a comparison to the projectiles found at the crime
13 scene, correct?

14 A There would be a lot of elements that would go into
15 whether it can actually be looked at or not.

16 Q Or you could certainly compare it to what was -- I
17 mean, you could take a 300 Blackout and shoot it out of
18 Buster's gun right there leaning next to you and compare it
19 to the projectile, is that -- you're aware that could be
20 done at SLED, right?

21 A Yes, sir, I am.

22 Q Okay, but it wasn't, was it?

23 A I'm not sure what testing was done on this particular
24 rifle to compare it to anything at the scene.

25 Q Okay. Now, let's go to the June 10th interview. You

1 and Agent Owens (sic) interviewed Alex in Agent Owen's SUV,
2 SLED issued vehicle, on June 10th, right?

3 A Yes, sir, we did.

4 Q And that was at brother John Marvin's hunting lodge in
5 Varnville or somewhere close by, correct?

6 A Yes, sir.

7 MR. GRIFFIN: Not yet.

8 Q The -- a lot of people were interviewed that day,
9 right?

10 A There was a number of interviews going on at the same
11 time, yes, sir.

12 Q And -- well, again, that was consent, correct? The
13 interviews were consensual.

14 A Yes, sir.

15 Q And you interviewed -- the folks being interviewed
16 that day not only included Alex, but they included John
17 Marvin, his brother; his son, Buster; and his other
18 brother, Randy. Is that correct?

19 A To my recollection, yes, sir.

20 Q And when you pulled up on June the 10th, it was
21 about -- was it early afternoon it seemed like?

22 A The timestamp should be on the video. I don't recall
23 what time it was.

24 Q But it was a little bit like the calvary coming,
25 wasn't it, because there were a lot of cars that pulled up

1 at one time, right?

2 A They were aware we were coming.

3 Q They were -- how many agents went?

4 A We took agents to interview each person that was
5 there.

6 Q You took two agents for each interview, right?

7 A I think there was two agents for each interview, yes,
8 sir.

9 Q And each agent came in their own car, right?

10 A I think I may have rode with Special Agent Owen. I'm
11 not sure if we -- if the others drove their own cars or
12 not.

13 Q And so there was at least four -- could have been more
14 than that -- cars, right?

15 A There was probably four cars, yes, sir.

16 Q And you put each person, Randy, John Marvin, Buster,
17 and Alex, in a separate car all at one time.

18 A Pretty close to the same time, yes, sir. Each one got
19 in the car with agents.

20 Q And that's a law enforcement investigative technique
21 so that you don't want witnesses to be comparing notes, and
22 you want to interview them in separate places at the same
23 time, and to get what's fresh on their mind without
24 being -- learning what another witness has said, right?

25 A We wanted to interview them individually, yes, sir.

1 Q And you said they knew that you were coming, but did
2 you alert anyone that we're all going to be coming in, you
3 know, at least four cars, and we're going to interview you
4 separately at the same time?

5 A There was some other things that was going to take
6 place while we were conducting interviews, so it was
7 arranged that they would all be at that location, and we
8 were going to meet them there and conduct the interviews.

9 Q And you also had a guy there to do a phone extraction.

10 A Yes, sir. Those are the other things I was talking
11 about.

12 Q Now, that wasn't told to Alex or John Marvin or Buster
13 or Randy before SLED rolled in on the 8th at John Marvin's
14 hunting lodge, right?

15 A It's my understanding that they knew we were coming
16 and that we were going to request the phone analysis be
17 done.

18 Q You think someone with SLED would have told Alex ahead
19 of time, or told John Marvin ahead of time that we're going
20 to -- when we get there be sure not erase anything off your
21 phone because we're going to download it?

22 A I didn't set the meeting up. I went with Agent Owen
23 to conduct the interview.

24 Q But -- and one of the first things you did at the
25 interview was -- you and Agent Owen was asked Alex if he

1 would give over his phone so that it could be extracted,
2 correct?

3 A That was one of the first things we asked for.

4 Q And that extraction was done, you know, by another
5 agent who came in a separate vehicle, I assume. Is that
6 right?

7 A He's not an agent with the South Carolina Law
8 Enforcement Division, no, sir.

9 Q Okay. He was an investigator with 14th Circuit
10 Solicitor's Office?

11 A That's my understanding of his job title, yes, sir.

12 Q And that would be Investigator Hightower. Is that who
13 did that?

14 A That is my understanding, yes, sir.

15 Q And during the interview, you also -- at the end of
16 the interview, you got a buccal swab from Alex, right?

17 A I did, sir.

18 Q You got a buccal swab from -- everybody who was
19 interviewed gave buccal swabs, meaning John Marvin, Randy,
20 Buster, and Alex, correct?

21 A I know that Alex -- we secured a buccal from Alex.
22 I'm pretty sure that there was one collected from Buster,
23 I'm not sure about John Marvin and Randy.

24 Q Now, yesterday we listened to the entire video
25 interview with Alex, and it ran for almost an hour -- could

1 be longer -- but you sat on the stand and heard that,
2 right?

3 A Yes, sir, I did.

4 Q And at various points in time you were asked what did
5 he just tell you. Did he just tell you this. Do you
6 remember that?

7 A I do, sir.

8 Q And then you get to one point in the interview where
9 you were asked what did he just say after you said it must
10 be tormenting him? And you testified that Alex said on the
11 video captured by audio that: It was so bad, I did him so
12 bad. That's what you testified to yesterday.

13 A Yes, sir, that is what I testified to.

14 Q Now, are you 100 percent confident that Alex said I
15 did him so bad rather than they did him so bad?

16 A I'm 100 percent confident in what I heard and I
17 interpreted him and as saying.

18 Q Okay, but you would agree that this jury can hear the
19 same thing you heard on June the 10th by playing what was
20 captured on the body cam, or the recording equipment in
21 Agent Owen's car, right?

22 A Yes, sir.

23 Q Now, when you heard what you said you're confident
24 what you heard, that, that he said I did him so bad, what
25 did you do in response to that?

1 A I made a mental note of it -- on it -- of it. Again,
2 we were still in the early stages of the investigation. It
3 was more of an information gathering from Mr. Alex, and we
4 did not have information at that point to my opinion to
5 challenge Mr. Alex on any of his statements.

6 (Break in proceedings.)

7 Q So, Alex Murdaugh was the one and only in this circle
8 on June the 10th. You're in the car with him, and
9 according to your testimony he says: I did him so bad.

10 A That is what I understood him to say, yes, sir.

11 Q And you just said you took a mental note of it.

12 A Yes, sir, I did.

13 Q I mean, if the guy in the middle of the circle, the
14 only one in the circle says I did him so bad, isn't that a
15 significant statement if he actually said that?

16 A It's definitely something we would follow up with.

17 Q You never followed up with it, did you?

18 A There was a third interview conducted with Mr. Alex.

19 Q There was a third interview. There was a third
20 interview conducted on August the 11th of 2021, right?

21 A I don't recall the exact date.

22 Q We'll hear about it, but you were there, right?

23 A Yes, sir, I was.

24 Q And tell the jury if you asked Alex Murdaugh on August
25 the 11th of 2021 what did you find mean back on June 10th

1 when you said I did him so bad?

2 A We didn't make it to that point, sir.

3 Q In fact, back on June 10th after you had this -- what
4 you heard him say, I did him so bad, you went on to talk
5 about funeral arrangements, whether it was going to be
6 public or private. Isn't that right?

7 A There was questions concerning funeral arrangements,
8 yes, sir.

9 Q And Agent Owen says -- well, Alex said he was trying
10 to make arrangements so there wouldn't be, you know, a lot
11 of media there or any media there. And, you know, the guy
12 who just said I did him so bad, I mean, the response to
13 that was they don't deserve to be there. Do you recall
14 that?

15 A Repeat that again, sir.

16 Q Do you remember Agent Owen saying in your presence to
17 Alex the media did not deserve to be at Maggie and Paul's
18 funeral?

19 A I do recall saying Agent Owen saying something about
20 the media not being there, yes, sir.

21 Q And that was after, according to you, he said: I did
22 him so bad.

23 A Yes, sir.

24 Q Did you consider that to be some sort of confession on
25 June the 10th?

1 A Again, it was something that we were definitely going
2 to follow up on, yes, sir.

3 Q Getting ready for your testimony yesterday, did you
4 review a transcript that was prepared by SLED of that
5 interview of June 10th with Alex?

6 A No, sir. I have never seen a transcript that was
7 prepared for that.

8 Q Are you aware that a transcript was prepared at SLED?

9 A No, sir, I'm not.

10 Q You're hearing that for the first time?

11 A Yes, sir, I am.

12 Q Well, let me ask you. Back on June 10th, why didn't
13 you ask him right then and there when he said I did him so
14 bad, why didn't you ask him what do you mean by, Alex?

15 A Again, it was early in the investigation. It was more
16 of an information-gathering interview, if you would call it
17 an interview with Mr. Alex, and we did not -- at that
18 particular time in the investigation, we did not have
19 evidence to challenge anything that Mr. Alex would have
20 told us. It was decided that we would not cross that at
21 that time.

22 Q I mean, I'm not -- my question wasn't why didn't you
23 challenge him. My question is why didn't you ask for
24 clarification like what are you talking about you did him
25 so bad?

1 A Asking for clarification of I did him so bad would
2 ultimately be a challenge of what he said.

3 Q So, what are the -- what were -- the things going
4 through your mind when you heard or misheard I did him so
5 bad were ,like, I wasn't a good dad, I spoiled him, or I
6 killed him? What was going through your mental note?

7 A There was a mental note that it was definitely
8 something that we needed to follow up on and ask at a later
9 time.

10 Q Now, from the video it appears you're back there
11 taking some notes.

12 A Yes, sir.

13 Q Did you take notes?

14 A I was writing specific stuff down.

15 Q You mentioned a made a mental note of this what you
16 heard, or misheard, I did him so bad, but did you make a
17 written note of him saying that?

18 A I don't recall if I wrote it or not, sir.

19 Q So, it's possible that you're sitting there with a guy
20 who has now been charged with murder on June 10th in the
21 interview, the father, the only one in the circle, and he
22 says I did him so bad, and you can't tell the jury you even
23 wrote it down on a piece of paper?

24 A I don't recall if I actually made a physical note of
25 it or not, sir.

1 Q I'm going to play that clip from State's Exhibit 243,
2 which is in evidence. I want you to listen again with the
3 jury.

4 MR. GRIFFIN: Hang on, Your Honor.

5 (Break in proceedings.)

6 MR. GRIFFIN: All right, let's play it, please, Doug,
7 Exhibit 243 in evidence.

8 (Excerpt of video was played. Audio not transcribed.)

9 MR. GRIFFIN: Back it up and play it in realtime
10 again, Doug, realtime.

11 (The video was played.)

12 MR. GRIFFIN: Okay stop.

13 Q Did you hear now they or I?

14 A I would still testify that in my hearing I hear I.

15 MR. GRIFFIN: Your Honor, we would like to play it
16 again at one-third speed to slow it down. It's just the
17 same --

18 THE COURT: It's your witness. Go ahead.

19 MR. GRIFFIN: Thank you.

20 MR. WATERS: Your Honor, I would object to playing it
21 at one-third speed. There is no foundation laid for who is
22 manipulating it, how it's being manipulated. Obviously we
23 have it in realtime and they would have to do some
24 additional --

25 THE COURT: The objection is overruled.

1 MR. GRIFFIN: Thank you. All right. Please play it
2 at one-third speed.

3 (The video was played.)

4 Q Did you hear they then?

5 A No, sir, I did not.

6 Q Okay, but you would agree the jury gets to decide what
7 he said on that tape. That's the best evidence to --

8 A I agree that they get to hear the tape and make their
9 own mind up as to what he said, yes, sir.

10 MR. GRIFFIN: Thank you. That's all I have.

11 Q Now, I said the date August the 11th. You said you
12 weren't sure, but there was another interview with Alex
13 Murdaugh when he came to the SLED Lowcountry office and you
14 and Agent Owen sat down and interviewed him, correct?

15 A That is correct.

16 Q Now, on all of these interviews that were conducted
17 and that have been played somewhat, or body cam
18 conversations, except for Alex, when you're doing them, do
19 you would tell the person that you're interviewing hey, I'm
20 going to turn the audio recorder on. You're now being
21 recorded. Is that standard operating procedure?

22 A We normally don't advise that we're recording, no,
23 sir.

24 Q Okay, and you certainly didn't advise Alex that you're
25 recording him on any of the interviews that you conducted

1 with Agent Owen, correct?

2 A I never advised anyone that I was being -- that they
3 were being recorded.

4 Q In this meeting that you had, were you aware that Alex
5 was asking for the meeting so that he could get an update
6 on whether you'd made any progress in the investigation of
7 the murder of his wife and son?

8 A I was aware that Alex had requested a meeting to raise
9 some questions as to what was going on.

10 Q I mean, he wanted information as to what was going on,
11 right?

12 A That's my understanding, yes, sir.

13 Q But y'all had other plans for that meeting, correct?

14 A No, sir. I'm not going to say we had other plans for
15 that meeting. It was an interview.

16 Q Yeah. I mean, he came there not -- he didn't go to
17 that meeting thinking I'm going to be interviewed, to your
18 knowledge, did he?

19 A To my knowledge, I don't know what his thinking was.
20 He knew he was coming there to meet with myself and Agent
21 Owen.

22 Q Okay, and during that interview, pretty much you made
23 it known to him that -- well, I mean, you asked him point
24 blank. Did you kill your wife and son?

25 A He was asked that.

1 Q And you made it pretty clear that -- well, let me ask
2 you. At that point in time, was he a full bore suspect in
3 your murder investigation?

4 A He was still a person of interest. There was some
5 questions that we had regarding information that we had
6 obtained that he could answer.

7 Q And did he answer the questions that you asked?

8 A Yes, sir.

9 Q And then at the end of that interview, he asked you to
10 meet with Maggie's mom and dad, Mr. and Ms. Branstetter,
11 and her family, correct?

12 A I think that was the end of the second interview, not
13 the third interview.

14 Q Well, shortly after that August -- shortly after that
15 third interview with Alex, which we'll get the date in the
16 record eventually, a few days later you and Agent Owen went
17 and met with Maggie's mom, and dad, sister, and
18 brother-in-law, and nieces, correct?

19 A That is correct.

20 Q And part of that interview -- well, that interview was
21 recorded, right?

22 A The interview with --

23 Q With the Branstetters.

24 A Branstetters?

25 Q Yes, sir.

1 A Yes, sir. It was audio recorded.

2 Q Did you tell them you were recording it?

3 A We did not, I don't think. I did not tell them.

4 Q Okay, and part of the interview was part of -- the
5 interview was conducted as part of your investigation to
6 get information to assist you in the next steps, correct?

7 A The interview was a combination interview: it was to
8 share information and also to gather information concerning
9 family dynamics, yes, sir.

10 Q In that interview, you and/or Agent Owen told the
11 Branstetters and the Proctors that Alex was in this circle
12 of investigation, correct?

13 A It was no secret that Alex was in that circle at that
14 point, no, sir.

15 Q And that you also told them he's the only one that
16 you've identified in the circle, correct?

17 A I don't recall saying he was the only one in that
18 circle.

19 Q Well, did you identify for the Branstetters o the
20 Proctors any other people in the circle?

21 A They particularly asked about Alex, so I don't recall
22 giving them any other names that was being looked at.

23 Q In early August of 2021, was there anybody else in the
24 circle that SLED was focused on?

25 A Again, sir, at that particular date I'm not sure who

1 all was still within that circle.

2 Q And during this interview, Maggie's mother,
3 Ms. Kennedy Branstetter; her father, Mr. Kerry Branstetter;
4 her sister, Marian Proctor; and brother-in-law, Bart, and
5 their children, described for y'all their observations of
6 Alex's relationship with Maggie and Paul, correct?

7 A From their observation of their relationship, yes,
8 sir.

9 Q And that was -- you were asking that as part of your
10 investigative tool in getting information.

11 A Yes, sir, that is correct.

12 Q And they reported to you that Alex had a loving
13 relationship with Maggie and Paul, correct?

14 MR. WATERS: Objection, Your Honor. Rule 801 and 802.

15 THE COURT: Pardon?

16 MR. WATERS: Objection. Rule 801 and 802.

17 THE COURT: Any response?

18 MR. GRIFFIN: It's not being offered for the matter
19 asserted, Your Honor. It's what he did in response to
20 that.

21 THE COURT: Objection is sustained.

22 Q Were you given information in that interview -- did
23 they identify other people who had warned Maggie that --
24 word on the street in Hampton, that there was some risk to
25 her family's safety resulting from the boating accident?

1 A I don't recall any specific information concerning
2 warning of threats or -- of any nature, no, sir, I don't
3 recall that.

4 Q You don't recall being provided the name Barbara
5 Nixon?

6 A I do recall being provided names of those that may
7 have information, but as far as specific information, I do
8 not recall any specific information that was shared by the
9 Branstetters.

10 Q Do you know whether Ms. Nixon was ever interviewed
11 following your meeting with the Branstetters?

12 A I know I never interviewed Ms. Nixon.

13 Q Were you given information about Ms. Kyna Treherne of
14 a similar nature?

15 A Again, I never interviewed Ms. Treherne if her name
16 was given, no, sir.

17 MR. GRIFFIN: One minute, Your Honor, if I may check
18 to see what I left off.

19 (Break in proceedings.)

20 MR. GRIFFIN: That's all of the questions I have, Your
21 Honor.

22 THE COURT: Redirect?

23 MR. WATERS: Thank you, Your Honor.

24 REDIRECT EXAMINATION

25 BY MR. WATERS:

1 Q Senior Special Agent Croft, a couple of things. When
2 you went back, or you went and searched that house, your
3 focus was searching for guns. Is that correct?

4 A That is correct.

5 Q And to your knowledge, when other agents walked
6 through the house with family members -- and this is on
7 June 8th -- fundamentally they were looking for firearms.
8 Is that correct?

9 A That is my understanding, yes, sir.

10 Q You were asked about these weapons that you seized
11 that are put into evidence, and you were looking for any
12 potential weapon that could fire rounds consistent with
13 those that was at the scene. Is that right?

14 MR. GRIFFIN: Objection to leading.

15 MR. WATERS: I'm on redirect, Your Honor; I would ask
16 for a little leeway.

17 THE COURT: Don't lead the witness.

18 MR. WATERS: Yes, sir, Your Honor.

19 Q What is the point of gathering as much evidence as you
20 can when you have that opportunity? What are you trying to
21 do there?

22 A We were trying to gather as much evidence that could
23 be tested as potential weapons for the scene to be able to
24 include or to exclude Mr. Alex or these weapons from being
25 the person of -- responsible for the murders.

1 Q All right. You were asked a little bit about this
2 right here, and this was June of 2021, correct?

3 A That is correct, yes, sir.

4 Q Had Covid had any affect generally on the availability
5 of ammunition?

6 A I'm sorry?

7 Q Had Covid had any affect generally on the availability
8 of ammunition?

9 A Yes, sir.

10 Q And tell the jury what, it any, affect that was.

11 A Ammunition was difficult to get during that time
12 because of the shutdown during Covid.

13 Q Did you find a lot of ammunition inside the
14 defendant's residence?

15 A There was quite a bit of ammunition.

16 Q Did you find a lot of different types of ammunition
17 inside the defendant's residence?

18 A Yes, sir, we did.

19 Q Did you find a lot of S&B 300 Blackout in the
20 defendant's residence?

21 A That was mostly what we found.

22 Q You were asked about the commonality of various
23 rounds, Blackout through others, and you mentioned 308 and
24 223 and 556. Can you tell the jury a little bit about
25 those rounds and why they tend to be a bit more common as

1 you testified, please?

2 A I'm sorry, can you -- do you mind remind repeating?

3 Q Yeah, sure.

4 MR. GRIFFIN: Your Honor, I'm going to object. Beyond
5 the scope. I didn't ask anything about 223s or whatever he
6 said.

7 MR. WATERS: He asked about the commonality of
8 Blackouts, and he answered about those others.

9 THE COURT: The witness asked you to repeat the
10 question. I would like to hear it as well.

11 MR. WATERS: Yes, sir.

12 Q You were asked earlier about the commonality of
13 Blackout, and you mentioned it was not as common as 308,
14 223, and 556. I was asking you to explain a little bit
15 about those calibers and why they were more common.

16 THE COURT: I overrule the objection.

17 A 223 is a very common round. It's utilized in law
18 enforcement. 556 is utilized within law enforcement and
19 also within the military. It's -- prior to Covid, it was
20 easily found, fairly cheap ammunition to go out and shoot
21 as far as rifle ammunition goes. 308 is a hunting rifle,
22 which can be used for larger games such as Whitetail and
23 such like that. 308 is also common round that's used
24 within law enforcement and the military side. It's a very
25 common round. 300, on the other hand, is -- it's just at

1 that particular time, 300 rounds were just -- or weapons
2 were just not that common.

3 Q How many criminal investigations have you worked where
4 a 300 Blackout was the murder round?

5 A I have none.

6 Q None?

7 A None.

8 Q You were asked earlier about the boxes in what has
9 been admitted into evidence as State's 214, and there are
10 actually -- are there multiple exhibits in that particular
11 bag that was not opened.

12 A Yes, sir, it is.

13 Q All right, and aside from the boxes, what, if any,
14 other exhibit is in that particular bag?

15 A It is a -- what appears to be a credit card receipt
16 with one particular item circled.

17 Q And that item circled was what?

18 A Gucci.

19 MR. WATERS: Court's indulgence one moment, Your
20 Honor.

21 (Break in proceedings.)

22 Q You were asked something about -- a few questions
23 about the -- what the lab report found and where your
24 experience is at is in general firearms knowledge. Is that
25 correct?

1 A That is correct, yes, sir.

2 Q Are you a fire marks and tool mark examiner?

3 A No, sir, I'm not.

4 Q Is it your role to do that specific analysis?

5 A It is not, sir.

6 Q Is that analysis for others to do?

7 A That is correct, sir.

8 Q Others who will testify later?

9 A That is correct, sir.

10 Q You were asked a number of questions about the various
11 loads and some of these shotguns. Did you find weapons
12 that had mixed loads, that had different types of
13 ammunition in them?

14 A Yes, sir, I did.

15 Q You were asked a couple of questions about the board
16 that Mr. Harpootlian put into evidence yesterday. Do you
17 recall those?

18 A Yes, sir, I do.

19 Q Are you aware that both victims had stippling on them
20 from their gunshot injuries?

21 A Yes, sir, I am.

22 Q And what is stippling?

23 A Stippling is a powder burn pattern which is left on an
24 individual due to a close range shot.

25 Q To a close range shot.

1 A That is correct.

2 Q Thank you. You were asked some questions about the
3 location where shell casings lie when they're ejected out
4 of the weapon. Is that correct?

5 A Yes, sir, I was.

6 Q Are there a number of factors that go into where a
7 shell casing might actually land?

8 A Yes, sir, it is.

9 Q Can people move?

10 A I'm sorry, sir?

11 Q Do people move?

12 A People can move, yes, sir.

13 Q You were asked a couple of questions about the cell
14 phone and whether or not it was put in a Faraday bag. Do
15 you know if that phone was put in airplane mode?

16 A I think it was, yes, sir.

17 Q You've been asked a number of questions about the
18 defendant and the investigation. Do you recall during the
19 course of the interview on June 10th, did Agent Owen
20 mention that y'all had talked to 100 people at that point?

21 A I do, yes, sir.

22 Q All right, and was the investigation just focused on
23 Alex Murdaugh, or was it focused on anyone and everyone it
24 could be focus on?

25 A It was absolutely not just focused on Alex Murdaugh.

1 Q Did -- in that particular interview, did Agent Owen
2 mention victim advocates or any sort of grief counseling to
3 Alex Murdaugh? Is that correct?

4 A Yes, sir, he did.

5 Q When you were that early in an interview and you are
6 interviewing someone who might be in the circle as Mr.
7 Griffin describes it, are you trying to keep your ears
8 open?

9 A Yes, sir, I am.

10 Q Are you trying to keep the lines of communication
11 open?

12 A Yes, sir, I am.

13 Q Are you going to confront somebody that early on, or
14 are you going to try to keep the dialogue going?

15 MR. GRIFFIN: Objection. Leading, Your Honor.

16 THE COURT: Don't lead the witness.

17 Q What is your goal when you're that early in the
18 investigation in interviewing witnesses or potential
19 subjects?

20 A Again, based on what we had in this particular case,
21 the interviews conducted with Mr. Alex was more of an
22 information gathering type of interview. It wasn't an
23 interrogation by no means.

24 Q You were asked about whether or not anyone dug some
25 potential projectiles out of a mound of dirt. Were you

1 aware that there were 300 Blackout cases found around
2 Maggie's body at the scene?

3 A Yes, I was.

4 Q And were your -- was it -- what was your goal as
5 finding similar evidence in other parts of the property?

6 A Similar casings to the shell casings that were located
7 at Ms. Maggie's body.

8 Q Did you know that casings can be compared to casings
9 which had been recovered already at the murder scene?

10 A Yes, sir, I did.

11 Q Did you find cases outside of the side door?

12 A Yes, sir, I did.

13 Q 300 Blackout cases?

14 A Yes, sir, I did.

15 Q Did you find 300 Blackout cases at the range across
16 the street?

17 A Yes, sir, I did.

18 Q You were asked about interviewing a number of
19 witnesses on that day on June the 10th. Is that right?

20 A Yes, sir.

21 Q Is it common standard operating procedure to interview
22 witnesses separately?

23 A Yes, sir.

24 Q Is there anything different or unusual about that
25 being done?

1 A No, sir, it's not.

2 Q Would you do that in any case?

3 A Yes, sir, I would.

4 Q The June 10th interview with Alex Murdaugh, who all
5 was in that car?

6 A It was myself, Senior Special Agent David Owen, Mr.
7 Alex Murdaugh, and counsel.

8 Q Jim Griffin was there.

9 A That is correct.

10 Q His lawyer was there.

11 A That is correct.

12 Q Remind the jury what Alex Murdaugh did for a living.

13 A He was a trial lawyer and a prosecutor for the
14 Fourteenth Circuit Solicitor's Office.

15 Q Was that interview aggressive in any way?

16 A Not at all, sir.

17 Q You were asked a number of questions about various
18 firearms evidence that was seized in this case. Is that
19 correct?

20 A Yes, sir, that is correct.

21 Q Did you permanently seize every piece of evidence --
22 firearms related evidence in this case?

23 A Not personally, no, sir.

24 Q And describe just generally what the SOP is when you
25 have multiple agents working a scene and they find

1 evidence. What do they do with it?

2 A They generally will mark it or locate it, and then one
3 particular person actually does the collection to package
4 and make sure that it gets to our lab.

5 Q All right, and there can be multiple individuals doing
6 that collection?

7 A Yes, sir.

8 Q And then where does it go from there? What happens to
9 sync it all back together?

10 A It's generally packaged, turned over to our crime
11 scene or an analyst at our lab. Chain of custody is
12 provided to track that particular piece of evidence as to
13 where it went.

14 Q Are efforts made by those collecting it to avoid
15 tampering with the evidence?

16 A Slowly.

17 Q Is the evidence collected in a manner to preserve it
18 as much as possible in its form?

19 A Yes, sir.

20 Q Is that standard operating procedure for all of SLED?

21 A Yes, sir.

22 MR. WATERS: Your Honor, may I have one moment to
23 locate an exhibit that's in evidence?

24 THE COURT: Yes. Let's all stand for a moment.

25 (Break in proceedings.)

1 MR. WATERS: Appreciate everyone's indulgence while we
2 dug those out of the bottom.

3 Q All right. I'm going to show you what's been marked
4 as Exhibit 145 into evidence. And can you publish what the
5 crime notes reflect about where that was recovered?

6 A It's one unfired shot shell from estate box on
7 bookshelf in gun room with the head stamp Winchester 12
8 gauge.

9 Q All right. Can I ask you to take these scissors and
10 carefully cut that open, please?

11 MR. WATERS: Could I have the ELMO up, please, if I
12 could as well? The ELMO, please?

13 (Break in proceedings.)

14 Q All right. Tell me, can you describe that, what that
15 is to the jury, please?

16 A It's a 12 gauge shotgun shell head stamped Winchester
17 12 gauge.

18 Q All right, and does the plastic part of the shell have
19 any identifying information?

20 A It's got drylok three inch number two.

21 Q All right. Can I hold that real quick? Is this
22 what -- the round you were just seeing?

23 A Yes, sir. It appears to be, yes, sir. There's a -- a
24 glare is on it. You can't hardly see it.

25 Q All right. Can you put that back in that bag for me,

1 please?

2 (Break in proceedings.)

3 Q All right. I'm going to hand you what's been marked
4 and entered into evidence as State's 149. If you could
5 first of all publish again what the crime scene notes say
6 about that particular round?

7 A One unfired shot shell from estate box on bookshelf in
8 gun room head stamped Winchester 12 gauge.

9 Q All right, and if you could, please, again carefully
10 open that bag and pull out what's inside and describe it
11 for the jury, please.

12 A It's a black in color Winchester 12 gauge. On the
13 side the writing is drylok three inch number two.

14 Q All right, and this is the unfired 12 gauge shell that
15 you were just describing?

16 A Yes, sir, it is.

17 Q All right, and, again, what's written on this
18 particular round?

19 A Drylok three inch number two.

20 Q All right, and if you could return that to that
21 packaging, please, and let's do the next one. I'm going to
22 hand you what's been marked as State's Exhibit 146. Again,
23 if you could tell us what the crime scene notes say on
24 that, please.

25 A One unfired shot shell from tin box on bookshelf in

1 gun room head stamped Winchester 12 gauge.

2 Q All right, and if you could, again, carefully open
3 that and see what's inside and describe it for the jury,
4 please.

5 A It's a 12 gauge shotgun shell Winchester head stamp
6 drylok three inch number two.

7 Q Is it the same as the previous two?

8 A Yes, sir, it is.

9 Q Can I hold it? All right. If you'll put that one
10 back for me. Do the fourth verse. Again, if you would
11 sort of publish those crime scene notes, and then we'll
12 follow the same procedure, please.

13 A One unfired shot shell from nightstand in Paul's room
14 head stamped Winchester 12 gauge.

15 Q Tell me -- describe it to the jury, if you would,
16 please.

17 A Head stamped Winchester 12 gauge on the side. It's
18 got writing, drylok three inch number two.

19 Q All right. Same thing?

20 A Yes, sir.

21 Q All right. Let's move on to the next one. I'm going
22 to show you what's been marked as Exhibit 150 into
23 evidence, State's Exhibit 150. And again if you can, as
24 best you can, tell the jury the crime scene notes on that
25 exhibit.

1 A It's one, and I can read shell head stamped 12 gauge,
2 found from red bin on workshop bench. The State's exhibit
3 tag is over the right.

4 Q Got you. On workshop bench, correct?

5 A Yes, sir.

6 Q All right. If you would, carefully open that and then
7 describe what you find to the jury, please.

8 A It's a red in color Federal 12 gauge shotgun shell.
9 On the side it's Federal Premium double-aught buck, three
10 inch mag, 76 millimeter maximum, 1050 bars.

11 Q Federal buckshot?

12 A Federal buckshot, yes, sir.

13 Q Can I see that?

14 A Yes, sir.

15 Q This was found where?

16 A On the work bench, from the red bin on the work bench.

17 Q And I can't tell if that helps or not. Let me try it.

18 A You can't read it on there, sir.

19 Q All right. Well, I'll just walk it back then. All
20 right, if you could secure that back? All right. I'm
21 going to show you what's been marked as State's 144. Let's
22 do the same procedure. If you could, tell the jury what
23 the crime notes on that particular exhibit reflect.

24 A One unfired shot shell head stamped 12 gauge Federal
25 from red bin on work shop bench.

1 Q Okay. If you could, carefully open it and describe
2 for the jury what you found.

3 A It's a red in color Federal 12 gauge. Writing on the
4 side is Federal Premium double-aught Buckshot --
5 double-aught buck three inch magnum.

6 Q All right. If you could secure that back for me,
7 please. I'm going to show you what's been marked as
8 State's Exhibit 143 and have you take a look at that one if
9 you would, please. If you could, read what the crime scene
10 notes say.

11 A One unfired shot shell head stamped 12 gauge Federal
12 from red bin on work shop bench.

13 Q All right, and carefully open it and describe for the
14 jury what's inside.

15 A It's a red in color 12 gauge Federal shotgun shell
16 stamped on the side Federal Premium double-aught buck three
17 inch magnum.

18 Q Same thing as the previous two?

19 A Yes, sir, it is.

20 Q Federal buckshot, correct?

21 A That is correct.

22 Q All right. If you could put that back for me. And we
23 will do one more. I've got State's Exhibit 148. If you
24 could, again tell the jury what the crime scene notes
25 reflect about its location, please.

1 A It says one unfired shot shell head stamp 12 gauge
2 Federal from red bin on workshop bench.

3 Q All right. If you could, carefully open it and tell
4 the jury what's inside.

5 A It's a red in color Federal 12 gauge shotgun shell.
6 On the side writing it's Federal Premium double-aught
7 buckshot three inch magnum -- three inch magnum.

8 Q Same as the previous three. Is that correct?

9 A That is correct, sir.

10 Q All right. Four dryloks?

11 A Yes, sir.

12 Q Four buckshot.

13 A Yes, sir.

14 Q The dryloks are what brand?

15 A They are black in color. They are Winchester.

16 Q And the buckshots are what?

17 A Federal.

18 Q Just got a couple of more questions for you. You were
19 asked whether or not you took down any notes at any point
20 in the interview, or at a particular point in the
21 interview.

22 A Yes, sir.

23 Q The interview is being recorded. Is that correct?

24 A That is correct, sir.

25 Q Was Alex Murdaugh in custody at that interview?

1 A He was not, sir.

2 Q Was that interview voluntary?

3 A It was, sir.

4 Q Was that interview aggressive?

5 A It was not, sir.

6 Q Was his lawyer present?

7 A His lawyer was present, sir.

8 Q And he's a lawyer, too, or was a lawyer.

9 A Yes, sir.

10 MR. WATERS: Nothing further, Your Honor.

11 THE COURT: Further recross?

12 MR. GRIFFIN: Just very briefly, Your Honor.

13 RECROSS-EXAMINATION

14 BY MR. GRIFFIN:

15 Q Agent Croft, you mentioned stippling with regard to
16 the injuries of Maggie. Do you know how many bullet wounds
17 she had that had stippling?

18 A I know at least one bullet wound had stippling, yes,
19 sir.

20 Q Just one. That's all you remember.

21 A Yes, sir.

22 Q All right, and then talking about on the June 10th
23 you -- y'all had interviewed 100 people or more, broad
24 investigation, but did you have anybody else in the circle
25 on June 10th besides Alex Murdaugh?

1 A We had names of interest that we were interviewing,
2 yes, sir.

3 Q And then you were asked about projectiles versus shell
4 cartridges. Are you aware that projectiles were found, 300
5 Blackout projectiles were found in the dog house in the dog
6 bed?

7 A I am aware of that now, yes, sir.

8 Q Okay, and then there was a 300 Blackout projectile
9 found in the dirt by the tire tracks?

10 A Yes, sir.

11 Q So, there were projectiles that were found.

12 A That is correct, sir.

13 Q Yet you're out at the range. You don't look for
14 projectiles, right?

15 A I was collecting the 300 Blackout spent shell casings
16 from the gun room -- or not the gun room, I apologize, the
17 shoot house.

18 Q Now, you were shown a number of shot shells, buckshot
19 and apparently drylok. What date were those seized?

20 A It looks like 9/13 of 2021.

21 Q Those were seized three months after the murders?

22 A Hang on a second. 9/13/2021 --

23 Q Okay.

24 A -- is the date that's written on it.

25 Q Okay. June, July, August, September, I mean, four

1 months after the murders.

2 A That is correct, sir.

3 Q And do you know whether that property had been secured
4 during that period of time?

5 A It had not been secured by law enforcement during that
6 period of time.

7 Q Right. Do you know if any of that in front of you was
8 on the property on June 7th or before?

9 A I can -- it was there the day we collected it. I
10 can't answer that other question.

11 Q And I understand you didn't collect any of that,
12 correct?

13 A No, sir.

14 Q And you don't know where it was collected from other
15 than what you're reading on the envelope, right? And
16 you're reading someone else's evidence description. Is
17 that correct?

18 A That is correct, sir.

19 MR. GRIFFIN: That's all I have, Your Honor.

20 THE COURT: Thank you. You may step down.

21 THE WITNESS: Thank you, sir.

22 THE COURT: And we'll take a break now about for 10
23 minutes or so.

24 (The jury left the courtroom.)

25 (A break was taken.)

1 THE COURT: Are we ready for the jury?

2 MR. WATERS: The state is, Your Honor.

3 THE COURT: If you would bring the jury, please.

4 (The jury returned to the courtroom.)

5 THE BAILIFF: The jury is present, sir.

6 THE COURT: Thank you.

7 You may call your next witness.

8 MR. WATERS: Thank you, Your Honor. I'll turn it over
9 to Mr. Conrad.

10 MR. CONRAD: The state calls Anthony Kniche.

11 The witness, MICHAEL ANTHONY KNICHE, was first duly
12 sworn and testified as follows:

13 THE CLERK: Have a seat in the witness stand. State
14 your name again for the record. If you would, spell your
15 last name, please.

16 THE WITNESS: My name is Michael Anthony Kniche.

17 DIRECT EXAMINATION

18 BY MR. CONRAD:

19 Q Mr. Kniche, how are you doing, sir?

20 A Great. How are you?

21 Q Am I pronouncing that correctly?

22 A Kniche.

23 Q And where are you employed, sir?

24 A Verizon Wireless.

25 Q And what are your duties there?

1 A In this capacity, I'm a custodian of records.

2 Q All right. So, it's -- in its normal course of
3 business, does Verizon keep records?

4 A That is correct.

5 Q And does it keep call records?

6 A That is correct.

7 Q Just generally speaking, what kind of records does
8 Verizon keep in relation to phone accounts and call
9 records?

10 A Subscriber information, cellular data, which could be
11 telephone calls, text message, data sessions.

12 Q Okay. All right, and these have been previously shown
13 to counsel. I'm going to show you what's been marked as
14 State's Exhibit 268, and I'm going to ask you if you
15 recognize that, sir.

16 A I do.

17 Q And what is that?

18 A State's Exhibit 268 is Alex Murdaugh's telephone
19 number 803-942-1227.

20 Q Okay, and have you reviewed the contents of that CD?

21 A I have.

22 Q And what is the contents in that -- on that CD?

23 A Subscriber information, cellular data information,
24 text messages, anything related to billing purposes at
25 Verizon Wireless.

1 Q And was that -- were those records previously turned
2 over to law enforcement?

3 A In request to a search warrant, they were.

4 Q All right, and you've reviewed those records, correct?

5 A I have.

6 Q And after reviewing them, are those true and authentic
7 copies of the records that are kept by Verizon?

8 A They are.

9 Q And those are related to Alex Murdaugh's Verizon
10 account, sir?

11 A That is correct.

12 Q With number ending 1227?

13 A That's correct.

14 Q All right.

15 MR. CONRAD: At this time, State moves to enter
16 Exhibit 268 into evidence.

17 THE COURT: What says the defense?

18 MR. HARPOOTLIAN: No objection, Your Honor.

19 THE COURT: It's admitted.

20 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 268
21 WAS RECEIVED INTO EVIDENCE.)

22 Q All right, I'm going to approach and hand you State's
23 Exhibit 269, and you recognize that, sir?

24 A I do.

25 Q And what is that?

1 A State's Exhibit 269, Paul cell phone, 803-842-7845.

2 Q And have you had an opportunity to review the contents
3 of that CD?

4 A I have.

5 Q And what is the contents of that CD?

6 A Cellular information, subscriber information in
7 response to a search warrant.

8 Q Okay, and are the contents of that CD accurate -- true
9 and accurate copies of the records kept by Verizon in the
10 normal course of business?

11 A They are.

12 MR. CONRAD: And at this time, the State would move to
13 enter Exhibit 269 into evidence.

14 MR. HARPOOTLIAN: No objection, Your Honor.

15 THE COURT: It's admitted.

16 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 269
17 WAS RECEIVED INTO EVIDENCE.)

18 Q And I'm going to hand you -- this is Exhibit, 265 so a
19 little bit out of order. And do you recognize that, sir?

20 A I do.

21 Q And what is that?

22 A State's Exhibit 265, Maggie cell phone, 803-842-9041.

23 Q Have you had an opportunity to review the contents of
24 that CD?

25 A I have.

1 Q What are its -- what are the contents of that CD?

2 A Subscriber information, cellular data information in
3 response to a search warrant.

4 Q That's in relation to the number associated with Paul.
5 Is that correct?

6 A Maggie.

7 Q Oh, excuse me, yes, Maggie. And what's the last four
8 digits of that number?

9 A 9041.

10 Q Okay. All right, and that's Exhibit 265, correct?

11 A That's correct.

12 Q All right.

13 MR. CONRAD: And at this time, the State would move to
14 enter Exhibit 265 into evidence.

15 MR. HARPOOTLIAN: No objection, Your Honor.

16 THE COURT: It's admitted.

17 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 265
18 WAS RECEIVED INTO EVIDENCE.)

19 Q I'm going to approach and I'm going to hand you what's
20 labeled as State's Exhibit 262. Do you recognize that,
21 sir?

22 A I do.

23 Q And without reading any phone number, full phone
24 number, what is that?

25 A State's Exhibit 262, Claude Rowe records.

1 Q All right, and have you had an opportunity to review
2 the contents of that CD?

3 A I have.

4 Q And what are the contents of that CD?

5 A Subscriber information, cellular information in
6 response to a search warrant.

7 Q And those are related to the account associated with
8 Claude Rowe, correct?

9 A That is correct.

10 Q And there is a phone number associated. We're just
11 not going to read it into the record. Is that correct?

12 A That is correct.

13 MR. CONRAD: At this time --

14 Q What number is that?

15 A State's Exhibit 262.

16 MR. CONRAD: At this time, the State would move to
17 enter Exhibit 262 into evidence.

18 MR. HARPOOTLIAN: No objection.

19 THE COURT: It's admitted.

20 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 262
21 WAS RECEIVED INTO EVIDENCE.)

22 Q All right. I'm going to approach and hand you State's
23 Exhibit 263. Do you recognize that, sir?

24 A I do.

25 Q And what is that?

1 A State's Exhibit 263, Marty Cook.

2 Q All right, and is there a phone number associated to
3 that without reading it?

4 A There is.

5 Q And that's a Verizon phone number, correct?

6 A That is correct.

7 Q What are the contents of that CD?

8 A Subscriber information, cellular data information in
9 response to a search warrant.

10 Q And you've had an opportunity to review that, correct?

11 A I have.

12 Q And those are the -- a copy of the same records that
13 were provided to law enforcement pursuant to a search
14 warrant. Is that correct?

15 A That is correct.

16 Q All right, and what number was that again?

17 A State's Exhibit 263.

18 MR. CONRAD: All right. At this time, the State would
19 move to enter Exhibit 263 into evidence.

20 THE COURT: What says the defense?

21 MR. HARPOOTLIAN: I'm sorry, I couldn't -- whose
22 number is that?

23 Q State's Exhibit 263, which -- what's the name on that
24 account?

25 A Marty Cook.

1 MR. HARPOOTLIAN: No objection.

2 THE COURT: It's admitted.

3 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 263
4 WAS RECEIVED INTO EVIDENCE.)

5 Q All right, I'm going to hand you State's Exhibit 264.
6 Do you recognize that, sir?

7 A I do.

8 Q And what is that, sir?

9 A State's Exhibit 264, Rogan.

10 Q All right, and is there a phone number associated with
11 that?

12 A There is.

13 Q All right, and we're not going to read that into the
14 record, but have you had an opportunity to review the
15 contents of that CD?

16 A I have.

17 Q And what are the contents of that CD?

18 A Subscriber information, cellular data information in
19 response to a search warrant.

20 Q And the contents of that CD are an accurate copy of
21 the original records provided by Verizon to law enforcement
22 pursuant to a search warrant?

23 A They are.

24 Q Okay. All right, and that's Exhibit 264, correct?

25 A Yes, sir.

1 Q All right.

2 MR. CONRAD: At this time, the State would move to
3 enter Exhibit 264 into evidence.

4 MR. HARPOOTLIAN: No objection.

5 THE COURT: It's admitted.

6 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 264
7 WAS RECEIVED INTO EVIDENCE.)

8 Q All right, and I'm going to hand you what's marked as
9 State's Exhibit 266. Do you recognize that, sir?

10 A I do.

11 Q And what is that?

12 A State's Exhibit 266, Connor Cook records.

13 Q All right, and is there Verizon associate -- an
14 account associated with Connor Cook?

15 A There is.

16 Q Have you had an opportunity to review the contents of
17 that CD?

18 A I have.

19 Q All right. What is the contents of that CD?

20 A Subscriber information, cellular data information in
21 response to a search warrant.

22 Q All right, and that's a true and accurate copy of the
23 records originally provided by Verizon to law enforcement
24 pursuant to a search warrant?

25 A That is correct.

1 Q All right, and what's that number you have again?

2 A State's Exhibit 266.

3 Q All right.

4 MR. CONRAD: At this time, the State would move to
5 enter Exhibit 266 into evidence.

6 MR. HARPOOTLIAN: No objection.

7 THE COURT: Admitted.

8 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 266
9 WAS RECEIVED INTO EVIDENCE.)

10 Q And the last one, this is State's Exhibit 267. I'm
11 going to hand this to you. Do you recognize that, sir?

12 A I do.

13 Q All right, and do you recognize that?

14 A I do.

15 Q All right, and what is that?

16 A State's Exhibit 267, Buster cellular information.

17 Q And there's a number and a Verizon account associated
18 with Buster's phone records?

19 A That is correct.

20 Q And we're not going to read that number into the
21 record, but have you had an opportunity to review the
22 contents of that CD?

23 A I have.

24 Q And what is the contents of that CD?

25 A Subscriber information, cellular data information in

1 response to a search warrant.

2 Q All right, and is that an accurate copy of the records
3 originally provided to Verizon to law enforcement in
4 response to a search warrant?

5 A They are.

6 Q All right, and what number do you have with you? What
7 number is that again?

8 A State's Exhibit 267.

9 MR. CONRAD: All right. At this time the State would
10 move to enter Exhibit 267 into evidence.

11 MR. HARPOOTLIAN: No objection.

12 THE COURT: It's admitted.

13 (CELLULAR DATA MARKED AS STATE'S EXHIBIT NUMBER 267
14 WAS RECEIVED INTO EVIDENCE.)

15 Q Okay. I'm going to hand you -- this is marked as --
16 on the back as State's Exhibit 270. Do you recognize that,
17 sir?

18 A I do.

19 Q And what is that?

20 A This would be a key that is used to explain the VoLTE
21 call detail with cell site explanation.

22 Q And does that originally come from a PDF provided with
23 each of these search warrant returns?

24 A That is correct.

25 Q And so that document would be found on each of those

1 CDs, correct?

2 A That is correct.

3 Q All right, and this is just a printed out version.

4 A That is correct.

5 Q But is it exactly similar to the explainer contained
6 on those CDs, correct?

7 A Yes, sir.

8 MR. CONRAD: And at this time, the State would move
9 Exhibit 270 into evidence.

10 MR. HARPOOTLIAN: No objection.

11 THE COURT: It's admitted.

12 (EXPLANATORY KEY MARKED AS STATE'S EXHIBIT NUMBER 270
13 WAS RECEIVED INTO EVIDENCE.)

14 Q All right, sir. So, let's talk about that document
15 you have in your hands. I think you told us kind of what
16 it is, but can you give us a little more detail? What does
17 that do, and how does that help someone looking at these
18 records?

19 A In response to a search warrant, Verizon provides a
20 key to be able to read their records that were provided, so
21 this particular record is VoLTE call detail record key.

22 Q Okay. All right. I'll take this to --

23 MR. CONRAD: And I think the ELMO is still up. We
24 need the ELMO up, please.

25 (Break in proceedings.)

1 Q Okay. So, looking at Exhibit 270, State's Exhibit
2 270, we see several columns of information across that. Is
3 that correct?

4 A That is correct.

5 Q Okay. Can you read from your screen there, sir? Can
6 you read some of that information?

7 A Yes, sir. The first column is record open date and
8 time. The second -- would you like for me to read across?

9 Q Well, let's lay a little more foundation. The records
10 that are provided on those CDs -- and what -- they're in
11 digital format, correct?

12 A That is correct.

13 Q And what program are they sent in?

14 A Excel.

15 Q Okay. Excel form, and that's a spreadsheet, correct?

16 A That is correct.

17 Q And so when we look at these records, they're all
18 provided in columns in an Excel spreadsheet, correct?

19 A That is correct.

20 Q And each column, going left to right, is a different
21 sort of information that is on the records, correct?

22 A That is correct.

23 Q All right, and so we'll look at an example in a few
24 minutes, but this is the key to look at to understand what
25 each column is in reference to, correct?

1 A That is correct.

2 Q Okay. So, let's look at the far left column, and I
3 believe that says record open date time. What does that
4 mean, sir?

5 A That would be the date and time the call record
6 transpired in local time.

7 Q In local time. Okay, and what's the second column
8 from the left?

9 A That would be the date and time the call transpired in
10 Greenwich Mean Time.

11 Q Okay, and Greenwich Mean Time, is that also known as
12 universal time?

13 A That is correct.

14 Q And on June 7th of 2021, do you know what the
15 approximate offset for local time and Eastern time with
16 Greenwich Mean Time? Would it surprise you if I said it
17 was 4 hours' difference?

18 A That is correct.

19 Q Okay. Going to the third from the left column, what
20 is that?

21 A That is the serving system ID.

22 Q And what does that mean?

23 A That's a network name on Verizon from which the call
24 transpired.

25 Q Okay, and what is the column next to that? I believe

1 it's labeled NIU.

2 A That would be the switch number that Verizon uses to
3 route.

4 Q Okay, and what is a switch, generally speaking?

5 A It would be what's considered a hub for multi cell
6 towers.

7 Q So, multiple cell towers would be connected with one
8 switch.

9 A That is correct.

10 Q And then going next cell ID, what is that called?

11 A That would be the specific cell tower that the target
12 number used to make the cellular data connection.

13 Q Okay, and that's the actual tower that a particular
14 call was routed to, correct?

15 A That is correct.

16 Q And the next column says cell face. What is that?

17 A That would be the cell face that the cellular data
18 connection transpired over -- there's typically three faces
19 on each cell tower.

20 Q Okay, and next we see market ID. What is that?

21 A That is a switch number, so in some records it will
22 have that listed. So, it's the same thing as the NID but
23 looping it on a specific record which column would be used.

24 Q Okay, and then next column it says END. What is that?

25 A It's a six digit cell tower number. The first three

1 digits is the market ID, and the last three digits is the
2 tower identification.

3 Q Okay. Next column says DIR. What does that show for,
4 and what does it mean?

5 A That's the direction that the call transpired over the
6 Verizon network.

7 Q And when you say direction, you mean incoming call or
8 outgoing call, that sort of direction, not north, south,
9 east, or west, correct?

10 A That is correct.

11 Q And the next column says MSISDN. What does that mean,
12 sir?

13 A That is the Verizon subscriber number that the record
14 is for.

15 Q Okay, and it says this is your target number, and
16 that's in reference to the search warrant, correct?

17 A That is correct.

18 Q And so when a search warrant asks for records for a
19 certain number, that's the target number, correct?

20 A That is correct.

21 Q And that's what that column identifies, correct?

22 A That is correct.

23 Q And next column says called number. What does that
24 mean?

25 A This is the number dialed to initiate a call. For

1 inbound calls, this number will be the same as the mobile
2 directory number MSISDN column, and the outcalls, this is
3 the number your target dialed.

4 Q Okay. So simplifying it, it's simply the number that
5 was called when someone placed the phone call, correct?

6 A That is correct.

7 Q Next column is CBN. What is that, sir?

8 A This is the calling party number that initiated the
9 call. If the call is outbound, this column will be the
10 same as the mobile directory number, MSISDN. If the call
11 is inbound, this is the number that dialed your target.

12 Q Okay, and the next column says SOU. What is that,
13 sir?

14 A Seconds of duration.

15 Q Okay, and that's how long the call lasted, correct?

16 A That is correct.

17 Q And the next column says RAT. What does that mean,
18 sir?

19 A That is the type of cellular connection that the data
20 session or call transpired over.

21 Q And so we see several different categories underneath
22 that. I see a 3G voice, 4G voice, and some others. What
23 does that stuff mean?

24 A The Verizon Wireless technology that's used to allow
25 that call to take place.

1 Q Okay. So, 3G and 4G are different types of technology
2 Verizon uses?

3 A That is correct.

4 Q And depending on which tower and where the phone is
5 located a call could be routed over 3G or 4G. Is that
6 correct?

7 A That is correct.

8 Q Okay. Getting pretty close to the end here. The next
9 column says VICE, v-i-c-e, end points. What does had a
10 mean, sir?

11 A It's a VoLTE connection with an end point. So, that's
12 a type of device that can boost the Verizon signal. It's
13 an indicator if that was used or not.

14 Q Okay. The VO -- you call it a VoLTE. What is that?

15 A Voiceover LTE. It's a type of technology, similar to
16 the 4G.

17 Q Okay, and that's a voice call that's routed over the
18 digital network, correct?

19 A That is correct.

20 Q And finally we see VZWNE network extender, excuse me.
21 What is that column, sir?

22 A That is a device that allows consumers to connect to a
23 network extender to boost their indoor coverage, so there
24 will be a difference in the call type listed in the
25 records.

1 Q So, Verizon provides to certain customers network
2 extenders for them to use in buildings to help them connect
3 calls in buildings. Is that correct?

4 A That is correct.

5 Q Okay, and if a call were routed through such a
6 connector, it would be listed in that column.

7 A That is correct.

8 Q Okay.

9 MR. CONRAD: I would like to switch over to the
10 laptop, please.

11 Q And I'm going to hand you back Exhibit 270 in case you
12 need to look at it here. And I'm going to pull up some of
13 the records that were provided that we just talked about on
14 the CDs. And the first one I'll pull up is one associated
15 with Maggie Murdaugh. Her number ends in 9041. I believe
16 that comes from exhibit -- that's State's Exhibit 265.
17 Okay. So, we're going to scroll down and we're going to
18 talk about a couple of these calls just so the jury
19 understands, or can understand some of these records.

20 (Break in proceedings.)

21 Q Okay. I've highlighted column 1846 on this
22 spreadsheet. Can you see that, sir?

23 A I can.

24 Q Okay. So, let's walk through this particular call.

25 All right. The far left column, Column A, we see a number

1 there. What is that number, sir?

2 A That's the phone number that was associated with the
3 search warrant.

4 Q Okay, and that's the 9041 number, correct?

5 A That is correct.

6 Q Okay, and call Column B, I see a date that says
7 May 1st of '21. What is that date, sir?

8 A That was the date that the search warrant started the
9 request for the search warrant.

10 Q Okay. So, when law enforcement sent a search warrant
11 to Verizon, it requested date of records starting on
12 May 1st. Is that correct?

13 A That is correct.

14 Q May 1st of 2021. And then the next column says
15 June 10th of 2021. What is that date, sir?

16 A That is the last day that was requested on the search
17 warrant.

18 Q Okay. All right. So, in this case June 10th was the
19 last date from that search warrant.

20 A That is correct.

21 Q All right. Okay. So, let's look at Column D. And
22 what is Column D in this record?

23 A That is the time that the actual call took place in
24 local time.

25 Q Okay, and what time is that?

1 A 19:50 and 20 seconds.

2 Q All right. Can you convert military to civilian time?
3 Are you good at it?

4 A I am not good.

5 Q Okay. Generally you subtract 12. Is that correct?

6 A That is correct.

7 Q So, would that be 7:50 p.m.

8 A That is correct.

9 Q Okay. All right, and then the next column we see, it
10 says June 7th of 2021 at 23:50. What is that column?

11 A That's the record in Greenwich Mean Time.

12 Q And so that's in the universal time, correct?

13 A That is correct.

14 Q And I'm -- can you convert that to local time?
15 Subtracting 12, would it be --

16 A It would be 11 --

17 Q -- 50 p.m.?

18 A -- 50 p.m.

19 Q Next column there's a digit that says 13. What is
20 that digit, sir?

21 A Can you scroll to the top where I can see the header
22 on that?

23 Q Sure, and we're looking at Column I.

24 A That is the cell face number.

25 Q All right, and so that is the direction off of --

1 based off of what you previously testified to, that is the
2 direction the call is in, the sector from the tower,
3 correct?

4 A That is correct.

5 Q I'm going to scroll back down. Bear with me, please.

6 (Break in proceedings.)

7 Q Okay. We're back on June 7th, and we're back at
8 Column 1846. So, we just said the 13 was the direction
9 from the tower, correct?

10 A That is correct.

11 Q All right, and so we see a number next to that that
12 says 459. What is that number, sir?

13 A That is the market ID.

14 Q Okay, and market ID, again, what does that mean?

15 A That would be the switch on Verizon Wireless network.

16 Q Okay, and then next to that is Column K, and that
17 says -- there's a digit that says 459240. What is that,
18 sir?

19 A That is the ENID. The first three digits are the
20 switch; the second three digits are the cell tower
21 information.

22 Q Okay, and so that identifies the actual tower that
23 that call was routed through, correct?

24 A That is correct.

25 Q And then next to that in Column L we see MO. What

1 does that mean, sir?

2 A Mobile originated.

3 Q All right, and what does that mean?

4 A The cell phone in question to this search warrant
5 originated the call.

6 Q So, this means this call was placed with Maggie's
7 phone, correct?

8 A That is correct.

9 Q Okay, and then next to that we see a phone number in
10 Column M, and it ends in 9041. Is that the target, a phone
11 number?

12 A That is correct.

13 Q And next to that we see a number that ends in 0853.
14 What is that in Column M?

15 A That was the number that 9041 dialed.

16 Q Okay, and then Column O, and we see that 9041 number
17 again. And remind us what that -- why that number is there
18 again?

19 A That was the number that dialed the 0853.

20 Q Okay, and then next, Column P, we see a 165, a digit
21 of 165. What does that mean?

22 A That is time in seconds.

23 Q Okay. So, that's how long the call lasted?

24 A That is correct.

25 Q All right, and then Column Q, it says LTE. What does

1 that mean?

2 A That's the Verizon technology type that was used to
3 make the call.

4 Q Okay. So, this call was routed over LTE, correct?

5 A That is correct.

6 Q And that's a 4G technology?

7 A That is correct.

8 Q Okay. So, let's look at the column below that, and
9 that's Column 1847. And let's just go ahead and look
10 directly at Column D, and that's a date where it says
11 202168010424. Remind us again what that column means.

12 A Which column?

13 Q Column D. We see the date of June 8th of 2021, and
14 it's a time that says 01:04:24.

15 A That is the time in Greenwich Mean Time.

16 Q Okay. Now, you previously testified that in Column D,
17 that time is normally provided in local time. Is that
18 correct?

19 A That is correct.

20 Q But in this particular record, we see a time in
21 Greenwich Mean Time, correct?

22 A That is correct.

23 Q Why is this -- in this particular call, why is it in
24 Greenwich Mean Time?

25 A Because this call connected to Verizon, but the call

1 was not answered on the cellular connection and routed to
2 voice mail.

3 Q Okay. So, because the -- this call was not picked up,
4 the call was routed to a Verizon server, right?

5 A That is correct.

6 Q And because of that, Verizon reports the record in
7 Greenwich Mean Time.

8 A That is correct.

9 Q But -- I hate to do this, but let's convert that back
10 into local time. So, subtract four from 01:04:24, and
11 would that yield a time of 9:04:24 in Eastern time, sir?

12 A That would be correct.

13 Q Okay. P.m., correct?

14 A That's correct.

15 Q All right. All right, and let's skip over Column I,
16 Column J, and Column K. I believe you said previously
17 Column K was the digit associated with the particular tower
18 a call is routed through, correct?

19 A That is correct.

20 Q Well, here we see in this one NA. Is that what that
21 says?

22 A That is correct.

23 Q What does that mean? Why does it say NA?

24 A Well, the call didn't actually connect to a cell
25 tower. When the call didn't answer, it routed to voice

1 mail. It's an internal routing, so there would be no
2 cellular data as far as cell tower information provided.

3 Q Okay. So, a call was placed to the 9041 number,
4 correct?

5 A That is correct.

6 Q And the 901 (sic) phone most likely rang, correct?

7 A That is correct.

8 Q But no one answered.

9 A That is correct.

10 Q And so Verizon did not record a particular cell tower
11 associated with that call. Is that correct?

12 A That is correct.

13 Q All right. Let's finish up with this record. Column
14 M, again, that's the target number, correct, the 9041?

15 A That is correct.

16 Q And then we see in calling Column N, as in November,
17 9041, again the same number, and what does that mean?

18 A That means the 1227 number dialed the 9041.

19 Q Okay. All right, and no one answered, correct?

20 A That is correct.

21 Q And I skipped over a column, Column L, that says MT.
22 And what does that mean?

23 A Mobile terminated.

24 Q Okay, and so that call was not, in fact, completed,
25 correct?

1 A It was forwarded to voice mail.

2 Q Okay. All right, and after that 9:04 p.m. phone call,
3 we see multiple more calls to Maggie's phone, correct, or
4 multiple, correct?

5 A That is correct.

6 Q All right, and are any of those calls answered,
7 according to records that Verizon keeps?

8 A They are not.

9 Q All right. I'm going to shift to pulling up the call
10 records for the number ending in 1227, and that is State's
11 Exhibit 268. And that's the number associated with Alex
12 Murdaugh's phone, correct?

13 A That is correct.

14 Q All right. Bear with me.

15 (Break in proceedings.)

16 Q Let's look at Column 2371. All right, do you see that
17 on your screen, sir.

18 A Yes, sir.

19 Q All right, and we see a time and Column D, and that
20 says June 7, 2021, of 21:04:24. Is that correct?

21 A That is correct.

22 Q And this time is in local time. Is that correct?

23 A That is correct.

24 Q And a quick conversion on that -- or excuse, me, so no
25 conversion is necessary on that. So, that's 9:04 p.m. and

1 24 seconds, correct?

2 A That is correct.

3 Q And that is, in fact, the same time that we just saw
4 in Maggie's records that we just reviewed, correct?

5 A That is correct.

6 Q All right, and so we see if we look over in Column I,
7 J, and K, we do have cell tower information for the
8 outgoing call from Alex's phone, correct?

9 A That is correct.

10 Q All right, and then we see the -- this is code MO, and
11 what does MO mean again?

12 A Mobile originated.

13 Q Okay, and so that means this account was placing the
14 call, correct?

15 A That is correct.

16 Q The account ending in 1227. All right, and it was
17 placed to the number ending in 9041, correct?

18 A That is correct.

19 Q All right, and then looking below that, we're not
20 going to review this line by line, but we see a number of
21 other calls starting at about 9:04 p.m. and onward over the
22 next hour or two of calls made from the 1227 account,
23 correct?

24 A That is correct.

25 Q Okay.

1 MR. CONRAD: No further questions from the State for
2 this witness.

3 THE COURT: By the defense?

4 MR. HARPOOTLIAN: May it please the Court, Your Honor?
5 While he's looking for -- I apologize for the technology
6 here.

7 CROSS-EXAMINATION

8 BY MR. HARPOOTLIAN:

9 Q So, you work for Verizon.

10 A That is correct.

11 Q And you -- are -- you just deliver records to
12 different people, or do you have a more, I say the word
13 functional, but do you have a -- duties beyond just coming
14 to court and delivering records?

15 A Yes, sir. I work in executive relations, and I
16 respond to subpoenas, other court records, and other type
17 of cases that are associated with the executive relations
18 team.

19 Q And obviously you have to have some understanding of
20 what you're delivering, what these things mean, right?

21 A That is correct.

22 Q And as I understand it -- and I'm going to ask you in
23 a minute what some things mean. So, you see -- is this on?
24 Can you see that?

25 A Yes, sir.

1 Q Okay. So, if you look down, if you look down at 6/7,
2 and if you look at -- I'm trying to find some consistency
3 here -- those NAs in lines I and J with several calls above
4 that, do you see those?

5 A I do.

6 Q What does that mean?

7 A That means that the call was routed to voice mail.

8 Q So, these are voice mails to Alex.

9 A This record is for 1227, so based off of this record,
10 1227 dialed the 9041, but it was routed to voice mail.

11 Q So, that's him dialing out. But what about if you go
12 up to 6/7 at 22:08, is that another -- is that a call out
13 or a call in?

14 A Is that the line that you have highlighted?

15 Q No. I'm talking about -- go up to 6/7 maybe --
16 (Break in proceedings.)

17 Q Is that an outgoing or ingoing call -- incoming call?

18 A That was mobile forwarded, so it was forward to voice
19 mail.

20 Q I get it's forwarded to voice mail, but was Alex
21 making it or is -- somebody else was making it? Who
22 initiated the call?

23 A The 7845.

24 Q 7845? So, that was a call in to Alex --

25 A That is correct.

1 Q -- and it went to his voice mail.

2 A That is correct.

3 Q And tell me where I look on this to see what's
4 outgoing and what's incoming.

5 A Row L, or Column L, MO, NT, and MF.

6 Q Okay. So, MO means what?

7 A Mobile originated.

8 Q That's he's the originating caller.

9 A That is correct.

10 Q Okay. M -- what was the other one, MT? What does
11 that mean?

12 A Mobile terminated.

13 Q So, he was getting an incoming call.

14 A That is correct.

15 Q And MF?

16 A Mobile forwarded.

17 Q What does that mean?

18 A Routed to voice mail.

19 Q So, there's two of them mean -- well, all of them mean
20 voice mail, but what was the difference between MT, MO, and
21 MF?

22 A The direction of a call on Verizon's network.

23 Q Okay. Mobile terminated is he was making a call and
24 it went to voice mail. MO is whoever called him initiated
25 the call and it went to voice mail.

1 A No. MO means the cellular subscriber in response to
2 this search warrant made a phone call out.

3 Q MO. So, that would be Alex calling somebody and it
4 went to voice mail.

5 A Correct.

6 Q MT is somebody called him and it went to voice mail.

7 A Mobile terminated means that our subscriber in
8 response to the search warrant is the one that the call
9 placed to and could have answered.

10 Q And so one of them is coming in because of voice mail.
11 Another one is going out. It goes to voice mail, and MF is
12 what?

13 A No, sir. MO means mobile originated, a phone call
14 transpired over our network. So, we could have answered
15 the phone call; it would show up as MO.

16 Q We being who on this? If Alex had answered the phone
17 call, it would have --

18 A It would be mobile terminated because our subscriber
19 answered the phone call.

20 Q Oh, okay. So, MO he answers it. Am I losing my --
21 are you losing me or am I losing you?

22 A MO is mobile originated, so that means subscriber 1227
23 dialed out on Verizon's network.

24 Q Okay, and it was answered.

25 A It could have been answered, yes. I mean, it was a

1 call that transpired and it would create a cellular
2 connection which would connect to a cell tower.

3 Q Okay. Not -- and it wasn't answered by voice mail.

4 A Which record?

5 Q The MO.

6 A MO is mobile originated, which means --

7 Q I got that part. I just want to know how you
8 differentiate between these calls as ones going out, one is
9 coming in, one is going to voice mail either way.

10 A MF is mobile forwarding, so that call would have went
11 to voice mail.

12 Q Whether he was getting it or giving it.

13 A Well, if someone were calling him and he didn't
14 answer, then it would be forwarded it voice mail.

15 Q That's MF.

16 A That is correct.

17 Q Okay. I've got it, I finally get it. It took me
18 awhile, but, again, I'm not a technological expert here.
19 So, as you look at his calls to the extent of that they are
20 made at certain times, you can figure out whether it was
21 coming, going, or went to voice mail based on these
22 records.

23 A That is correct.

24 MR. HARPOOTLIAN: Now, could I see Maggie's phone for
25 just a second, please?

1 (Break in proceedings.)

2 Q And these are her phone calls starting at 7:02, and
3 when we get down to -- so tell me. After that 7:02 p.m.,
4 23:02, when is everything after that -- well, when is the
5 first time her phone goes to voice mail?

6 A The 23:40 call went to voice mail. Then the next call
7 log after that is mobile originated, which means there were
8 two outbound calls made. And then after those two calls,
9 the rest of the calls were routed to mobile telephone
10 number 9041's voice mail.

11 Q When is the last time she made a call out?

12 A 19:50:20.

13 Q What time is that in non-military time? 19:50 is --

14 MR. CONRAD: 7:50 p.m.

15 MR. HARPOOTLIAN: What? 7:00 p.m.?

16 MR. CONRAD: 7:50.

17 Q 7:50 p.m. That's the last call she makes out, right?

18 A That is correct.

19 Q What about the last call she received and answered?

20 A Well, the two calls that were mobile originated.

21 After that, the rest of them are routed to voice mail.

22 Q Yeah, but what are the two calls after that?

23 A Could you please highlight?

24 Q It's complicated, I know, even for you.

25 (Break in proceedings.)

1 Q And was there any inbound that were answered after
2 7:50?

3 A There were not.

4 Q Okay, and -- so, how about look at this for 6/9 and
5 6/10, and it stops at 6/10. Are there any outgoing or
6 incoming or -- in other words, any outgoing call, first of
7 all, from that phone after -- on 6/9?

8 A Mobile telephone number 9041 did not place a call
9 outgoing.

10 Q Okay. What about any incoming calls?

11 A The rest of the records are incoming calls that were
12 routed to voice mail.

13 Q Voice mail. So, the calls coming into her routed to
14 voice mail. No calls after 6/9.

15 A That is correct.

16 Q Now, let me ask you this. Text messages, are they
17 shown on these records? You charge for them, right?

18 A They are in a separate record, yes.

19 Q Were you asked to produce those?

20 A They are in the file.

21 Q They're in the file. It's just we're not looking at
22 them here today.

23 A That is correct.

24 Q And are they reflected on this kind of same format?

25 A Very similar. They have a separate key to translate

1 exactly what each column and row means.

2 Q But you produced those text messages for all of the
3 phones we've talked about here today.

4 A That is correct.

5 Q Were any other phone records subpoenaed from you other
6 than the ones that have been put into evidence?

7 A The only ones that I am aware of is the ones that I
8 have been -- I received the records of.

9 Q Did you ask for more records than these?

10 A I did not.

11 Q Did the search warrant designate records other than
12 these?

13 A We would have to review the search warrant.

14 Q You don't have it with you?

15 A No, sir.

16 MR. HARPOOTLIAN: Beg the Court's indulgence for just
17 a moment.

18 (Break in proceedings.)

19 Q So, what is the data retention policy for Verizon?
20 How long do these records stick around?

21 A Verizon maintains records for billing purposes for
22 around 18 months. In response to a subpoena or search
23 warrant, we do keep the detailed records on file for those
24 search warrants.

25 Q But absent somebody serving a search warrant after 18

1 months, they're purged?

2 A We no longer have that information on file typically.

3 Q Does anybody have them?

4 A I mean, the billing information would be available,
5 like, through My Verizon where you could go and look at
6 your bill.

7 Q But this kind of information would not.

8 A That is correct.

9 Q Okay, and when you indicate these calls went to voice
10 mail, how long does a phone ring before it kicks into voice
11 mail?

12 A There's no set time.

13 Q Who sets it?

14 A Well, it depends on how long it takes the network to
15 locate the call. So, when you hear a ring when you're
16 dialing someone, it's really just the network trying to
17 locate. So, the phone itself may never ring if the network
18 can't find you.

19 Q And that makes, say, two or three or four rings?

20 A It can take two, three, up to six.

21 Q So, when my wife accuses me of being impatient and
22 hanging up on her before she gets to answer the phone, you
23 just told me it's because the network many instances has
24 not connected with her phone yet.

25 A The network is locating your phone. When you hear the

1 ringing, the network is locating where you are on that
2 network.

3 Q And that could take awhile. And so if I'm hearing
4 five rings and figured she's not going to answer and I don't
5 to leave a voice mail I hang up, and so there's just no
6 voice mail. It's just an incomplete call on your records.

7 A Well, I mean, if she didn't answer your phone call and
8 let it go to voice mail, then it would ring out. The
9 network --

10 Q Maybe I don't want to leave a voice mail. It rang
11 four or five times. Can I hang up before she can get to
12 the phone?

13 A Sure.

14 Q That solves a mystery.

15 MR. HARPOOTLIAN: Thank you.

16 THE COURT: Any redirect?

17 MR. CONRAD: One quick question, Your Honor.

18 REDIRECT EXAMINATION

19 BY MR. CONRAD:

20 Q Just to clarify, when the Verizon records indicate
21 that a call is routed to voice mail, I believe you
22 previously testified that could mean the phone itself rang,
23 correct?

24 A That is correct.

25 Q But there's another condition the phone could be in as

1 well. If the phone is turned off and someone dials that
2 number, what would the Verizon record indicate?

3 A It would route to voice mail.

4 Q It would look exactly the same, correct?

5 A Correct.

6 Q And there's no way to look at those records and tell
7 whether a phone is off, just not answering, or potentially
8 shutoff and otherwise not connected to the network,
9 correct?

10 A That is correct.

11 Q Okay.

12 MR. CONRAD: Okay. That's all from the State. Thank
13 you, Your Honor.

14 MR. HARPOOTLIAN: If I can just ask one --

15 THE COURT: Yes, sir.

16 RECROSS-EXAMINATION

17 BY MR. HARPOOTLIAN:

18 Q What about if it's in airplane mode? Would the same
19 thing happen? It goes to voice mail, right? Airplane
20 mode, it doesn't ring. It doesn't answer. It goes --
21 would it go to voice mail?

22 A The network would still try to find where you're
23 located. So, if you're in airplane mode, the network may
24 not know where you are so it would still attempt to ring.

25 Q And these records don't give you any GPS location on

1 the phones, correct? You can't get that GPS.

2 A According to the records that I've seen, they have the
3 cell tower information but not specific GPS.

4 Q And cell tower information, depending on how many
5 cells are connecting, it sometimes -- I mean, it could
6 be if you're in New York City and there's five cell towers,
7 you would probably get it pretty close. But if you're in
8 rural Colleton County, Hampton County, there is one over
9 here and maybe one way down there, it's much more difficult
10 to find a specific location, correct?

11 MR. CONRAD: Your Honor, the State is going to object.
12 This witness is not qualified an expert on cell tower
13 location.

14 MR. HARPOOTLIAN: Your Honor, he can say I'm not
15 qualified to answer that.

16 THE COURT: Yes, sir.

17 A That information --

18 THE COURT: Just a moment.

19 Respond if you want to.

20 MR. CONRAD: The statement -- he can answer the
21 question if he is able to answer the question. However,
22 he's not qualified as an expert.

23 MR. HARPOOTLIAN: I don't --

24 THE COURT: All right. You may answer the question if
25 you can.

1 A I would have no way as knowing. I'm not qualified as
2 far as the triangulation of cell tower information.

3 Q Is that what you were getting ready to say before you
4 objected and said you weren't qualified, or is that
5 something --

6 A That would be a standard response.

7 Q You've never testified about locations of towers.

8 A Repeat the question.

9 Q You've never testified about what cell phone tower
10 location means in -- and how it's used.

11 A I testify to the accuracy of the records that were
12 provided.

13 Q Okay.

14 MR. HARPOOTLIAN: Thank you.

15 THE COURT: You may step down. Thank you.

16 (The witness exited the stand.)

17 THE COURT: Call your next witness.

18 MR. CONRAD: The State calls Paul McManigal.

19 The witness, PAUL MCMANIGAL, was first duly sworn and
20 testified as follows:

21 THE CLERK: Have a seat in the witness chair and state
22 your name again, and spell your last name loudly, please.

23 THE WITNESS: Paul David McManigal.

24 M-c-M-a-n-i-g-a-l.

25 DIRECT EXAMINATION

1 BY MR. CONRAD:

2 Q Good morning, Mr. McManigal.

3 A Good afternoon.

4 Q Or good afternoon, excuse me. Where are you currently
5 employed, sir?

6 A I'm currently employed as a sergeant with the
7 Charleston County Sheriff's Office.

8 Q And what do your duties there entail?

9 A I'm currently assigned to the United States Secret
10 Service as a task force officer on the Cyber Fraud Task
11 Force.

12 Q All right, and -- all right, and generally in your
13 work on the Cyber Crimes Task Force, what does that entail?

14 A I'm a digital forensic examiner, so I'm responsible
15 for gathering electronic data from computers, tablets, cell
16 phones, DVRs, vehicle infotainment systems.

17 Q And when you say task force officer for the State, or
18 for the Secret Service, the Secret Service is a federal
19 agency. Is that correct?

20 A That is correct.

21 Q All right, but you're actually paid and are still an
22 officer with the Charleston County Sheriff's Office. Is
23 that correct?

24 A That's also correct.

25 Q All right. Okay. In this case, you were provided

1 some records in June of 2021 by an individual by the name
2 of Dylan Hightower. Is that correct?

3 A That is correct.

4 Q And what did he provide you?

5 A He provided me with an electronic extraction from a
6 cell phone that was extracted as binary data and not yet
7 processed by forensic software.

8 Q Okay, and when he provided that to you, did he tell
9 you which phone it was from?

10 A I believe he said it was -- belonged to Alex Murdaugh.

11 Q Okay, and that's the one he extracted from Alex
12 Murdaugh on June 10th of 2021?

13 A That is correct.

14 Q And what role -- what did you do with that information
15 that he provided you with, that data?

16 A I was asked to redact potential client/lawyer
17 privileged information by reducing it down to a certain
18 timeframe that was more pertinent to the case and
19 potentially reducing any privileged communication.

20 Q And did you make the decision of what to remove and
21 what not to remove personally?

22 A I did not. The decision of what to remove was made by
23 Price Summer with the Ninth Circuit Solicitor's Office.

24 Q And she's an attorney?

25 A She is an attorney.

1 Q All right, and you then produced a redacted copy of
2 the digital evidence. Is that correct?

3 A That is correct.

4 Q You provided that back to Dylan Hightower.

5 A That is correct.

6 Q Did you provide any further analysis to the data
7 itself?

8 A I did not.

9 Q Did you redact any call logs from that data you were
10 provided?

11 A Call logs were not redacted at all.

12 Q All right. Let's move on. You have also been
13 involved in one other aspect of this case.

14 (Break in proceedings.)

15 Q I'm going to show you what's been marked as State's
16 Exhibit 299. Do you recognize that, sir?

17 A I do.

18 Q All right, and what is that?

19 A This is a chain of custody form from the South
20 Carolina Law Enforcement Division, which we commonly refer
21 to as SLED.

22 Q All right, and do you see any handwriting on there
23 that is yours?

24 A I do.

25 Q All right, and what date did you sign that form?

1 A June 9, 2021.

2 Q Okay, and that form is related to what form exactly?

3 A There was a Apple iPhone 11 that was collected and
4 brought to me by Special Agent Ryan Kelly with SLED.

5 Q Okay, and was that phone locked when he provided it to
6 you?

7 A It was.

8 Q All right, and did you -- in your forensic
9 investigation, did you attempt to unlock the phone?

10 A I did.

11 Q Were you successful?

12 A I was not.

13 Q And is that Paul's phone?

14 A I believe it was, yes, sir.

15 Q Okay.

16 MR. CONRAD: And at this time, the State would move
17 to -- Exhibit 299 into evidence.

18 MR. BARBER: No objection, Your Honor.

19 THE COURT: It's admitted.

20 (CHAIN OF CUSTODY FORM MARKED AS STATE'S EXHIBIT
21 NUMBER 299 WAS RECEIVED INTO EVIDENCE.)

22 Q And I'm going to hand you what's been marked -- excuse
23 me -- I'm going hand you what's been marked as State's
24 Exhibit 274. It's going to be for ID purposes only. And
25 let me ask if you recognize that, sir.

1 A I do.

2 Q All right. What is that?

3 A This is the iPhone 11 that was brought to me by
4 Special Agent Ryan Kelly with SLED.

5 Q And that's the phone you attempted to unlock but were
6 unsuccessful. Is that correct?

7 A That is correct.

8 Q And I believe on that bag there's an orange sticker,
9 do you see that, sir?

10 A Yes, sir, I do.

11 Q What is that orange sticker?

12 A This is a sticker I place on devices that I have
13 attempted to process or processed successfully.

14 MR. CONRAD: And at this time, the State is going to
15 move to put this in as ID only.

16 MR. BARBER: No objection to ID only, Your Honor.

17 (CELL PHONE MARKED AS STATE'S EXHIBIT NUMBER 274 FOR
18 IDENTIFICATION.)

19 Q All right. At this time, I'm going to hand you
20 State's Exhibit 298. Do you recognize that, sir?

21 A Yes, sir, I do.

22 Q And what is that?

23 A This is also a chain of custody report from the South
24 Carolina Law Enforcement Division, SLED.

25 Q All right, and do you recognize your signature on that

1 form, sir?

2 A I do.

3 Q And what date did you sign that?

4 A This is August 12, 2021.

5 Q And what does that form signify?

6 A This is the date I returned the phone to Special Agent
7 Kelly.

8 Q Okay.

9 MR. CONRAD: And at this time, the State would move to
10 place Exhibit 298 into evidence.

11 MR. BARBER: No objection, Your Honor.

12 THE COURT: It's admitted.

13 (CHAIN OF CUSTODY FORM MARKED AS STATE'S EXHIBIT
14 NUMBER 298 WAS RECEIVED INTO EVIDENCE.)

15 Q All right. So, you attempted to unlock Paul's phone,
16 correct?

17 A That is correct.

18 Q And you were not successful.

19 A That is also correct.

20 Q Did you alter any other way the data that was on
21 Paul's phone at that time?

22 A No, sir.

23 MR. CONRAD: All right. No further questions.

24 THE COURT: Cross-examination.

25 CROSS-EXAMINATION

1 BY MR. BARBER:

2 Q Good afternoon, sir. My name is Phillip Barber. I'm
3 one of attorneys for Mr. Murdaugh.

4 A Good afternoon.

5 Q I really just have one question. When you received
6 this phone, was the battery completely dead?

7 A The phone was powered off when I received it.

8 Q Did you charge the phone after you received it?

9 A I did.

10 Q But do you know whether or not it was completely dead,
11 battery dead when you received it?

12 A I do not recall if the battery was completely drained.

13 MR. BARBER: No further questions, Your Honor.

14 THE COURT: Anything further?

15 MR. CONRAD: Nothing from the State of this witness.

16 THE COURT: Thank you. You may step down.

17 (The witness exited the stand.)

18 THE COURT: Call your next witness.

19 MR. CONRAD: Please the Court? The State calls Jon
20 VanHouten.

21 The witness, JONATHAN VANHOUTEN, was first duly sworn
22 and
23 testified as follows:

24 THE CLERK: Take a seat in the witness stand. State
25 your name again for the record. Spell your last name.

1 THE WITNESS: Jonathan VanHouten. V-a-n-h-o-u-t-e-n.

2 DIRECT EXAMINATION

3 BY MR. CONRAD:

4 Q Mr. VanHouten, where are you employed, sir?

5 A United States Secret Service.

6 Q All right, and how long have you been employed there?

7 A This April will be three years.

8 Q All right, and are you currently a law enforcement
9 agent?

10 A I am not.

11 Q Okay, and you're a civilian employee of Secret
12 Service?

13 A I am.

14 Q All right, but you do have a background in law
15 enforcement, correct?

16 A Yes. I retired after twenty-one years with the
17 Columbia Police Department as an investigator. For the
18 last ten years, I was assigned as a digital forensic
19 examiner with the US Secret Service.

20 Q Okay, and you were a task force officer --

21 A Correct.

22 Q -- during that time?

23 A Yes.

24 Q And you retired from the Columbia Police Department
25 when?

1 A April 20, 2020.

2 Q Okay. All right, and in this case you were provided a
3 phone by, I believe, Britt Dove. Is that correct?

4 A Lieutenant Dove, correct.

5 Q I'm going to show you State's Exhibit 271. I want to
6 see if you recognize this document, sir.

7 A This is the SLED Law Enforcement -- or South Carolina
8 Law Enforcement Division chain of custody that was
9 submitted to me by Lieutenant Dove.

10 Q All right, and do you recognize your signature on that
11 form?

12 A I did sign this form.

13 Q All right. What day did you sign that form?

14 A March 21, 2022.

15 Q Okay.

16 MR. CONRAD: All right, at this time the State would
17 move Exhibit 271 into evidence.

18 MR. BARBER: No objection, Your Honor.

19 THE COURT: It's admitted.

20 (CHAIN OF CUSTODY FORM MARKED AS STATE'S EXHIBIT
21 NUMBER 271 WAS RECEIVED INTO EVIDENCE.)

22 Q Okay. I'm going to hand you State's Exhibit 272, and
23 see if you recognize that, sir.

24 A This is an evidence photo that I acquired of the
25 device that was submitted to me.

1 Q You took that picture?

2 A I did.

3 Q And do we see a sticker on the back of that phone?

4 A There is a yellow sticker on the phone.

5 Q And what is it? Can you read that sticker, please?

6 A It appears to be some type of case number, evidence
7 number, identified as an Apple iPhone, the model number
8 with a SIM, and an agency case number.

9 Q And if you'll just read the case number and the item
10 number.

11 A 70210204, Item Number 10.

12 Q Thank you, sir.

13 MR. CONRAD: At this time, the State moves Exhibit 272
14 into evidence.

15 MR. BARBER: No objection.

16 THE COURT: It's admitted.

17 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 272 WAS
18 RECEIVED INTO EVIDENCE.)

19 Q All right. So, I believe you said March 29th of 2022
20 is when Lieutenant Dove provided you that phone, sir?

21 A March 21st.

22 Q Excuse me, it's the 21st. All right, and why did he
23 bring this to you?

24 A It's my understanding that the phone was locked and
25 SLED requested assistance of the Secret Service to unlock

1 the device.

2 Q And the Secret Service at that time, did you have the
3 tools available that could potentially unlock that phone?

4 A Yes.

5 Q And did SLED have those tools, at least on that date?

6 A At that time they did not.

7 Q Okay. All right, and what tool did you use to attempt
8 to unlock that phone?

9 A For this -- for my unlock attempt, I used a tool
10 called Cellebrite Premium.

11 Q Okay, and Cellebrite Premium is a way to potentially
12 break into bro -- excuse me, locked phones, correct?

13 A That is the only use for that tool.

14 Q All right, and just generally speaking, how does a
15 Cellebrite Premium attempt to unlock a locked phone?

16 A It uses its proprietary software and attempt to brute
17 force the device.

18 Q Okay, and what does brute force mean?

19 A Brute force is if we don't have the code, we will
20 attack the device, attack the data on the device to try to
21 brute force the pass code to unlock the device.

22 Q And a device that's locked, why does it need to be
23 unlocked for you to access the data? What underlying
24 conditions exist that prevents you from seeing the data?

25 A Well, for Apple iPhone devices there are two types of

1 locks: there are before first unlocked, and after first
2 unlocked. Before first unlocked is the phone is either
3 powered down, it's been turned off and rebooted, or a code
4 has been entered in too many times incorrectly. If you
5 were to -- an analogy for -- if you think of it as a bank
6 vault before forced unlock, at which we have to brute force
7 the device, it's like the big steel door.

8 Q Okay, and the underlying data is encrypted, correct,
9 otherwise?

10 A Yes.

11 Q And you would not be able to read that data, correct?

12 A I have to unlock the device to get to the data to
13 decrypt it.

14 Q And so Cellebrite Premium, you said, attempted to do a
15 brute force unlock, correct?

16 A Yes.

17 Q And ultimately was that attempt successful?

18 A It was. It was successful because I generated a
19 predefined dictionary to attempt first prior to the tool
20 using its own dictionary.

21 Q Okay, and what do you mean by that? What does that
22 mean?

23 A Well, humans are creatures of habit. They like to use
24 numbers that are relevant to them. Most people will use
25 their date of birth and anniversary, a child's birth, the

1 death of a parent as the access code. So, what we do
2 generally is we get as many social engineered codes or
3 dates that are relevant to the particular phone that we
4 will attempt first. Once that attempt is no longer viable,
5 the tool will use its own dictionary to start a hard core
6 group force process.

7 Q And absent kind of getting lucky with a preceded
8 number, if the Cellebrite Premium has to brute force its
9 way through and unlock a phone, how long would that take?

10 A So with a four digit phone, if you had a four digit
11 numeric PIN code, we are limited to an attempt of 146,
12 maybe 145 attempts per day. So, a four digit code has a
13 maximum possible numeric value of 10,000 attempts. So, at
14 146 attempts to day, it would roughly take a little over
15 two months to 68 days to unlock that phone. Adding two
16 extra numbers to a six digit, going from a four digit to a
17 six digit, there are approximately 1 million possibilities
18 now. And 146 attempts per day, it could take upwards 19
19 years.

20 Q All right. Now, you said that it could only do 146
21 attempts a day. Is that correct?

22 A Based on technology at the time, and current
23 technology is progressing, so it is getting faster.

24 Q Okay. Why is the software limited to just 146
25 attempts a day?

1 A This is a security protocol chip built into Apple. It
2 limits the timeframe that somebody can attempt to brute
3 force a device. The first -- it's an average of one
4 attempt every 15 minutes.

5 Q All right, but ultimately you said you seeded several
6 numbers into Cellebrite Premium to give it some potential
7 guesses first before just start going through all of the
8 other ones, correct?

9 A Yes. Once I start the brute force process, there is
10 an option for me to enter my own dictionary or numbers that
11 are relevant -- that I think is relevant to the user of the
12 device. In this case, I entered a number that successfully
13 unlocked the phone rather quickly.

14 Q Okay, and what was that number associated with?

15 A I believe the number was associated with the date of
16 birth of Paul Murdaugh.

17 Q Okay. All right, and so once you successfully
18 unlocked the phone, what did you do with it?

19 A I notified Lieutenant Dove that the phone successfully
20 unlocked. I advised him that I was going to be getting a
21 full file system extraction since I still have the phone in
22 my possession. Lieutenant Dove provided me with an
23 external hard drive to place the extraction on, at which
24 time I did.

25 Q Okay. So, you did a full file extraction and placed

1 that on a hard drive, correct?

2 A Correct.

3 Q Now, did you examine the contents of that full file
4 extraction?

5 A I did not. SLED has their own examiners. We did the
6 extraction for them, but they analyzed the phone.

7 Q And so the data you placed on a hard drive and
8 provided to Britt Dove, is that substantially the exact
9 same data that you extracted from Paul's phone?

10 A It is.

11 Q Has it changed in any significant manner?

12 A It has not.

13 Q I'm going to hand you State's Exhibit 273. Do you
14 recognize that document, sir?

15 A This is a South Carolina Law Enforcement Division
16 chain of custody where I returned the phone to Lieutenant
17 Dove.

18 Q Do you recognize your signature on there?

19 A I do.

20 Q And what date did you sign that?

21 A March 24, 2022.

22 Q All right, and you then provided Paul's phone back to
23 Lieutenant Dove, correct?

24 A Correct.

25 Q All right.

1 MR. CONRAD: At this time, the State would move to
2 enter Exhibit 273 into evidence.

3 MR. BARBER: No objection.

4 THE COURT: It's admitted.

5 (CHAIN OF CUSTODY FORM MARKED AS STATE'S EXHIBIT
6 NUMBER 273 WAS RECEIVED INTO EVIDENCE.)

7 Q Okay, and I'm going to show you what's been marked as
8 ID -- I believe this is 274. Do you recognize that item,
9 sir?

10 A Yes. This is the phone I received.

11 Q Okay, and that sticker on back?

12 A It matches the photograph that I took.

13 Q Okay. The photograph we put into evidence, the
14 sticker on this phone matches that, correct?

15 A It does.

16 Q Okay. All right. One last question, Mr. VanHouten.
17 There have been a couple of questions about Faraday bags in
18 this trial. What is a Faraday bag, sir?

19 A A Faraday bag is -- basically what it is is a bag that
20 shields electronic signals from entering or exiting the
21 bag.

22 Q Okay, and what is the danger -- by placing a phone in
23 a Faraday bag, what is the danger you're trying to prevent?

24 A We're attempting to prevent a remote wipe or remote
25 destruction of the data on the device.

1 Q Once law enforcement takes a phone into evidence or
2 custody, are there other ways to prevent a remote wipe?

3 A Absolutely. Powering the phone down completely, not
4 leaving it plugged to a charger, removing a SIM card. Or
5 the easiest is place the phone in an airplane mode. It
6 will disable the cellular data and WiFi signal.

7 Q And you said that the danger is the phone could be
8 remote wiped.

9 A Yes. Somebody with the account user name and password
10 could log into the I-cloud account and set a remote signal.
11 That signal will remain on the tower or in the -- on the
12 network until the phone is reactivated. So, yes, somebody
13 would have to have the user name and the password to log in
14 to commit that offense.

15 Q Okay, and was the phone that you did an extraction of,
16 was it wiped when you received it?

17 A It was not.

18 Q Okay.

19 MR. CONRAD: Nothing further from the State for this
20 witness.

21 THE COURT: Cross-examination?

22 MR. BARBER: No questions, Your Honor.

23 THE COURT: Thank you. You may step down.

24 (The witness exited the stand.)

25 THE COURT: We will recess until 1 -- until 2:15,

1 recess until 2:15. Please do not discuss the case.

2 (The jury left the courtroom.)

3 (A lunch break was taken.)

4 MR. HARPOOTLIAN: Your Honor, before the jury is
5 brought in, we have a matter we would like to deal with.

6 THE COURT: Yes, sir.

7 MR. HARPOOTLIAN: Your Honor, we've been informed
8 by -- the Attorney General has been very accommodating.
9 He's telling who he was going to call this afternoon and
10 this morning, and one of the witnesses would be Britt Dove.
11 And Britt Dove, I think they'll agree, is the person that
12 did -- received and did the extract from -- you heard the
13 Secret Service agent this morning, and did some analysis on
14 it. I would like to show the Court -- can I have the ELMO,
15 please -- State's Exhibit Number 299.

16 This is -- that's a receipt of property for Paul
17 Murdaugh's phone, and you'll slide it down a little bit.
18 No, the other way. You'll see that Bobby -- is that
19 Bancroft -- received it from David Owens (sic), who gave it
20 to Bobby Bancroft, who then gave it to Ryan Kelly. And
21 then Paul McManigal, who we heard from this morning, gave
22 it to -- he was at the Charleston Sheriff's Office, gave it
23 to it looks like Brian Hudak, who gave it to -- or it got
24 to Captain Brian Hudak, I guess, by Ryan Kelly.

25 The point I'm trying to make -- Judge, let me show you

1 this second page -- is there are a number of people in the
2 chain of custody on this phone who haven't testified yet.
3 As a result, if Mr. Dove is allowed to testify about the
4 contents of the phone which he received from Secret
5 Service, we believe that breaks -- that would not complete
6 the chain of custody. All we're saying is call these other
7 people and just -- I mean, they're not going to be long
8 witnesses. Complete the chain to authenticate that what
9 exactly came out of that phone was the phone that was found
10 at the scene on Paul Murdaugh's body. I don't know if this
11 is complicated or not, but --

12 THE COURT: All right.

13 MR. HARPOOTLIAN: It seems to me that they ought to
14 have to do that.

15 THE COURT: Mr. Waters?

16 MR. WATERS: Thank you, Your Honor. Just very
17 quickly, as we look at the chain on Paul's phone -- and
18 again, Mr. Conrad, is going to call Lieutenant Dove here in
19 a bit. We've had testimony from Jason Chapman about David
20 Owen securing that phone. We've had introduction into
21 evidence, Your Honor, without objection of both of these
22 chain sheets; there was no qualification or objection to
23 the information on these chain seats, no hearsay objection
24 or anything like on both of these, which carried the chain
25 all the way through.

1 And then, of course, where we have the testimony about
2 the collection of that phone. We have the testimony from
3 multiple witnesses about the manner in which agents secure
4 phones and, and the likely -- and the rest of that. Then
5 we have testimony about that phone going essentially
6 through a couple of couriers to Paul McManigal, who just
7 testified as to his involvement with that phone, as well as
8 to his delivery of that back to Lieutenant Dove. And then
9 you've had testimony from Agent VanHouten, who received
10 that phone and analyzed it and then delivered that back to
11 Lieutenant Dove, and Lieutenant Dove is going to be here to
12 complete that chain.

13 So, if you look at the case law, -- we do have some
14 cases prepared if we need them. I don't think we really
15 do, Your Honor. Now, this is not fungible evidence. The
16 case law is very clear, Your Honor, that chain -- you don't
17 have to call every single person that touched the evidence
18 throughout the way. It only needs to be established as
19 much as is practical, and I think we've done that in great
20 detail.

21 THE COURT: That's the particular question, is it
22 fungible or non-fungible. Is a cell phone fungible or
23 non-fungible?

24 MR. HARPOOTLIAN: If you look at the exterior, it's
25 fungible. You can't tell one iPhone 11 from another one

1 until you open it. Okay, but is the phone that was found
2 at Paul, is that the same phone and that's why you have the
3 chain. It was cracked open and they got the material from
4 and they went to analyze. It is -- this is an iPhone 11,
5 Your Honor. It's not Paul's.

6 THE COURT: All right.

7 MR. WATERS: And, Your Honor, again we've had --

8 THE COURT: Fungible or non-fungible?

9 MR. WATERS: I would say that it's not fungible, Your
10 Honor. And, again, I think we've had -- it's clearly not
11 fungible and --

12 THE COURT: It's clearly not fungible. When you say
13 clearly, what do you mean? Generally if things are clear,
14 then we don't have a debate.

15 MR. WATERS: Fair enough. I strenuously, object, Your
16 Honor, I apologize. But anyway, Your Honor, you know, when
17 you look at something like cell phone evidence and you look
18 at the class of types of evidence that are clearly
19 fungible, those two are, I think, different in the manner
20 in which they exist, and the manner in which they are. And
21 I'm not aware of any case that's ever held a cell phone as
22 to be fungible. It is a -- it's a physical item.

23 Additionally this particular one -- I'm sorry, Your
24 Honor. Additionally, this particular cell phone has a
25 serial number and an IMEI that is specifically

1 identifiable. The cell phones are not fungible. They are
2 specific. They have identified -- specific identifying
3 information like that, and so, again, I think that given
4 the weight of that and the weight of what we have
5 established, we would have more than established a chain.

6 MR. HARPOOTLIAN: Your Honor, I note on this chain of
7 custody there's no serial number. There's no IME number.
8 There's nothing on this document. I'll be happy to -- it's
9 State's Exhibit 298 and 299. There's nothing on these that
10 indicates it's a cell -- matter of fact, the description is
11 Paul's cell phone. There's no identifying date on this
12 whatsoever.

13 And, by the way, I think we've been sort of lax. We
14 should have asked all of these witnesses how they know it
15 was this cell phone. They never testified to serial
16 number. That's water under the dam, under the bridge, but
17 perhaps I should have asked that.

18 MR. WATERS: Well, and again, Your Honor, these came
19 in without objection associated with testimony about that
20 specific phone that people like McManigal and Agent
21 VanHouten have specifically identified as associated with
22 these chain sheets and with that specific phone. So,
23 again, I think that's a specific identification in there
24 and not --

25 THE COURT: The cases that you said you have --

1 MR. WATERS: Your Honor, I've got a copy right here.
2 This isn't specific -- can I hand that up to Your Honor?

3 THE COURT: Yeah. Tell me about the case *State v.*
4 *Pulley, State v. Pulley.*

5 MR. WATERS: Yes, sir. And again, this is just a
6 general -- this isn't related to cell phones in specific.
7 But it does talk about, you know, establishing the chain of
8 custody as far as practicable. And, again, it talks about
9 where the evidence establishes the identity of those who
10 have handled the evidence and reasonably demonstrates the
11 manner of handling the evidence, which we've had testimony
12 as to both of those. Our courts have been willing to fill
13 in gaps in the chain of custody due to an absent witness.
14 Proof of the chain of custody need not negate all
15 possibility of tampering so long as the chain of possession
16 is complete.

17 It goes on, Your Honor, and I apologize. That was
18 from headnotes 5 -- 4, 5, and 6. It goes on to talk about
19 a perfect chain of custody is not required. I think the
20 evidence here on the whole has been more than sufficient to
21 be able to establish the chain. And additionally even
22 beyond that, I think that none of that precludes Lieutenant
23 Dove to testifying about, given the foundation that's been
24 laid, to testifying about the contents of that extraction
25 pending, you know, any additional witnesses that will come

1 in. I don't think that's precluded at this time either.
2 He can still go forward and testify as to the extent of his
3 testimony about that extraction, and certainly
4 understanding that any additional witnesses, you know, are
5 still forthcoming, so I don't think that precludes him from
6 testifying as to the contents of that extraction.

7 MR. HARPOOTLIAN: Your Honor, with all due respect to
8 the Attorney General, the footnote says when the
9 establishing chain -- I mean, headnote 4, when establishing
10 chain of custody, fungible, holding evidence where multiple
11 people handled or analyzed the substance, the identity of
12 the individuals who acquired the evidence and what was done
13 with the evidence between the taking and the analysis must
14 not be left to conjecture. And there's nothing in any
15 document we've heard or any witness that has specifically
16 identified that I got cell phone M4381 and gave it to
17 somebody else who says I got that same cell phone because
18 it has the same serial number. I mean, this -- if that's
19 not conjecture, I don't know what is.

20 And again, what's the big hurdle here? He's got three
21 people he needs to call if there -- unless there's a
22 problem with one of them, you know, that signed this
23 document that didn't have it. And I think this is an
24 important piece of evidence and we ought to just require
25 what's required by this case and every other case where

1 there's a fungible item.

2 MR. WATERS: And, Your Honor, again going back to
3 headnotes 4 and 5, testimony from each custodian of
4 fungible evidence, however, is not a prerequisite to
5 establishing a chain of custody. Again, we've had
6 testimony about the collection, we've had testimony about
7 the manner of collection, and we've had testimony from
8 those who actually analyzed it in the interim to get to
9 Lieutenant Dove who will then complete that analysis. So,
10 we've got testimony about collection, we've got chain
11 sheets supporting that, and then we'll have every person
12 who actually analyzed it, and I think that's more than a
13 sufficient chain to establish its admissibility at this
14 time.

15 THE COURT: Anything further? Last word.

16 MR. WATERS: Nothing from the State, Your Honor.

17 MR. HARPOOTLIAN: Nothing from the defense, Your
18 Honor.

19 THE COURT: All right. To the extent that this is a
20 motion to exclude this testimony, the motion is denied. I
21 do not believe that the portion of this case that *State v.*
22 *Pulley* that says the identity of individuals who acquired
23 the evidence and what was done with the evidence between
24 the taking and the analysis must not be left to conjecture.
25 I believe that a cell phone is not a fungible item, but it

1 is complicated to the degree that there was analysis, there
2 was analysis done with the cell phone. But the testimony,
3 particularly the testimony of VanHouten, sufficiently
4 establishes that this phone was not tampered with, could
5 not be tampered with, and I believe that the State has
6 sufficiently established a chain. The cases tell that a
7 perfect chain is not necessarily, and I believe the State
8 has sufficiently established a chain of custody to the
9 degree, to the degree necessary that the next witness can
10 testify. So, I deny motion and the objection is noted for
11 the record.

12 MR. WATERS: Thank you.

13 MR. HARPOOTLIAN: Your Honor, just to make sure the
14 record is clear, with all due respect we except with your
15 ruling.

16 THE COURT: I said it's noted for the record, yes.

17 MR. HARPOOTLIAN: I'm from the old school, I'm sorry.

18 THE COURT: Let's bring the jury.

19 MR. WATERS: And, Your Honor, to be clear, we do have
20 one interim witness before that witness will testify.

21 (The jury returned to the courtroom.)

22 THE BAILIFF: The jury is present, sir.

23 THE COURT: All right, thank you.

24 You may proceed.

25 MR. WATERS: Thank you, Your Honor. The State would

1 call John Bedingfield.

2 The witness, JOHN BEDINGFIELD, was first duly sworn
3 and testified as follows:

4 THE CLERK: Take a seat in the witness stand, state
5 your name again, and for the record spell your last name,
6 please.

7 THE WITNESS: John Bedingfield.
8 B-e-d-i-n-g-f-i-e-l-d.

9 DIRECT EXAMINATION

10 BY MR. WATERS:

11 Q Mr. Bedingfield, how are you doing today?

12 A Doing good.

13 Q All right. Tell us where you live.

14 A Barnwell.

15 Q All right. Tell us a little bit about yourself. Did
16 you grow up there or --

17 A Grew up there, born and raised in Barnwell. Worked
18 there my entire career, twenty-eight years with the
19 Department of Natural Resources. Still living in Barnwell.

20 Q Where do you work now?

21 A I'm the Region 3 Captain, which is the Midlands
22 Region, Lake Murray, Lake Marion.

23 Q Okay, and is that law enforcement position?

24 A Yes, sir, it is.

25 Q Are you a Class One Officer?

1 A I am.

2 Q And you said you've been with DNR how long?

3 A Twenty-eight years.

4 Q Has that been the extent of your law enforcement
5 career?

6 A Yes, sir.

7 Q Are you still employed there?

8 A Yes, sir.

9 Q Do you have any other businesses or any other economic
10 stuff you're associated with?

11 A I do. Back in 2016 I got a federal firearms license
12 to sell and manufacture firearms.

13 Q And tell me how you got into that. What led you to
14 develop that? Is that like a side business?

15 A Side business. It was just a passion I had of working
16 on guns and building guns. Decided to turn it into a
17 business.

18 Q All right, and you mentioned a federal firearms
19 license. Is that what people know as an FFL?

20 A Yes, sir.

21 Q All right. Just tell me very quickly what it takes --
22 what does it mean to have an FFL?

23 A It means you can transfer firearms to individuals, you
24 do a background check upon that sale or transfer.

25 Q Okay. If you're engaged in sort of the commercial

1 sale of firearms or as a business, do you need an FFL to do
2 that?

3 A Yes, sir.

4 Q And that's different from private sales back and
5 forth. Is that correct?

6 A Correct.

7 Q And with an FFL, does it come with an obligation to
8 keep certain paperwork that -- with regard to the firearms
9 that you're involved in selling?

10 A Yes, sir, it does.

11 Q And explain to me some of the paperwork that you have
12 to get and some of the paperwork you have to keep when
13 you're selling firearm with an FFL.

14 A When a firearm comes in to me, it gets logged into a
15 log. Upon its sale or transfer out, it gets logged out
16 with the 4473 background check.

17 Q All right. Tell me what the 4473 is, please.

18 A It's personal information, gun information. It gets
19 called into the ATF, and it gets approved or disapproved
20 for transfers to that individual.

21 Q Is that like a federal form?

22 A It's their instant background check, yes, sir.

23 Q Like every federal form, it has got a number on it?

24 A Yes.

25 Q And that's --

1 A 4473.

2 Q What's the number again? 4473? Is that the one where
3 you have to check the form saying I'm not a drug user and
4 I'm not part of a terrorist organization and all that
5 stuff?

6 A Yes, sir.

7 Q But you have to ensure that those are filled out with
8 people that you give the form?

9 A Yes, sir.

10 Q That you sell firearms to. Is that correct?

11 A Yes, sir.

12 Q What type of firearms are you selling? I mean, are
13 you manufacturing from scratch, or how do you do that?

14 A Early on I did. Wasn't lucrative enough, so I was
15 just buying and selling. So, I would buy a gun, configure
16 it, or buy parts, configure it as an individual wanted and
17 provide it to them.

18 Q Okay, and so where would you buy parts from? What's a
19 big source of parts?

20 A I've had numerous, but primarily Palmetto State Armory
21 for AR15 parts, but I've used twenty or thirty other
22 vendors throughout the course of me having a license.

23 Q When people think about an AR15 style weapon, can that
24 fire one caliber of bullet, or can multiple calibers of
25 bullets be configured with an AR15 style?

1 A As long as they're compatible with the magazine system
2 and the bolt carrier, many different calibers can be
3 configured.

4 Q Like what? What's the most common AR15 calibers?

5 A 223, 556, which are more or less interchangeable, 300
6 Blackout, 65 Grendel.

7 Q All right, and the must common ones you said was 223
8 and 556?

9 A Yes, sir.

10 Q All right, and then 300 Blackout.

11 A Yes, sir.

12 Q All right. Let me ask you this. Are you at all
13 related to the defendant, Alex Murdaugh?

14 A I am.

15 Q All right, and what is your relation?

16 A Our grandmothers were sisters. I've grown up with the
17 Murdaughs as cousins.

18 Q All right. So, you've known him your entire life, or
19 a long time?

20 A Yes, sir.

21 Q At any point in time did the defendant, Alex Murdaugh,
22 approach you about perhaps assembling or making some
23 firearms for him?

24 A He did.

25 Q All right, and do you remember roughly when that was?

1 A That would have been around Christmas of '16.

2 Q Okay, and what was your conversation with the
3 defendant over there about what he wanted and what he
4 wanted you to put together?

5 A He was looking for a couple of guns for the boys to
6 hunt pigs with.

7 Q And did y'all have a discussion about what type of
8 gun, what caliber and that sort of thing?

9 A We did. I kind of steered him towards the 300
10 Blackout just because of its effectiveness on hogs versus a
11 223 or 556.

12 Q All right, and just very quickly, between a Blackout
13 and a 223 or 556, why did you suggest a Blackout as a more
14 effective round than those?

15 A Larger caliber, larger diameter bullet, a little more
16 knockdown power for pigs. A 223 at that time, there
17 weren't many larger or heavier grained bullets that were
18 effective.

19 Q So you suggested the Blackout, and did he agree to
20 that?

21 A He did.

22 Q Again, he wanted these for the boys to hunt pigs?

23 A Right.

24 Q Or hogs. All right. Was there a particular holiday
25 coming up that he wanted them for?

1 A It would have been Christmas of that -- '16 Christmas.

2 Q 2016? Okay. Did you ultimately assemble some
3 firearms for him?

4 A I did.

5 Q All right, and tell us, describe those firearms for
6 us, how they were configured, what was on them. Give us
7 some detail about them, please.

8 A Initial conversation and part why the 300 Blackout was
9 chosen was its ability to shoot subsonic ammo, and we had
10 talked about possibly some suppressors for the same guns.

11 Q Let me slow you down real quick. Tell the jury what a
12 suppressor is.

13 A A silencer, or a sound suppression device for a
14 firearm.

15 Q All right. So, a subsonic round -- you have to have a
16 subsonic round for the suppressor to work.

17 A It makes it most efficient.

18 Q All right. Keep going, if you would, please.

19 A That was kind of where I steered, that way. But it
20 was a pair of Palmetto State Armory lowers that I built
21 some 300 Blackout uppers for, and one was configured in, in
22 all black as was requested, and the other was cerakote,
23 which is a paint finish, a ceramic paint finish, in a tan.

24 Q Okay, and when you say cerakote, is that a service or,
25 or -- that you are through providing?

1 A It does -- it is, yes, sir.

2 Q All right, and just very quickly. Tell the jury what
3 you mean by that. What is cerakote?

4 A It's a refinishing; it's a paint job on a firearm. A
5 lot of items can be cerakoted: plastic, wood, or whatever.
6 But the, the -- you blast the finish, original finish,
7 degrease it, put a two part finish on, and bake it on.
8 It's a colorant.

9 Q So, the black one you don't have to treat.

10 A I'm sorry?

11 Q The black one you didn't have to treat like this.

12 A Yes, sir.

13 Q But the tan one you had to cerakote.

14 A Yes, sir.

15 Q Did the defendant request any sort of optics or scope
16 on these guns?

17 A He did. We put a pair of ATN thermal scopes on the
18 rifles.

19 Q And what -- specifically why are the thermal scopes
20 good for hunting hogs, or why were they put on there?

21 A Hog hunting in South Carolina is legal to hunt at
22 night with the proper permitting, and it allows you to
23 night hunt the pigs.

24 Q All right. All right. Mr. Bedingfield, I'm going to
25 show you what has been marked as Exhibit 302 for

1 identification at this time and see if you recognize that
2 image right there.

3 A I do.

4 Q All right. Tell me what that is.

5 A Those are the two 300 Blackout rifles that I sold
6 Alex.

7 Q All right. Those are the two, the exact two at
8 Christmas. Is that correct? Christmas of 2016?

9 A The original two, yes, sir.

10 Q Okay, and -- all right. Let me.

11 MR. WATERS: Your Honor, at this time I would move
12 State's 302 into evidence, please.

13 MR. GRIFFIN: No objection.

14 THE COURT: It's admitted.

15 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 302 WAS
16 RECEIVED INTO EVIDENCE.)

17 Q All right. Let me put this on the ELMO real quick.
18 All right. Can you see that on your screen there?

19 A Yes, sir.

20 Q Okay, and just real quick, if we look down at the end
21 of the barrel on these, what are those things right there?

22 A Those would be the suppressors.

23 Q All right, and tell me about this image. How do you
24 recognize this image? What was going on when this image
25 was taken?

1 A That was the day I took the guns to Alex. I showed
2 him, you know -- that's how I presented them to him, again
3 with -- the suppressors are still in my possession. We
4 never did the paperwork on the suppressors.

5 Q And let's unpack that a little bit. Where did you
6 take those guns to him? Do you recall?

7 A His office.

8 Q And they're in some sort of case. Do you recall that
9 case?

10 A Yes, sir, that's my hard case.

11 Q All right. So, you brought them in that case?

12 A Yes, sir.

13 Q Did you leave the case with him or did you take that
14 back with you?

15 A I have the case.

16 Q Okay. Now, you mentioned that -- we see that the
17 suppressors are on there. Did you ever deliver those
18 suppressors to Alex Murdaugh?

19 A I did not.

20 Q All right. Now, explain that to the jury. Why were
21 you unable to do that?

22 A To possess an NFA item, a National Firearms Act, a
23 restricted item where the federal government restricted the
24 possession of short barreled rifles, machine guns,
25 suppressors, and short barrel shotguns, you have to apply

1 for a tax stamp through the federal government. It's a
2 background check system that allows for the possession once
3 you pass the background check.

4 Q Okay, and did Alex complete that additional paperwork?

5 A No, we never completed it.

6 Q Is that -- for the suppressor, is that additional
7 paperwork in addition to what it takes to normally get a
8 rifle?

9 A Yes.

10 Q What was y'all's discussion, if any, about that
11 paperwork and completing it and all of the rest of it?

12 A We had some random discussions. I would egg him from
13 time to time. Hey, man, let's get the paperwork going, and
14 he was going to put them in a trust, which is an entity
15 which would own the firearm -- own the items, and we
16 just -- we never got it all put together.

17 Q Because of the special legality about suppressors, is
18 it common for people to set up a trust, a legal trust that
19 actually owns those suppressors?

20 A Yes. Yes, it is.

21 Q And that was the paperwork that needed to be
22 completed?

23 A That, and the application side of it, but that was the
24 biggest portion.

25 Q And he was, like, I'm going to get back to you, I'll

1 do it, and he just never did. Did he pay for those
2 suppressors?

3 A He did.

4 Q All right. He just never received them.

5 A Correct.

6 Q Where are those suppressors to this day?

7 A They're in my inventory at my business.

8 Q Okay. At some point in time, did you ever have
9 another conversation with Alex about making another
10 Blackout?

11 A I did.

12 Q And when roughly was that? Do you recall?

13 A It would have been around April of 2018.

14 Q April of 2018. All right, and what did Alex tell you?
15 What was your conversation with him about making a third
16 Blackout?

17 A That Paul had lost or misplaced his rifle and he
18 wanted to replace it.

19 Q Okay, and did this -- did you ultimately make him a
20 third Blackout?

21 A I did.

22 Q Did this particular rifle, did you put any optic on
23 it?

24 A I did not.

25 Q All right. Did Alex say don't put an optic on it

1 because he already lost the other one?

2 A Yes.

3 Q Those optics fairly expensive?

4 A They can be, yes, sir.

5 Q All right, and roughly how much were the thermal
6 optics that we see on this particular picture that's on the
7 screen, the exhibit that I previously admitted, have
8 admitted?

9 A \$1,500 to \$1,800 each.

10 Q So, the third one did not have an optic on it.

11 A Correct.

12 Q And did you ultimately provide that weapon?

13 A I did.

14 Q Well, tell me how you provided that. Did Alex pick it
15 up did somebody else pick it up?

16 A He did not. When I let him know it was ready, he said
17 he was unavailable and Maggie would come pick it up.

18 Q Okay, and is that what happened?

19 A It is.

20 Q And so tell me about that. Tell me about your
21 interaction with Maggie when she picked that weapon up.

22 A She came to town, we met, did some paperwork, and she
23 handed me a check, and drove back to Hampton.

24 Q And you gave the weapon -- her the weapon.

25 A Yep. She would have completed the 4473 with me.

1 Q So, you made three Blackouts, excluding the optic
2 roughly in this same configuration. Maggie picked up that
3 third one, correct?

4 A Yes, sir.

5 Q All right. Let me show you some exhibits real quick.
6 MR. WATERS: Show them to counsel.

7 (Break in proceedings.)

8 Q All right. Let me show you what's been previously
9 marked for identification as State's 247, and I'm going to
10 have you flip through those, and just first tell me
11 generally if you recognize the documents in State's 247.

12 A I do.

13 Q All right. Tell me what those are.

14 A The first would be the original check from Alex for
15 the first two firearms, canceled check to me. Second would
16 have been the third from Maggie, canceled check to me. The
17 fourth -- third and fourth page would be the firearm log --

18 Q And we'll talk more about that in a minute, but that's
19 part of your firearm log. Is that correct?

20 A Yes, sir.

21 Q All right, and then I'm going to show you what's been
22 marked -- hold on, I want to staple this.

23 (Break in proceedings.)

24 Q I want to show you what's been marked as State's 245
25 and see if you recognize this document.

1 A I do.

2 Q All right, and tell me what that is.

3 A It is the original 4473 from the first two firearms to
4 Alex.

5 Q All right. Let me see those back real quick.

6 MR. WATERS: Your Honor, at this time we move State's
7 245 and 247 into evidence.

8 MR. GRIFFIN: No objection.

9 THE COURT: Admitted.

10 (FIREARM FORM MARKED AS STATE'S EXHIBIT NUMBER 245 WAS
11 RECEIVED INTO EVIDENCE.)

12 (CANCELED CHECKS MARKED AS STATE'S EXHIBIT NUMBER 247
13 WERE RECEIVED INTO EVIDENCE.)

14 Q All right, I'll put these up on the screen. All
15 right. This is State's Exhibit 247, and we're looking at
16 the first page. Describe to the jury what that is, please.

17 A That is the canceled check from Alex for the original
18 two firearms.

19 Q For the original two?

20 A Yes, sir.

21 Q And what's the price on that, please? I can bring it
22 to you if you need me to.

23 A I've got it. \$9,188.

24 Q And what's the date on that, please?

25 A I'm sorry?

1 Q What's the date on that?

2 A 12/23/16.

3 Q All right, and is this a record that you kept in the
4 course of your FFL obligations to the --

5 A The check, no, sir. We retrieved that from my bank.

6 Q Got you. All right. There's a second page of this
7 exhibit. Do you recognize that? Tell me what that is,
8 please.

9 A That is the check for the third replacement 300
10 Blackout to Maggie Murdaugh; that's the check she wrote to
11 me.

12 Q All right, and what's the amount of that one?

13 A \$875.

14 Q So, the first one for two of them was the \$9,188,
15 correct?

16 A Yes, sir.

17 Q And the second one is only 875. Is that right?

18 A Yes, sir.

19 Q And is the difference between those that the second
20 one didn't have the optic and didn't have the suppressor?
21 Is that part of the difference?

22 A Yes, sir.

23 Q Okay. All right. Before we get to the rest of that
24 exhibit, let me go to 245, and I'm going to show you this.
25 This is what now?

1 A That is the 4473 for the first two 300 Blackouts.

2 Q All right, and we see down here in little letters it
3 says form 4473. Is that right?

4 A Yes, sir.

5 Q And these are all of the questions that you have to
6 answer to buy a firearm?

7 A Correct.

8 Q Okay, and whose name do we have on this?

9 A Richard Alexander Murdaugh.

10 Q All right, and then right here, what are these two
11 things right there?

12 A That would be the serial numbers from each of the
13 firearms.

14 Q All right, and let me ask you this real quick. With
15 an AR style platform, is every part it serialized, have a
16 serial number, or if not, what parts are?

17 A Only the lower receiver is serialized.

18 Q All right, and when you talk about the lower
19 receiver -- and let me take this back up. Point to me what
20 we're talking about on the -- this picture.

21 A This portion of the firearm.

22 Q Okay, and I'm going to put it back on the screen and
23 I'm going to point to what you did, and you tell me if I
24 got it right, okay? All right. So, this portion right
25 here is the lower receiver?

1 A Yes, sir.

2 Q And that's the serialized portion, correct?

3 A Correct.

4 Q All right, and finally down here, what do we have
5 right there?

6 A The date.

7 Q All right, and what's the date on that?

8 A January 10, 2017.

9 Q Okay. After these murders happened, did you ever get
10 a call from SLED Agent Jeff Croft?

11 A I did.

12 Q Is that somebody you knew prior to this?

13 A Yes.

14 Q Knowing him from growing up in Barnwell or living in
15 Barnwell?

16 A Through my law enforcement career and him at the
17 county, and our kids were in school together.

18 Q Did you have a conversation with Jeff Croft?

19 A Yes.

20 Q Did Jeff Croft ask you to provide him anything?

21 A He did.

22 Q And what did he ask you to provide him?

23 A The paperwork you've just submitted, the 4473 and the
24 canceled checks.

25 Q All right. When you initially responded, did you send

1 him the paperwork for all three Blackouts that you made for
2 the defendant?

3 A Not initially I don't think so. I don't recall
4 exactly.

5 Q So, just the first two.

6 A Just the first two, yes, sir.

7 Q All right. Did you have a subsequent conversation
8 with him at some point later on in time?

9 A Yes.

10 Q And what was the nature of that conversation?

11 A That there was a third, and through an audit I was
12 able to backtrack and provide what I did on the third.

13 Q All right. So, there was an inquiry made as to
14 whether there was a third one and you said yes, there was a
15 third one.

16 A Correct.

17 Q Do you have all of your paperwork for that third one?

18 A No, sir. The 4473 is unaccounted for.

19 Q All right. So, you went back and looked and you
20 couldn't find it.

21 A Correct.

22 Q All right. How -- did you make any efforts, though,
23 to determine which one that gun must have been?

24 A Based on the canceled check, the date of it, and that
25 -- the only missing exit from my log, it would have been

1 111, I believe. Is that --

2 Q All right, I'm going to take you back, Exhibit 247,
3 and have you look at the last two pages of that exhibit and
4 explain to me what you're talking about.

5 A So, each firearm that's numbered and described has a
6 receipt and disposition form.

7 Q And what was different about 111?

8 A It was blank.

9 Q Okay. So, did you do some process of elimination
10 here?

11 A I did. I did.

12 Q You looked at the date of that check in April of 2018
13 for the third Blackout?

14 A Correct, yes, sir.

15 Q And looked in your log, and this was the one that
16 didn't have other information in it.

17 A Only one of many years that it could have even been.

18 Q All right. I'll put this up on the screen. And is
19 this 111 here that you're talking about?

20 A Yes, sir.

21 Q Okay, and then we go to the second page, and if they
22 were laying next to each other -- is this, like, a log
23 book?

24 A Correct.

25 Q And if these pages were laying next to each other,

1 this was the blank one, correct?

2 A Yes, sir.

3 Q All right. After you received that second
4 communication with Jeff Croft, did you provide him that log
5 paperwork that we just looked at?

6 A Yes, sir.

7 Q Have you amended your Federal Firearms License forms
8 to reflect that now?

9 A Yes. It was just a missing form. I reflected it that
10 it was sold to Maggie Murdaugh on 4/14 of 2018.

11 Q All right. How many Blackouts, AR style rifles, did
12 you make for Alex Murdaugh?

13 A Three.

14 Q And when was that last one made?

15 A 2018.

16 Q April?

17 A April of 2018.

18 MR. WATERS: Hold on for me for one second.

19 (Break in proceedings.)

20 MR. WATERS: All right. Thank you, Mr. Bedingfield.

21 Answer any questions the defense may have, please.

22 THE COURT: Mr. Griffin.

23 MR. GRIFFIN: Thank you, Your Honor.

24 CROSS-EXAMINATION

25 BY MR. GRIFFIN:

1 Q Good afternoon, Mr. Bedingfield. My name is Jim
2 Griffin. I represent Alex Murdaugh. The --

3 MR. GRIFFIN: Can I have the ELMO back, please?

4 (Break in proceedings.)

5 MR. GRIFFIN: The ELMO is still on.

6 Q Mr. Bedingfield, the -- these were the two 300
7 Blackouts that were sold to Alex for Christmas in 2016. Is
8 that correct?

9 A Yes, sir.

10 Q And one was black and one was tan, right?

11 A Correct.

12 Q And the -- and you know which gun went to which son?

13 A I don't recall.

14 Q All right, and then you built a replacement 300
15 Blackout sometime, I believe you said, in 2018. Is that
16 right?

17 A Yes, sir.

18 Q And was that a tan one or a black one that --

19 A It would have been black.

20 Q Excuse me?

21 A It was black. The second one was -- the third one,
22 I'm sorry, was black.

23 Q The third one was black.

24 A Yes, sir.

25 Q So, if the tan one was lost in this, then Mr. Murdaugh

1 would have had -- or his boys would have had two black 300
2 Blackouts --

3 A Yes, sir, I assume so.

4 Q -- after 2018. Now, the original price was \$9,188 for
5 the two firearms that they, Buster and Paul, got for
6 Christmas in 2016, correct?

7 A Yes, sir.

8 Q And that included the cost of the basic weapon, the
9 AR -- modified AR and the 300 Blackout, correct?

10 A Yes, sir.

11 Q And then it included the cost of the thermal night
12 scope.

13 A Yes, sir.

14 Q And you said that's about \$1500 each?

15 A I'm guessing at that, but, yes, sir.

16 Q And then -- so that's, like, 3,000, but, like, for
17 two. Ballpark, right? And then the suppressors, how much
18 are the suppressors?

19 A They typically -- I don't remember on those, but
20 around 1,000 apiece.

21 Q So, that's another 2,000. So -- but Mr. Murdaugh
22 never took possession of the suppressors because it
23 required some trust or some --

24 A More paperwork.

25 Q More paperwork. And the -- but now the replacement

1 that was purchased in 2018 was only \$875. Did you build a
2 replacement?

3 A Yes, sir.

4 Q Did the price go down in 2018?

5 A Well, the lack of accessories, and the cerakoting was
6 included in that as well. The slings on this rifle, the
7 ones we're looking at here, were included in the first one.

8 Q So, this strip down model of the -- well, was the
9 replacement in 2018 just a strip down model, as basic as
10 you could buy?

11 A Pretty much, yes, sir, the same -- similar
12 configuration. As far as I remember, it was a free floated
13 16-inch 300 Blackout.

14 Q And you assembled the ones in 2016 and the one in
15 2018. Is that right?

16 A Yes, sir.

17 Q And did you get the component parts from the Palmetto
18 State Armory?

19 A I'm not sure exactly where they would have come from.
20 The lower receiver would have been, yes, sir, but the upper
21 components, I would source those out from different
22 vendors. I'm not sure where they would have come from.

23 Q And when you -- well, let me ask you about the -- I
24 guess the ejector. Do you know what that is?

25 A Ejector? Yes, sir.

1 Q And is that upper portion, lower portion?

2 A Upper.

3 Q And is it housed in a -- well, do you put the ejectors
4 in separately or does that come --

5 A In a bolt carrier group. They would be already
6 preassembled in a bolt carrier group.

7 Q And do you know where you bought the ejectors for the
8 2016?

9 A No, sir.

10 Q Do you know where you bought the ejectors for the
11 2018?

12 A No, sir.

13 Q Do you keep ejectors in stock?

14 A I wouldn't, no, sir. They would typically be --
15 already been preassembled in the bolt carrier's groups on
16 AR15 style guns.

17 Q Right, but do you buy in bulk the preassembled bolt
18 carrier group?

19 A No, sir. As I -- as someone requests something, I
20 will source it out, see where I can find it and build it,
21 or order parts to put together.

22 Q Can -- are 300 Blackouts sold without having to have
23 someone like yourself build it?

24 A Yes.

25 Q Okay, and who carries a 300 Blackout if I wanted to

1 leave here and go buy one this afternoon?

2 A The most common in the State of South Carolina is
3 Palmetto State Armory.

4 Q So, they assemble themselves?

5 A I was a dealer for them, and I was buying parts from
6 them on a lot of builds as well.

7 Q And how long have you been selling or building 300
8 Blackouts?

9 A I've been in the business since 2016, so there's a lot
10 of other guns I've built as well.

11 Q The -- and this list that you had, I'm not going to go
12 through it, but it's Exhibit 247. I'll just put it up on
13 the ELMO. We don't need to publish anybody's name there,
14 but are all of those 300 Blackouts or just various weapons?

15 A Various. 45 caliber, 9 millimeter, multi for the
16 lower 410 shotguns, 243 rifles.

17 MR. GRIFFIN: Okay. You can take it down.

18 Q The -- and you said these are used and that you
19 recommended that these 300 Blackouts be used for hog
20 hunting?

21 A Yes, sir.

22 Q And is that -- and this part of the state, are wild
23 hogs kind of a nuisance to game management, property
24 management?

25 A A severe nuisance.

1 Q Explain that, please, sir.

2 A They do a tremendous amount of damage to property and
3 crops in this part of the state.

4 Q How so?

5 A They root, as pigs do; they root up crops and
6 woodlands and yards. They're very destructive.

7 Q And is that the common problem throughout the
8 Lowcountry?

9 A Yes, sir.

10 Q And have you recommended a number of -- to a number of
11 the customers the 300 Blackout to root out the nuisance
12 hogs?

13 A Yes, sir, I have.

14 Q Do you have any estimate how many 300 Blackouts you've
15 sold over the last four or five years?

16 A No, sir, I wouldn't. I've -- a little over 600
17 firearms transfers. I wouldn't know.

18 Q Do you think it's more than 100?

19 A I don't know. It's a lot, but I don't know how many.

20 Q All right. The -- okay. You mentioned that you and
21 Alex Murdaugh are related. Is that right?

22 A Yes, sir.

23 Q How are you related?

24 A Our grandmothers were sisters.

25 Q Okay, and does that make -- and you're ---

1 A I call us second cousins. We're cousins.

2 Q Your fathers were first cousins, correct?

3 A Correct.

4 Q And you spend -- over the years, did you spend time
5 with Alex and the boys?

6 A I have. Not a lot with Alex. Mostly with John
7 Marvin.

8 Q And you go -- have you been camping with Alex and the
9 boys at -- I think that would be the dad and sons, the big
10 camp every year?

11 A I have.

12 Q Have you been fishing with them?

13 A Not much.

14 Q Been hunting with them?

15 A No, sir, not Alex. I have with John.

16 Q You've known Alex for quite some time?

17 A Our entire life.

18 Q Are you -- well, a gift of some \$8,000 is a pretty
19 nice gift for two boys, right?

20 A Yes, sir.

21 Q Did you ever observe Alex around his sons, what kind
22 of relationship they have?

23 A I have.

24 Q And how would you describe their relationship?

25 A It was always good. When he called me, he was excited

1 about getting these for his boys.

2 Q And it was a big Christmas for them, I take it.

3 A Yes.

4 MR. GRIFFIN: All right. One second, Your Honor.

5 (Break in proceedings.)

6 Q Is it less expensive to buy a 300 Blackout directly
7 from Palmetto State Armory rather than have you build one?

8 A It can be, depending on the configuration.

9 Q And all of the --

10 A Any accessories that get added and --

11 Q Okay. All right.

12 MR. GRIFFIN: That's all of the questions I have, Your
13 Honor.

14 THE COURT: Redirect?

15 MR. WATERS: Very quickly, Your Honor.

16 REDIRECT EXAMINATION

17 BY MR. WATERS:

18 Q You mentioned that one of the services that you
19 provide is the cerakoting on the tan one. Is that correct?

20 A Yes, sir.

21 Q That's kind of a painting process, painting and then
22 baking. Is that correct?

23 A Yes, sir.

24 Q And if someone has a gun and -- is it just tan you
25 cerakote it or are there multiple colors you can choose to

1 cerakote?

2 A Multiple colors.

3 Q Multiple colors. So, if you want to customize your
4 firearm, you can take it to somebody and get them to
5 cerakote it.

6 A Yes, sir.

7 Q And I can have a gun I've owned for ten years and I
8 decide that I want to get it cerakoted, and I can take it
9 to somebody who can put it in any color that I desire.

10 A Yes, sir.

11 Q It doesn't have to happen right at the beginning.

12 A No.

13 Q All right, and looking right here on page -- the third
14 page of State's Exhibit 247, we have right here multiple
15 calibers of gauge. Is that correct? We have caliber of
16 gauge listed. Is that correct?

17 A Yes, sir.

18 Q And we have a number of different ones right here.
19 That's a 45?

20 A Yes, sir.

21 Q Is that a 45 ACP?

22 A A Colt, yes, sir.

23 Q All right. 9. Is that a 9 millimeter?

24 A Yes, sir.

25 Q All right, and then we have -- what does that say

1 right there, multi?

2 A Multi, yes, sir.

3 Q And what does that mean?

4 A The lower receivers are stamped multi caliber when
5 they're sold as bare receivers.

6 Q 410, that's a shotgun round?

7 A Yes, sir.

8 Q All right. 243, that would be --

9 A A 243 center fired rifle.

10 Q All right. 223 right there?

11 A Yes, sir.

12 Q And a 9 millimeter right there?

13 A Yes, sir.

14 Q So, you're in the business the assembling multiple
15 different calibers. Is that correct?

16 A Well, yes, but most of what is on this page are entire
17 firearms that were shipped to me.

18 Q Got you. All right. Stand by for me one second.

19 (Break in proceedings.)

20 MR. WATERS: Nothing further, Your Honor. Thank you.

21 THE COURT: Anything further?

22 MR. GRIFFIN: Nothing further, Your Honor.

23 THE COURT: Thank you, sir.

24 (The witness exited the stand.)

25 THE COURT: Call your next witness.

1 MR. CONRAD: State calls Lieutenant Britt Dove with
2 SLED.

3 The witness, DAVID BRITTON DOVE, was first duly sworn
4 and testified as follows:

5 THE CLERK: Have a seat in the witness stand, state
6 your full name again, and spell your last name for the
7 record.

8 THE WITNESS: Britt Dove, D-o-v-e. I go by Britt.
9 I'm known as David Britton Dove.

10 VOIR DIRE EXAMINATION

11 BY MR. CONRAD:

12 Q And Lieutenant Dove, where are you currently employed,
13 sir?

14 A With the South Carolina Law Enforcement Division,
15 known as SLED, in the Computer Crime Center.

16 Q All right, and what's your rank?

17 A I am a lieutenant in the unit.

18 Q So, you're in the supervisory capacity over the
19 Computer Crimes Unit?

20 A Yes, sir, I am.

21 Q Okay, and how long have you worked at SLED?

22 A I began my clear at SLED in June of 2008.

23 Q All right, and did you have law enforcement experience
24 prior to working at SLED?

25 A Yes, sir, I did. I began my law enforcement career in

1 December of 1999 with the West Columbia Police Department;
2 I served as a patrol officer and a school resource officer
3 with them. I also started -- was with the Richland County
4 Sheriff's Department for several years as a resource
5 officer, and then I came back to West Columbia as an
6 investigator handling family violence, elder abuse, child
7 abuse, sexual assault investigations before coming to SLED.

8 Q And since you've been in SLED, I believe -- did you
9 just say it was 2008 when you started SLED?

10 A Yes, sir.

11 Q What have you -- what roles have you filled at SLED
12 since 2008?

13 A When I began at SLED, I began as undercover chat
14 specialist dealing with internet crimes against children,
15 and also doing digital forensics, whether it be computers,
16 cell phones, tablets, at the time GPS systems. From there
17 I moved into the role of working with file-to-file trading
18 of child pornography and dealt with that. And then from
19 there I moved into the role of doing general investigations
20 while continuing to do digital forensics before I became a
21 supervisor.

22 Q And you're a supervisor with computer crimes. Is that
23 correct?

24 A Yes, I am.

25 Q And just briefly, what exactly does computer crimes do

1 at SLED?

2 A Computer crimes at SLED, they do several things. One,
3 when local agencies submit digital evidence to us, whether
4 it be a laptop, a tower, a tablet, DVR, cell phone,
5 servers, we will go and try to extract the information to
6 look for anything that's relevant to the investigation. We
7 also do handle some investigations. We also do internet
8 and other kind of investigations, along with doing
9 intrusion investigations with servers and ransomware.

10 Q Okay. Now, you've talked a little about computer and
11 phone forensics, and that's something you have experience
12 in. Is that correct?

13 A Yes, sir.

14 Q All right. Give the jury a brief description, and
15 we'll get into more details later as we go through some of
16 the evidence, but what is computer forensics, and what is
17 phone forensics, and how are they different?

18 A Computer forensics -- when we receive a computer,
19 whether it be a laptop or a tower, it's going to be treated
20 the same way. We're going to attempt to remove the hard
21 drive from it, connect the hard drive to a physical write
22 blocker, which is a piece of hardware that we connect it
23 to; we also use a software write blocker. That way we can
24 extract the information and get a bit by bit forensic copy
25 of all the addressable area on the drive, and then that way

1 -- that's what we work off of is that copy so that we can
2 then do not disturb the original evidence when we're
3 looking to see what's on there.

4 Cell phone forensics are a little bit different. You
5 can't remove necessarily -- especially with the newer ones,
6 you can't go and remove a hard drive from the cell phone.
7 So, many times what we have to do is connect the cell phone
8 to hardware devices, whether it be Cellebrite, GrayKey,
9 AXIOM, or one of the other ones out there. Once we connect
10 it, then we will extract the information from that and then
11 work off the information that's extracted from that in
12 order to do the examinations.

13 Q All right, and have you had training over the years in
14 computer and phone forensics?

15 A Yes, sir, I have.

16 Q All right. Can you briefly describe to the jury some
17 of the training you've had.

18 A. Yes, sir.

19 THE WITNESS: If I may refer to my notes?

20 THE COURT: Yes, sir.

21 A I am currently a certified Cellebrite operator. I'm a
22 Cellebrite certified physical analyst. I'm certified in --
23 advanced smartphone analyst with Cellebrite. I'm certified
24 with -- it used to be BlackBag mobilized operator. I'm
25 certified as a black light examiner. And I've also

1 received certification for Axon investigative certified
2 operator and examiner. I'm currently a member of the
3 Secret Service Task Force. I'm also a member of the FBI
4 Cyber Working Task Force, and also the FBI InfraGard, along
5 with the South Carolina Internet Crimes Against Children
6 Task Force. I've received training from Cellebrite.

7 To receive the certifications, I've have been tested
8 on those. I've also received training with the National
9 White Collar Crime Center for basic data recovery and
10 acquisitions, identifying and seizing electronic evidence,
11 encryption, metadata, and nexus tags. Electronic law
12 enforcement seminars. Basic computer schools for law
13 enforcement. Network intrusion response program.
14 Introduction to cell phone investigations. Virtual
15 currency. Block train -- block chain tracing and crypto
16 currency, anti-money laundering. And the future of
17 preserving digital evidence.

18 I've also attended the National Computer Forensic
19 Institute with the Secret Service and received training in
20 the basic computer evidence recovery, basic networking
21 investigative training, point of cell training, advanced
22 forensics training, network intrusion response program,
23 digital evidence investigation. Mac forensics training.
24 I've also received training from access data known as FTK
25 and the internet forensics. I received training from Texas

1 A&M, their school of engineering extension services through
2 FEMA for forensic -- or digital forensics basics, network
3 assurance information security for everyone. Cyber
4 incident analyst and response. I also received training
5 from HiDock courses Atlanta and Carolinas in social media
6 resource investigations. BlackBag Technology where I
7 received training to become a certified mobilized operator.
8 Also basic technology for autopsy eight hour online
9 training, which is a forensic tool used for computers.
10 Intro to DFIR, the Divide and Conquer Process.

11 I've attended Magnet Forensics virtual summits for
12 pattern of life analysis, timeline user generated
13 activities. Virtual summit *Taking a Bite Out of a*
14 *Chromebook Analyst*. Virtual summit *Taking the First Steps*
15 *into Windows and Memory Forensics*. Virtual summit *The*
16 *Evolution of Ransomware Attack, Investigation Response, and*
17 *Prevention Services*. And that's just to name a few. I
18 have several pages of them if you would like for me to read
19 them.

20 Q I think that should be sufficient, for now anyway.
21 Have you been qualified as an expert in court before?

22 A Yes, sir, I have.

23 Q In what areas?

24 A I've been qualified as a computer forensic expert, and
25 also as a cell phone forensic expert.

1 Q All right, and approximately how many times have you
2 been qualified in court?

3 A Six times total.

4 Q All right.

5 MR. CONRAD: Your Honor, at this time the State would
6 seek to introduce Lieutenant Dove as an expert in phone --
7 cell phone forensics.

8 THE COURT: What says the defense?

9 MR. BARBER: No objection, Your Honor.

10 THE COURT: All right, ladies and gentlemen, he is so
11 qualified as an expert in the field of cell phone
12 forensics.

13 You may proceed.

14 MR. CONRAD: Thank you.

15 DIRECT EXAMINATION

16 BY MR. CONRAD:

17 Q All right, Lieutenant Dove, a few minutes ago you
18 briefly kind of discussed the process of extracting data
19 from cell phones. Is that correct?

20 A Yes, sir, I did.

21 Q All right. Let's get into a little more detail of
22 that process. First of all, when you receive a cell phone
23 in a locked state, are you able to access the files on that
24 phone?

25 A No, sir. We're not able to access all the files on

1 there.

2 Q Why is that?

3 A Because when modern cell phones, when they are in a
4 locked state, the files are encrypted on there. They
5 usually use 256 bit encryption and they're based -- with
6 the Apple Phone, for instance, they're based at a file
7 level of encryption so that you are not able to pull the
8 file out to look at it until you decrypt it or unlock the
9 file.

10 Q All right, and once the phone is unlocked, you're then
11 able to access the data, correct?

12 A Yes, sir, we are.

13 Q All right. What is a phone extraction, first of all,
14 and then we will -- what is a phone extraction?

15 A A phone extraction would be us retrieving as much
16 information, user information off of that phone as
17 possible. And then once we take that information, it's put
18 into -- depending on the software, a lot of times it's put
19 in a zip file, and we then -- we will process that zip file
20 with another piece of software to go through and decode and
21 look at the information.

22 Q And what kinds of information can you get from a phone
23 via an extraction?

24 A There's several different types of extractions. One
25 is an advanced logical extraction, which is kind of the

1 surface level, what you would see on your phone if you
2 looked at it. Then you have full file system extractions.
3 They go deeper, which will get hidden files that you may
4 not see that -- like databases in there that are in the
5 background but you won't see, but yet it contains
6 information.

7 And then the ultimate is a physical extraction. Now,
8 physical extraction involves things whether you're going to
9 root the phone or you were going to jailbreak a phone. And
10 what that means is basically I'm going in and removing all
11 security features from your phone so that now it's wide
12 open and something could happen to it, which we don't
13 practice rooting or jailbreaking phones because it is a
14 huge security risk for the owner.

15 Q And I think you kind of mentioned this, but there are
16 different types of phone extractions, correct?

17 A Yes, sir, there is.

18 Q And just name a few of them.

19 A There is the advanced logical extraction. Like I
20 described, it's just kind of a surface level that you go
21 through. It's what you see on your phone. If you look at
22 it, you see the text messages, call logs, pictures, things
23 like that. Then you have the file system, which are going
24 to get you databases in there. They're going to get you
25 things that you're not seeing, along with the surface

1 level. And then, of course, you have the physical, which
2 ultimately you can program in ability to a file.

3 Q So, there's three general categories for types of
4 extractions. Is that correct?

5 A Yes, sir.

6 Q Okay. All right, and I imagine in doing this in your
7 computer lab you would have access to multiple types of
8 software to help you extract and process this data off
9 these phones. Is that correct?

10 A Yes, sir, we do.

11 Q All right, and what are some -- what's some of the
12 software you use to help you with these phones?

13 A Some of the software we use, we'll use Cellebrite,
14 whether it's their UFED touch, which is a hardware device
15 to extract information. They have a 4 PC version, which it
16 sits on your laptop or your computer, we'll use that to
17 extract. There's also AXIOM by Magnet Forensics that we'll
18 use to extract stuff, too. And then Cellebrite also offers
19 several other things. The one we'll use a lot is GrayKey,
20 which we use to extract information from IOS devices, or
21 from Android devices.

22 Q And how do you decide what software to use on what
23 device?

24 A It really depends on what we're looking for and the
25 state of the device when we receive it. If we receive a

1 phone that we have a pass code to that's -- they're just
2 looking for call logs and features, the investigator,
3 sometimes we'll just use Cellebrite 4pc, or physical
4 analyzer, and we'll just do an advanced logical extraction
5 for them. Most of the time, though, we always try to get a
6 full file system because there's additional stuff we can
7 see and look at besides just that surface level stuff. So,
8 if it's an IOS, an Android, sometimes we'll use GrayKey.
9 If it's one of the other ones, sometimes we'll reach out to
10 the Secret Service if we're not able to and use Cellebrite
11 Premium.

12 Q Okay, and we'll talk in more detail about each phone
13 later, but in terms of your testimony today, we're going to
14 focus on three different phones, and that is Maggie's,
15 Alex's, and Paul's. You've been able to process all of
16 those phones in your lab. Is that correct?

17 A Yes, sir, I was.

18 Q All right. Just for Maggie's phone, what -- for
19 Maggie's, what types of software have you used -- did you
20 use to process her phone?

21 A For Maggie's phone, I used several different
22 softwares. I did the extraction with GrayKey in order to
23 get the full file system like I described. That way it
24 gets more of the databases, more of the surface level
25 stuff. From that I used Cellebrite Physical Analyzer to go

1 in and do the decoding and to analyze and look at the phone
2 and the information on there. I also used AXIOM by Magnet
3 Forensics; I used their tool to help validate what I was
4 seeing with the Cellebrite stuff.

5 Q And why do you use the three different types of
6 software in this -- why did you use three different types
7 of software on Maggie's phone?

8 A GrayKey is primarily just an extraction device. It's
9 a piece of hardware like a box that you would connect to
10 and it helps extract the information. It doesn't do any of
11 the decoding, any of the analyzing of it. I used
12 Cellebrite Physical Analyzer to go through to decode and
13 analyze it. What I was finding on that, I wanted to
14 validate that what I was seeing was being decoded properly,
15 was right, so I ran it through a separate piece of software
16 so that I could see if, and it's getting the same
17 information that I know that both are decoding properly.

18 Q So, for example, if you find a particular text or
19 photo that has a certain timestamp on using Cellebrite, you
20 want to check on AXIOM to see if it has the timestamp. Is
21 that something you would look for?

22 A Yes, sir, correct.

23 Q And what would that tell you if you saw they had the
24 same timestamp?

25 A If it told me it had the same thing, they would have

1 validated each other that both were working properly and
2 decoding the information properly.

3 Q All right, and you received a phone that's been
4 identified -- that you identified as Alex's phone. Is that
5 correct?

6 A Yes, sir, I did.

7 Q And we'll get into details of you receiving it a
8 little later, but what pieces of software did you use to
9 analyze Alex's?

10 A Alex's phone I used GrayKey to do the full file system
11 extraction. At first I didn't have the password for that
12 phone and then I was able to obtain that password. So, I
13 used it to do the full file system, and then I ran it
14 through Cellebrite Physical Analyzer, and then turned
15 around and used AXIOM to validate my results, make sure
16 they were decoding properly.

17 Q Okay, and Paul's phone, which you had -- you've had an
18 opportunity to process as well, correct?

19 A When I received Paul's phone, it had a locked pass
20 code that I was not able to bypass with GrayKey. At the
21 time the software version that was running on the phone,
22 the model of the phone, it would not get a full file system
23 and would not obtain the pass code. So, I reached out to
24 the Secret Service, because they had additional resources,
25 to see if we could use their resources to obtain the pass

1 code.

2 Q And ultimately that was successful. Is that right?

3 A Yes, it was.

4 Q That was Jonathan VanHouten of the Secret Service?

5 A Yes, sir. That was my point of contact; that's who I
6 took the phone to and signed over to, and then received the
7 phone back, along with the hard drive containing the
8 extraction he performed.

9 Q All right, and circle back to Maggie and Alex's phone.
10 You provided pass codes for those two phones. Is that
11 correct?

12 A Originally I was provided a pass code for Maggie's
13 phone. For Alex's phone -- I received two phones at the
14 same time on that case, or within a day or two apart. One
15 was -- from him had a pass code. The other one did not
16 have a pass code with it, but I attempted, because we are
17 creatures of habit, to use the same pass code on both and
18 it worked.

19 Q All right. All right. Let's -- you've already
20 referenced this, but let's go back and talk about the kinds
21 of information you pull off of these phones. And there's
22 user accessible information that would normally be
23 accessible by a user of the phone, correct?

24 A Yes, sir.

25 Q And let's talk -- run through real quick again. What

1 are some examples of that type of information?

2 A That would be call logs, voice mails, photos. If you
3 wanted to pull up and see things you had saved, like your
4 alarms that you had on your clock setting, if you had set
5 any of those, those kind of things you would see on there.

6 Q All right, and in a nutshell, that kind of
7 information, if you just opened up the phone itself, that
8 that's kind of the information you would go and see for
9 yourself if you just went through the phone, correct?

10 A Yes, sir.

11 Q All right, but there's other types of information on
12 the phone as well.

13 A Yes, sir, there is.

14 Q And that's information that a simple user can't
15 necessary access. Is that correct?

16 A Yes, sir, that's correct.

17 Q All right, and tell us more about that information.
18 First of all, where is it stored, how is it stored, and how
19 is it accessed by your -- in your lab?

20 A Phones use many times SQLite databases to store
21 information. They will go in and inside their SQLite
22 databases, there's things we're able to obtain by doing the
23 full file system extraction. And things you may see in
24 that are big ones called KnowledgeC database, you can see
25 if the phone has been turned: it if's in portrait mode,

1 straight up and down, or it's been turned to vertical and
2 landscape mode. You can see if the power goes out on the
3 phone for the power log database, and what kind of battery
4 percentage you might have. You can -- it also will in the
5 encrypted databases, it will have geolocation stuff and GPS
6 stuff. It will contain things like Bluetooth connections
7 where you can see if your phone connected to a Bluetooth
8 device previously, when was the last time it connected to
9 it. And those are some of things you can find in different
10 databases.

11 Q All right, and you just used a few words there. First
12 of all, I think you said SQLite.

13 A Yes, sir.

14 Q What is that and what does that mean?

15 A SQLite database is a database that's contained -- the
16 best way to think of it is think of just one solid file,
17 all the information contained inside that file. That file
18 will go through and once it fills up, it will delete out
19 oldest stuff and keep the newest stuff. If you think about
20 your phones, you use your phones a lot, usually what's
21 going to start filling up on your phones are photos,
22 videos, music, apps when you put those on there, those kind
23 of things, and you'll start losing size of your phone.
24 Well, the SQLite database, because it's a file, it's not
25 going to continuously grow and eat into all of that space.