

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. VIII

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1 A Yes.

2 Q And is he also the person you saw in the house that
3 night with some kind of blue vinyl that you said is
4 consistent with this picture that we put in? Is that him?

5 A Yes.

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

7 THE COURT: By the defense?

8 MR. GRIFFIN: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. GRIFFIN:

11 Q Good afternoon, Ms. Smith.

12 A Good afternoon.

13 Q We have met once or twice. Did anyone ever show you a
14 blue rain jacket?

15 A Yes, I think so. Yes.

16 Q Now, some of our investigators showed you a picture of
17 a blue rain jacket, correct?

18 A Yeah. A picture of one, yes.

19 Q But has anyone at SLED or the Attorney General's
20 Office ever shown you a blue rain jacket?

21 A No.

22 Q Now, you saw Mr. Alex Murdaugh bring a tarp in, you
23 said, right?

24 A Yes.

25

1 (BLUE TARP MARKED AS DEFENDANT'S EXHIBIT NUMBER 86 FOR
2 IDENTIFICATION.)

3 Q And I'm going to show you a tarp.

4 MR. GRIFFIN: Which we have marked for identification
5 purposes, Your Honor, as Exhibit 86.

6 Q Is this the type of tarp that Mr. Murdaugh came into
7 the Almeda house on the day that we're talking about?

8 A Yes.

9 Q A tarp like this that would maybe cover up a car. Is
10 that right?

11 A Yes.

12 Q Any way to confuse this with a rain jacket?

13 A No.

14 Q He was not carrying a rain jacket, was he?

15 A No. It was balled up. I don't know.

16 Q And you said it was balled up, and it was balled in
17 such a manner it did not look like there was a shovel
18 handle, a gun, or anything. It was just balled up. Is
19 that right?

20 A That's correct.

21 Q Have I balled it up sort of correctly?

22 A Yes.

23 Q All right.

24 MR. MEADORS: Your Honor, we have no objection to that
25 going in.

1 MR. GRIFFIN: Your Honor, I would move Exhibit 86, I
2 think, into evidence.

3 THE COURT: It's admitted without objection.

4 (BLUE TARP MARKED AS DEFENDANT'S EXHIBIT NUMBER 86 WAS
5 RECEIVED INTO EVIDENCE.)

6 Q Now, when Alex left that day, this was laid out on
7 Ms. Libby's retirement rocking chair, wasn't it?

8 A Yes.

9 Q And you had -- and when you left the end of your shift
10 that day, that's where it was, right?

11 A Uh-huh. Yes.

12 Q And you have never seen it since, correct?

13 A Correct.

14 Q Now, they showed you a picture, which is in evidence.
15 Do you even know where that picture was taken in the house?

16 A No.

17 Q Can you see that, Ms. Smith?

18 A Yes.

19 Q Do you know where that is in -- or even if it's in
20 Ms. Libby's house?

21 A I couldn't say because. I don't go in the closets.

22 Q So, you don't even recognize the closet. Is that
23 right?

24 A Correct.

25 Q And have you ever been upstairs in Ms. Libby's house?

1 A Twice.

2 Q Two times? Over how many years?

3 A Three years.

4 Q Two times in three years. And do you know where Alex
5 Murdaugh went when he went upstairs on the day that he
6 brought a blue tarp in the house?

7 A No.

8 Q Okay. Now, you mentioned that this day that he came
9 over was about three days after Mr. Randolph Murdaugh's
10 funeral. Is that right?

11 A Yes.

12 Q Okay, and it was early in the morning?

13 A Yes.

14 Q So -- and do you remember that -- Mr. Randolph's
15 funeral being on a Sunday?

16 A Yes.

17 Q Then it would be Monday, Tuesday, Wednesday of that
18 week. Is that right?

19 A Yes, that's correct.

20 Q And is that the morning that you said that you thought
21 you saw a bruise on his forehead?

22 A Yes.

23 Q So, it was Wednesday with -- after Mr. Randolph's
24 funeral?

25 A I'm thinking -- I can't remember. It was so long I

1 can't remember.

2 Q Yes, ma'am. And the -- and you mentioned that there
3 was -- that he came in a truck. I think you said that he
4 drove up in a white truck.

5 A Uh-huh.

6 Q Is that correct?

7 A Yes.

8 Q And he does have a white truck as far as you know,
9 right?

10 A Yes.

11 Q And then you said he left in a white truck, and are
12 you sure that it was Mr. Randolph's truck or Mr. Alex's
13 truck that he left in?

14 A Because it was moved. Mr. Randolph had always keep
15 his truck in a certain position, certain part.

16 Q So, you think he left in Mr. Randolph's truck and
17 moved it.

18 A Yes.

19 Q Okay, and when he came back -- excuse me, when he left
20 that morning, I guess Wednesday we're talking about, the --
21 was Mr. Randolph's truck back in the driveway?

22 A Yes.

23 Q Parked in its normal place?

24 A Yes.

25 Q Anything out of sort?

1 A No.

2 Q Was it all covered up with mud, like someone had been
3 mudding in it?

4 A No.

5 Q Anything unusual about the truck?

6 A No.

7 Q Okay. Now, you mentioned there was a four wheeler
8 that had been moved at some point in time. That four
9 wheeler had a flat tire, didn't it?

10 A Yes, it did.

11 Q And was it a front tire or back tire?

12 A I think it was a back tire.

13 Q And it was moved up close to the house?

14 A Yes.

15 Q As far as you know so the tire could be repaired?

16 A Yes. It was moved from the smoke house to the regular
17 house, yes.

18 Q With a flat tire.

19 A Yes, with a flat tire.

20 Q Now, you were asked questions about the day of Mr.
21 Randolph's funeral, and you had a conversation with Alex,
22 and he was talking to you about how long he was over at the
23 house on the night of June the 7th, right?

24 A Yes.

25 Q And he said he was there 30 or 40 minutes.

1 A Yes.

2 Q And you said no, I don't think it was that long.

3 A Yes.

4 Q And then the next day, I think you said, or day after,
5 or the following day, or -- I guess that would have been a
6 Monday, you had another conversation with him where he just
7 brought up the fact that you were going to get married. I
8 think you said that was a different day, right?

9 A Yes.

10 Q And he was just being nice, wasn't he?

11 A Yes.

12 Q And I think you used the word good person?

13 A Good person, yes.

14 Q Who were you referring to when you testified in
15 response to the question by Mr. Meadors that someone is a
16 good person?

17 A Mr. Alex Murdaugh.

18 Q Okay. Now, he came over on the night of June the 7th,
19 and you said it was somewhere between 8:30 and 9:30 in the
20 evening?

21 A Yes.

22 Q And that's just your best estimate of when he got
23 there. Is that right?

24 A Yes.

25 Q And I think you testified that he was there in your

1 estimation 15 to 20 minutes?

2 A Yes.

3 Q And when you said 15 to 20 minutes, are you talking
4 about 15 to 20 minutes in the room with Ms. Libby or on the
5 property the whole time?

6 A On the property the whole time, I think.

7 Q Okay. Well, now you've said it took you about 5
8 minutes to let him in. Is that right?

9 A Yes.

10 Q So, are you including the 5 minutes it took you to let
11 him in in your 15 to 20, or could he have been on the
12 property 20 minutes?

13 A 20 minutes, not 30 minutes, the whole time, sir.

14 Q And you would agree that Alex Murdaugh would visit his
15 parents frequently, right?

16 A Yes.

17 Q And he would always come over more so than any other
18 sibling. Is that right?

19 A Yes.

20 Q And you would agree it was not out of the ordinary for
21 Alex to come at night, correct?

22 A Yes.

23 Q You would agree with that, right?

24 A No.

25 Q So, you don't agree that it was -- is it -- was it out

1 of the ordinary for him to come at night?

2 A Yes. On my shift, yes.

3 Q Well, do you recall being interviewed, it would be a
4 telephone interview on June 17, 2021, with Agent Jo
5 Albayalde? Do you remember that?

6 A Yes.

7 Q And do you remember telling him that it was not out of
8 the ordinary for Alex to come at night?

9 A It's been a long time. I can't really remember. It's
10 been a year now, so I can't really remember.

11 Q I mean, is it possible that you told him that?

12 A Yes.

13 Q And here today you said, as I have in my notes, when
14 he came over that he was acting kind of fidgety yet normal,
15 I believe that's what you said.

16 A Uh-huh.

17 Q Is his normal behavior kind of fidgety?

18 A Yes.

19 Q He's just kind a fidgety person, right?

20 A Yes.

21 Q So, it wasn't the first time you'd seen him being kind
22 of fidgety, right?

23 A Well, he always come different times so I can't
24 really, you know.

25 Q But you -- his demeanor was normal for Alex the night

1 that he came over on June 7th, wasn't it?

2 A I would say yes.

3 Q Okay. Now, you mentioned the clothes that he was
4 wearing, and he came in and he sat on his mom's bed.

5 A Yes.

6 Q Laid down next to her.

7 A Laid, uh-huh.

8 Q And held her hand. Is that right?

9 A He walked in, held her hand, and spoke to her, then
10 went on the bed and went down.

11 Q And laid down?

12 A Uh-huh. Not laid down, but sit up.

13 Q And when he got up off the bed, was the bed soiled in
14 any way? Was it wet?

15 A I can't recall. I didn't touch it.

16 Q Okay. Well, did Alex Murdaugh have blood on his
17 clothes?

18 A No, I didn't see.

19 Q Did he have blood on his shoes?

20 A No.

21 Q Did he have blood in his hair?

22 A No.

23 Q Did he leave blood in his mom's bedroom?

24 A No.

25 Q Now, according to the records that we have been

1 provided in this case, you were interviewed by SLED on
2 June 16th. Do you remember that interview?

3 A Yes.

4 Q And I think in that interview you told SLED that
5 had -- he would -- had been there 30 to 35 minutes. Do you
6 remember telling them that?

7 A I think it's -- yes.

8 Q And then you were interviewed again by telephone on
9 June 17th. Do you remember that follow-up call? Do you
10 remember having a short phone call on the 17th?

11 A A phone call? Nuh-uh.

12 Q Well, whether it's one interview or two interviews,
13 you never told anybody at SLED in June in these interviews,
14 one or two, anything about Alex coming in with a blue tarp.
15 Is that right?

16 A Right.

17 Q You didn't say anything about a blue tarp until some
18 time in September. Is that right?

19 A Yes.

20 Q And you initially mentioned something about Alex
21 coming over with a tarp, the first time you mentioned it
22 was to Officer Joseph Dingle of the Allendale Police
23 Department when he was working a wreck. Do you remember
24 that?

25 A Uh-huh.

1 Q Is that yes?

2 A Yes.

3 Q Okay, and you had been in the automobile accident, and
4 Officer Dingle was working the wreck and, I guess, filling
5 out an incident report and you were having a conversation
6 with him.

7 A Yes.

8 Q And in that conversation with Officer Dingle, didn't
9 you tell him that, that -- didn't you tell Officer Dingle
10 that on the night of the murders, that Alex came over with
11 a blue tarp that looked like it had a gun in it?

12 A No. I told him, like, he was -- he was holding
13 something.

14 Q So, you didn't say --

15 A I didn't say specifically it was a gun. I said he was
16 holding something.

17 Q So, you didn't tell Officer Dingle that he came over
18 and you couldn't tell but stated it looked like a rifle.

19 A No. I said it looked like he was carrying something.
20 I did not say it was a rifle.

21 Q Okay, and if Officer Dingle wrote a report up saying
22 that, he was just incorrect.

23 A Yes.

24 Q Okay, and then after you had this conversation with
25 Officer Dingle, then you were contacted by SLED agents,

1 right?

2 A Uh-huh.

3 Q And they asked you to go down to their offices and
4 that's where you were interviewed in September, right?

5 A Yes.

6 Q And in that interview, you told them about a blue tarp
7 that you had put over your car just like this, right?

8 A Uh-huh. Uh-huh.

9 Q Is that correct?

10 A Yes.

11 Q And you didn't tell them because it's not true that
12 there was anything wrapped in here that looked like a
13 rifle.

14 A Right.

15 Q And since that day of the interview at the Lowcountry
16 SLED office, have you had any additional interviews with
17 SLED agents other than getting ready for trial this week
18 and last week?

19 A Yes.

20 Q How many additional interviews?

21 A Two. Two or three.

22 Q And in each of those interviews, did you reiterate to
23 SLED that it was a blue tarp and not a rain jacket that you
24 saw Alex Murdaugh walking into the house with?

25 A Yes.

1 Q Is there any doubt in your mind it was a blue tarp
2 like this and not a rain jacket?

3 A It was balled up like a blue tarp.

4 Q Because you saw it laying on Ms. Libby's retirement
5 rocking chair, right?

6 A Yes.

7 MR. GRIFFIN: One second, Your Honor.

8 (Break in proceedings.)

9 Q Just one more point. When Alex Murdaugh came over on
10 that early morning, I guess it was a Wednesday you
11 testified, were you in Ms. Libby's room?

12 A Yes.

13 Q And can you -- you can't see the comings and goings
14 out of the driveway from Ms. Libby's bedroom, can you?

15 A Uh-huh.

16 Q You can?

17 A No.

18 MR. GRIFFIN: Thank you, Your Honor. That's all of
19 the questions I have.

20 THE COURT: Redirect?

21 REDIRECT EXAMINATION

22 BY MR. MEADORS:

23 Q Ms. Smith, do you remember testifying in front of the
24 grand jury on January 20th of 2022, on page 25, line 17,
25 when you were asked about how long do you think he stayed

1 in total? Do you remember that?

2 A Yes.

3 Q Do you remember your answer being 20, 10, 15, 20
4 minutes?

5 A Yes.

6 Q Mr. Griffin asked you about the 30 or 40 minutes. Why
7 did you call your brother after that?

8 A Because he's a chief -- assistant chief of police at
9 Varnville, so I called him.

10 Q Had that statement by Alex Murdaugh affected you?

11 A Yes.

12 Q How?

13 A I was nervous.

14 Q And he, Mr. Griffin, asked you about the evening
15 visits and morning visits. Had he ever been there at 6:30
16 in the morning like he was that morning, ever?

17 A No.

18 Q And his 9:00, 9:30 visit the night of the murders,
19 that was very unusual for him to be at night, wasn't it?

20 MR. GRIFFIN: Objection. Leading.

21 THE COURT: Don't lead the witness.

22 MR. MEADORS: I'm sorry.

23 THE COURT: Restate the question.

24 A Yes.

25 Q Was that unusual?

1 A Yes.

2 Q Now, so you told an officer, or did you tell an
3 officer about this, you saw something that you thought he
4 was carrying?

5 A Yes.

6 Q Before you told anybody else?

7 A Yes.

8 Q And what was that about, a traffic accident?

9 A I had -- someone hit my car and he was on duty.

10 Q And when was that?

11 A September 11th.

12 Q That's my birthday.

13 A Okay.

14 Q You had an accident and you told the officer that you
15 had seen him -- Alex Murdaugh come and holding something?

16 A We was talking. We were having a conversation and
17 that came up.

18 Q And you just told him that?

19 A Uh-huh. We was talking, uh-huh.

20 Q Had anybody asked you that before? You have to say
21 yes or no for us.

22 A Yes.

23 Q Had anybody asked you that before?

24 A No.

25 Q Okay. So, why did you tell the officer that on

1 September 11th?

2 A Because we was having a conversation and just talking
3 in general, and he asked me a question, and I said yes,
4 I've been there. I said I work with the Murdaughs, with
5 his mother.

6 Q In response to him, you told him you saw Alex Murdaugh
7 with what?

8 A A lining, a blue tarp.

9 Q And you're saying tart or tarp?

10 A Tarp. Like you cover a car with, a tarp.

11 Q And you said you saw him with that, and did it appear
12 he was carrying something?

13 A Like he was holding something. It was bundled up. I
14 can't -- it was bundled up.

15 Q Bundled up.

16 A Yes.

17 Q Like this?

18 A Yes.

19 Q Okay. So, you never saw this unfolded.

20 A No, I never saw it.

21 Q Never.

22 A Until the next morning because it was on the chair in
23 Ms. Libby's room.

24 Q And you don't know where this tarp came from, do you?

25 A No. I don't know where it came from.

1 Q And it didn't have silver on one side, did it?

2 A No.

3 Q It was all blue.

4 A All blue.

5 Q And you said that the defense took a statement from
6 you?

7 A Yes.

8 Q Did they record it?

9 A Yes.

10 MR. MEADORS: Your Honor, under Rule 613 I would like
11 a copy of that statement, or the recording, at this time if
12 they have it. She's now taken the stand.

13 MR. GRIFFIN: Your Honor, under Rule 5 it is not
14 subject to being produced, and we didn't question her about
15 the statement, so --

16 THE COURT: Rule 5 is pretrial.

17 MR. MEADORS: Your Honor, under 613 I think once the
18 witness has taken the stand and she said that they took a
19 statement from her, either recorded or written. We don't
20 have it. It hadn't been provided. We asked her about that
21 specifically dealing with the blue tarp and when they
22 discussed it with her, and I would like a copy of it.

23 MR. GRIFFIN: I honestly don't mind him having it,
24 Your Honor. We don't have a copy with us.

25 THE COURT: The rule says: Upon request, the same

1 shall be shown or disclosed to opposing counsel pursuant to
2 Rule 611A. So, the defense must provide it to counsel.

3 MR. GRIFFIN: Your Honor, we do have a copy here. I
4 don't know if we can download it.

5 (Break in proceedings.)

6 MR. MEADORS: Judge, I mean, I can't look at the flash
7 drive.

8 MR. GRIFFIN: It's not a statement. It's an audio
9 recording.

10 MR. MEADORS: Your Honor, I would like to have the
11 opportunity to listen to that without the presence of the
12 jury. I'm assuming it will be a hard copy, but I don't
13 want to mess the Court's schedule up either.

14 THE COURT: Ladies and gentlemen, we'll have you go to
15 the jury room. Please do not discuss the case.

16 (The jury left the courtroom.)

17 THE COURT: We'll be at ease momentarily. Just stay
18 in place momentarily.

19 (Break in proceedings.)

20 THE COURT: How long is the statement?

21 MR. GRIFFIN: It's about 30 minutes, Your Honor, at
22 least.

23 (Break in proceedings.)

24 MR. GRIFFIN: Your Honor, we have a rough draft of a
25 transcript that we're emailing to them, but it's fifty-

1 seven pages long that we're sending to them.

2 MR. MEADORS: Your Honor, I would like to look at the
3 video at this point.

4 THE COURT: All right. We're going to bring the jury
5 in and break for lunch.

6 (The jury returned to the courtroom.)

7 THE BAILIFF: The jury is present, sir.

8 THE COURT: All right, thank you.

9 Ladies and gentlemen, we'll break for lunch until
10 2:30, until 2:30.

11 And, Juror Number 729, I'll speak with you during
12 lunch.

13 Return to the jury room, please.

14 (The jury left the courtroom.)

15 THE COURT: And, Ms. Smith, we'll take a break for
16 lunch. You cannot discuss your testimony with anyone
17 during lunch, but you can step down. Have a good lunch.

18 THE WITNESS: Thank you.

19 (The witness exited the stand.)

20 THE COURT: And we will be in recess until 2:30.

21 (A lunch break was taken.)

22 THE COURT: As counsel may recall, during jury
23 selection, Juror 957 (sic) expressed concern about being
24 here if the trial goes too long. He mentioned that three
25 weeks was his limit, so he's brought that to my attention.

1 And he -- Juror 729 -- so he's brought that to my attention
2 and he's pondering the issue, so I'm just bringing you all
3 up to date on that issue.

4 Are we ready for the jury?

5 MR. MEADORS: Yes, sir.

6 MR. GRIFFIN: Your Honor, I just wanted to raise one
7 issue.

8 THE COURT: All right.

9 MR. GRIFFIN: It doesn't relate to this witness, but
10 the next group of witnesses the State intends to call
11 relate to this blue rain jacket, and that it was seized as
12 a result of a search at the -- at Ms. Libby Randolph's, the
13 Murdaughs' house, and it was found in the closet based on
14 what this witness has previously shared with law
15 enforcement.

16 There's no evidence that we've been provided in
17 discovery that connects the defendant with this blue rain
18 jacket, and so we move to exclude any evidence of the blue
19 rain jacket unless they can represent to the Court that
20 they have any witness who connects the blue rain jacket
21 with this defendant, Alex Murdaugh. Thank you.

22 THE COURT: All right. From the State?

23 MR. MEADORS: I don't think we're through yet. Your
24 Honor, she has identified a vinyl blue in that closet which
25 she says was consistent with what she saw Alex Murdaugh

1 come into her house with. She said yeah, that looks like
2 it. There was some questions that were asked by the
3 defense which I'm going to ask her about now when she was
4 asked about a shirt and something. But she, I believe, has
5 testified yeah, that is consistent with the color and the
6 vinyl that I saw that's in the closet.

7 THE COURT: All right. Well, let's bring the jury in.

8 (The jury returned to the courtroom.)

9 THE BAILIFF: The jury is present, sir.

10 THE COURT: All right, thank you.

11 You may proceed, Mr. Meadors.

12 MR. MEADORS: May it please Your Honor?

13 THE COURT: Yes, sir.

14 BY MR. MEADORS:

15 Q Ms. Smith, do you remember being interviewed by
16 Patrick McDavid and Robert Prucell -- Purcell that worked
17 with Mr. Harpootlian and Mr. Griffin in October -- on
18 October 20th of 2022?

19 A Yes.

20 Q And I believe Mr. Griffin had asked you about some
21 shoes in response to our questions. Do you remember
22 telling them that he had -- these investigators he had on
23 some cloth like shoes?

24 A Yes.

25 Q And I believe Mr. Griffin asked you about the length

1 of time you were there. Do you remember these
2 investigators asking you about the length of time that
3 Mr. Murdaugh was at Almeda the night of June 7th?

4 A Yes.

5 MR. GRIFFIN: Objection, Your Honor.

6 THE COURT: Yes, sir?

7 MR. GRIFFIN: He's offering a prior consistent
8 statement, and I don't know why. He's not impeaching her
9 with it and he can't bolster her testimony with a prior
10 consistent statement.

11 THE COURT: Mr. Meadors?

12 MR. MEADORS: Your Honor, I believe he had questioned
13 the 30 or 40 minutes and was questioning whether or not
14 Alex asked her to say that. Through their investigators
15 it's clarified for me, their conversations, that directly
16 contradict what she said earlier on direct that I have
17 through their questioning and interviews, which I just got
18 a little while ago.

19 THE COURT: All right. Mr. Griffin?

20 MR. GRIFFIN: Again, he's offering a prior consistent
21 statement and it's not admissible unless it's being offered
22 to rebut a claim of recent fabrication, and that's not the
23 situation here.

24 MR. MEADORS: Your Honor, we'll offer the entire
25 statement right now.

1 THE COURT: All right. Any objection to the statement
2 being entered into evidence?

3 MR. GRIFFIN: Yes, Your Honor. It's not a statement.
4 It's a whole thirty minute audio recording. Yes.

5 THE COURT: All right, Rule 613D addresses this issue,
6 and you may proceed. The objection is overruled.

7 BY MR. MEADORS:

8 Q Mr. Griffin asked you the length of time that Mr.
9 Murdaugh was there. When these investigators questioned
10 you in October of 2022, do you remember them asking you
11 about how long he was in the kitchen and in the room with
12 Ms. Murdaugh?

13 A Yes.

14 Q And do you remember them asking you about -- and he
15 asked you on cross whether it was unusual Mr. -- whether
16 Mr. Murdaugh had visited that time of night. Do you
17 remember that?

18 A Yes.

19 Q And do you remember telling the investigators that he
20 would not come on your shift after 8:00? Do you remember
21 that?

22 A Yes.

23 Q And that that was unusual?

24 A Yes.

25 Q And do you remember one of them questioning you, you

1 actually registered it in your mind that something -- that
2 this is unusual for him to be here that time of night? Do
3 you remember that?

4 A Yes.

5 Q Was your answer:

6 Yeah, because I was, like -- yeah, to be honest,
7 I was, like, why are you here this time of night?
8 Why are you here this time of night, you know?
9 Because we all going to bed.

10 A Uh-huh. Uh-huh.

11 THE COURT: Was that a yes?

12 THE WITNESS: Yes.

13 Q And as far as the length of time, do you remember
14 them asking you how long, and you said it was about 20
15 minutes?

16 A Yes.

17 MR. MEADORS: And I'm trying to speed this up. Beg
18 the Court's indulgence.

19 (Break in proceedings.)

20 Q Do you remember Mr. -- when Mr. Griffin asked you
21 about your recollection as to what Mr. Murdaugh said --
22 asked you about the thirty or forty minute period. Do you
23 remember that?

24 A Yes.

25 Q Do you remember just a little while ago when he was

1 asking you about that? I'm not trying to be -- just a
2 little while ago.

3 A Yes.

4 Q Okay, about whether -- if anybody ever asked you if I
5 was here or not?

6 A Yes.

7 Q And do you remember that they, his investigators,
8 asked you if SLED had put that in your mind?

9 A No.

10 Q Is that the --

11 MR. GRIFFIN: Objection, Your Honor.

12 Q -- recollection or something they put in your mind?

13 THE COURT: Just a moment, ma'am.

14 Yes, sir.

15 MR. GRIFFIN: He's leading the witness. He's
16 publishing a document that is not a certified transcript of
17 anything. I object.

18 THE COURT: All right.

19 Mr. Meadors?

20 MR. MEADORS: It's their statement they took from her.

21 THE COURT: I sustain the objection.

22 Q Did Alex Murdaugh ask you to tell somebody how long
23 he'd been there?

24 A He said if someone asks you, I was here 30 or 40
25 minutes. That's what he said.

1 Q He said if somebody asked you.

2 A Yes, sir.

3 MR. GRIFFIN: Objection, Your Honor. He's just
4 repeating her answer.

5 THE COURT: Mr. Meadors?

6 Q Is that the answer you gave his investigators --

7 A Yes.

8 Q -- back in October of 2022?

9 A Yes.

10 MR. MEADORS: Beg the Court's --

11 (Break in proceedings.)

12 Q Now, Mr. Griffin asked you about this blue tarp. Did
13 his or Mr. Harpootlian's investigators ask you about that
14 when they met with you?

15 A Yes.

16 Q Okay. Did they bring something with them? Do you
17 remember them showing you something?

18 A A picture.

19 Q Okay. Did they also show you a tarp?

20 A Yes.

21 Q Okay. Did they tell you they just got it from K-Mart?

22 A Yes.

23 Q Okay. Just bought it from K-Mart, and I can't --

24 MR. GRIFFIN: I put it in the box.

25 Q So, their investigators brought this with you to the

1 interview --

2 A Yes.

3 Q -- and showed you this, correct?

4 A Yes.

5 Q All right, and had you already described a -- well,
6 when did you first -- who did you first tell that there was
7 a -- something that the defendant may have been holding in
8 his hand? Who did you tell first? When he came in that
9 morning after the funeral, who did you tell that first to
10 in law enforcement, that the defendant may have been
11 holding something, or was holding something when he came --

12 A Dango (sic), Officer Dango.

13 Q Dango (sic)?

14 A I think is his name.

15 Q And as a result of that, SLED came and interviewed
16 you.

17 A Yes.

18 Q And then you then told them what your testimony has
19 been, correct?

20 A Yes.

21 Q So, in October of '22 when their investigators came,
22 they were asking you about what you talked about to Dango,
23 right?

24 A Yes.

25 Q Okay, and they showed you this, right?

1 A Yes.

2 Q And did they also ask you about if you'd seen a shirt?
3 Do you remember when they asked you if you'd seen a blue
4 shirt?

5 A Yes.

6 Q And what was the blue shirt?

7 A It was a blue --

8 Q Like, well, I don't know. Was it just like a dress
9 shirt or shirt? What was it?

10 A Like a rain jacket or something, like a pullover.

11 Q Okay, but they described it as a shirt?

12 A No, not as I can recall.

13 Q Do you remember them asking you you're positive it
14 wasn't a shirt?

15 A Yes.

16 Q They asked you that.

17 A Yes.

18 Q And your answer was it's vinyl. It was a vinyl,
19 right?

20 A Yes. Yes.

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

22 THE COURT: Don't lead the witness.

23 Q And Mr. Griffin was asking you about the vinyl
24 whatever. Do you remember them asking you if there could
25 have been a gun in it? His investigators.

1 A I can't recall. I can't remember.

2 MR. MEADORS: Last question, Judge.

3 Q State's 411, Ms. Shelley, you've identified this
4 previously. Does that look like the blue vinyl garment he
5 was carrying in?

6 A Yes.

7 Q Say that again.

8 A Yes.

9 Q Was it all crumbled up in his arms?

10 A It was balled up, yes.

11 Q Was it folded out?

12 A No, it wasn't.

13 Q Was he wearing it?

14 A No, he wasn't.

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

16 THE COURT: By the defense.

17 RECROSS-EXAMINATION

18 BY MR. GRIFFIN:

19 Q Ms. Smith, it's clear when you left the next morning
20 you saw the blue tarp laid out on Ms. Libby's retirement
21 rocking chair, correct?

22 A Yes.

23 Q And it was not a rain jacket, was it?

24 A No, it wasn't.

25 Q It was a blue tarp like what's in here as in evidence

1 86, right?

2 A Yes.

3 Q No doubt in your mind.

4 A No doubt.

5 Q Now, our investigators -- let me ask you. I marked
6 for identification Exhibit 87. Did they show you a picture
7 of this rain jacket?

8 A Yes.

9 Q Had you ever -- and you told them you'd never seen
10 that rain jacket, right?

11 A Correct.

12 MR. MEADORS: No objection.

13 MR. GRIFFIN: Your Honor, we would introduce
14 Exhibit 87 into evidence.

15 THE COURT: Without objection.

16 (PHOTO MARKED AS DEFENDANT'S EXHIBIT NUMBER 87 WAS
17 RECEIVED INTO EVIDENCE.)

18 MR. GRIFFIN: Can I put it up here?

19 (Break in proceedings.)

20 Q While they're working on that, Ms. Smith, did anyone
21 speak to you over lunch about your testimony?

22 A No.

23 Q Did you talk to any SLED agents or anybody at the AG's
24 Office?

25 A No.

1 (Break in proceedings.)

2 MR. GRIFFIN: Thank you, Doug.

3 Q Have you ever seen this rain jacket before?

4 A No.

5 Q Did Alex Murdaugh have that rain jacket with him when
6 he came into the -- Ms. Libby's home on the morning, I
7 believe, a few days after the funeral?

8 A No.

9 Q Okay, and if this photo, Exhibit 41, State's Exhibit
10 41 -- can you see this blue thing wadded up?

11 A Yes.

12 Q If that is, in fact, the photo of the rain jacket that
13 we just looked at, would your testimony be you've never
14 seen that garment folded up in that closet before?

15 A No. The only thing I seen was blue -- I didn't know
16 if it was a raincoat or not. It was balled up.

17 Q So, you -- well, have you ever been in this closet
18 before?

19 A No, I haven't.

20 Q So, you don't know what that is folded up there, do
21 you?

22 A Correct.

23 Q And so if it's this rain jacket, if that's what's in
24 that closet, you've never seen Alex Murdaugh with, with
25 what -- with, with this garment before, have you?

1 A No, I haven't.

2 Q All right. Now just very briefly, I know you've
3 been -- you've been really good here and I know it's been a
4 hard day and we appreciate you being here. The -- that day
5 when you came to work, Mr. Randolph Murdaugh had been put
6 back in the hospital. Isn't that correct?

7 A Yes.

8 Q And that was unusual because he'd just gotten out of
9 hospital, like, a day before, right?

10 A Yes.

11 Q And so it was -- I know it wasn't usual for Alex
12 Murdaugh to come over that night, but this was an unusual
13 day because Mr. Randolph had been put back in the hospital.
14 Would you agree with that?

15 A Yes.

16 Q All right.

17 MR. GRIFFIN: Thank you. That's all of questions I
18 have, Your Honor.

19 THE COURT: Thank you, ma'am. You may step down.

20 THE WITNESS: Thank you.

21 (The witness exited the stand.)

22 THE COURT: You may call your next witness.

23 MS. GOUDE: The State calls Kristin Moore.

24 The witness, KRISTIN MOORE, was first duly sworn and
25 testified as follows:

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

3 THE WITNESS: Kristin Moore, M-o-o-r-e.

4 DIRECT EXAMINATION

5 BY MS. GOUDE:

6 Q Good afternoon.

7 A Good afternoon.

8 Q Could you tell the jurors where you work?

9 A I work for the South Carolina Law Enforcement
10 Division.

11 Q And, Agent Moore, you might need to pull that
12 microphone a little and speak up so we can hear you, make
13 sure we hear you out here. Thank you. And what do you do
14 with SLED?

15 A I'm a Special Agent assigned to the Crime Scene Unit.

16 Q And did you have an occasion to become involved in the
17 investigation of the murders of Paul and Maggie Murdaugh?

18 A Yes, ma'am, I did.

19 Q Were you involved in an execution of a search warrant?

20 A Yes, ma'am.

21 Q And where was that search warrant executed?

22 A At 2175 Yemassee Highway in Varnville, South Carolina.

23 Q And do you know what that residence was or is?

24 A It was the residence of Alexander Murdaugh's mother.

25 Q And who was there when you executed the search

1 warrant?

2 A Several SLED agents were on scene, as well as family
3 members.

4 Q What were you looking for when you searched the
5 residence?

6 A We were advised that we were looking for a blue in
7 color tarp-like material.

8 Q And what areas of the residence did you search?

9 A We searched the entire interior of the residence.

10 Q Let's talk about the north bedroom of that residence.
11 Do you recall what you located in that bedroom?

12 A We located a blue tarp inside the closet in the north
13 bedroom on the second floor.

14 (Break in proceedings.)

15 Q Agent Moore, I'm going to show you what has been
16 marked as State's Exhibit 224. Do you recognize what's in
17 that picture?

18 A Yes, ma'am, I do.

19 Q Is that a fair and accurate representation of what you
20 found in the north bedroom closet?

21 A Yes it is.

22 MS. GOUDE: Your Honor, at this time the State would
23 move State's 224 into evidence.

24 MR. GRIFFIN: No objection.

25 THE COURT: It's admitted.

1 MS. GOUDE: Permission to publish.

2 THE COURT: Yes.

3 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 224 WAS
4 RECEIVED INTO EVIDENCE.)

5 Q Agent Moore, could you describe for the jurors what
6 you found in that picture?

7 A That is the blue tarp that we located inside the
8 bedroom in the -- inside the closet inside the bedroom.

9 Q What was that tarp located in?

10 A A storage container.

11 Q Were there any items in the storage container?

12 A There were miscellaneous dishes underneath the tarp.

13 Q After you found the tarp, did you continue searching
14 the residence?

15 A Yes, ma'am, we did.

16 Q And what else did you find?

17 A We located a blue raincoat in the coat closet on the
18 second floor.

19 Q I'm going to show you what's previously been entered
20 as State's Exhibit 223. Do you recognize that photo?

21 A Yes, ma'am, I do.

22 Q Okay. Let me put that on the screen so the jury can
23 see. Could you point out that closet for us?

24 A It's at the top of the photo on the right-hand side.
25 So, the door immediately above the stairs leads to an attic

1 area, and the door to the right of it is the coat closet.

2 Q So, not this door right here at the very top of the
3 stairs. The next door is the closet we're talking about.

4 A That's correct.

5 Q Okay, and I'm going to show you State's 414. Do you
6 recognize that picture?

7 A Yes, ma'am, I do.

8 Q Okay, and what are we looking at here?

9 A That is a picture of the interior of the coat closet.

10 MS. GOUDE: Your Honor, at this time I move State's
11 414 into evidence.

12 MR. GRIFFIN: No objection.

13 THE COURT: It's admitted.

14 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 414 WAS
15 RECEIVED INTO EVIDENCE.)

16 Q Now, Agent Moore, if you could, could you point out
17 the blue raincoat or tarp-like material that you found in
18 this picture?

19 A It's in the back of that photo behind the white box
20 towards the bottom.

21 Q And if you don't mind, would you mind stepping down
22 and pointing that out to the jurors?

23 A Yes.

24 Q Would you come down to the big TV?

25 A Yes.

1 Q So, that's how you found the raincoat.

2 A Yes, ma'am, it is.

3 Q Jammed down in that closet.

4 A Yes, ma'am.

5 Q And if you look at this picture, it appears there are
6 other items of clothing that are hanging up?

7 A Yes, ma'am, there was.

8 Q But the raincoat is balled up down there.

9 A That is correct.

10 Q And what did you do when you located that raincoat?

11 A We documented it with photographs, and then we
12 collected it in a brown paper bag, which was dated, sealed,
13 and initialed.

14 Q I'm going to show you State's 225, which I believe the
15 defense has an objection to.

16 MR. GRIFFIN: Your Honor, if this is the raincoat,
17 it's already in evidence. The photo of the raincoat is in
18 evidence. I don't know why we need another photo, but we
19 do object to any testimony about the seizing the blue
20 raincoat and anything beyond that based upon my earlier
21 statements to the Court.

22 THE COURT: And a response?

23 MS. GOUDE: Your Honor, this agent is testifying to
24 what she retrieved from the closet, and I believe this is a
25 picture of her retrieving that item.

1 THE COURT: The objection is overruled.

2 Q So, Agent Moore, do you recognize what's in this
3 picture?

4 A Yes, ma'am, I do.

5 Q And this is a true and accurate depiction of what you
6 recovered from that closet?

7 A Yes, ma'am, it is.

8 MS. GOUDE: Your Honor, at this time I would move
9 State's 225 into evidence.

10 THE COURT: Objection?

11 MR. GRIFFIN: Same objection.

12 THE COURT: It's admitted over objection.

13 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 225 WAS
14 RECEIVED INTO EVIDENCE.)

15 Q All right, and, Agent Moore, if you could, tell us
16 what's in this picture, State's Exhibit 225.

17 A That is a photo of the blue raincoat that I collected.

18 Q And this will be State's Exhibit 226. Without opening
19 this, can you tell us what's in this item, State's Exhibit
20 226?

21 A Based off of the item number, lab number, and my
22 initials, this would be the blue raincoat.

23 MS. GOUDE: Your Honor, the State would move State's
24 226 into evidence.

25 MR. GRIFFIN: Objection. Relevance.

1 THE COURT: Any response?

2 MS. GOUDE: Your Honor, this is the purported raincoat
3 that was recovered from the closet.

4 THE COURT: It's admitted.

5 (RAINCOAT MARKED AS STATE'S EXHIBIT NUMBER 226 WAS
6 RECEIVED INTO EVIDENCE.)

7 Q All right, and when you recovered that raincoat, what
8 did you -- did you do anything with it besides photograph
9 and collect it?

10 A Not on that date. We transported it back to the SLED
11 forensics services laboratory.

12 Q And now in the closet where you found that raincoat,
13 were there any guns?

14 A No, ma'am.

15 Q Okay. Were you involved in any of the processing of
16 the raincoat?

17 A Yes, ma'am, I was.

18 Q And what part were you involved in?

19 A On October 7, 2021, I went to Forensic Services
20 Laboratory. I met with SLED serology personnel to document
21 and do additional processing on the raincoat.

22 Q And what processing did you take part in?

23 A It was documented with photographs. The stains on the
24 raincoat were then documented with scale tape and labeled,
25 photographed again. SLED Serology Department then tested

1 the stains with phenolphthalein, which is a presumptive
2 test for the presentence of suspected blood; all testing
3 with phenolphthalein was negative. We then used an
4 alternate light source to look for any latent stains on the
5 raincoat. We observed an additional stain and documented
6 it with photographs as well as scaled it. Then it was
7 tested with phenolphthalein as well, and it was negative.
8 We then used Leucocrystal Violet, LCV, which is also
9 presumptive test for the presence of suspected blood, and
10 it was negative also.

11 Q All right. As far as your involvement in the
12 raincoat, does that pretty much sum it up for us?

13 A Yes, ma'am, it does.

14 Q All right.

15 MS. GOUDE: Thank you, Agent Moore. Please answer any
16 questions from the defense.

17 CROSS-EXAMINATION

18 BY MR. GRIFFIN:

19 Q Good afternoon, Agent Moore.

20 A Good afternoon.

21 Q The -- so I understand it, you went to Alameda, Ms.
22 Libby Murdaugh's home, to execute a search warrant. Is
23 that correct?

24 A Yes, sir, it is.

25 Q And what was the day, September --

1 A September 16, 2021.

2 Q September 16, 2021, and you were looking for a blue
3 tarp.

4 A We were advised that we were searching for a blue
5 tarp-like material.

6 Q Okay, and you found a blue tarp. Is that right?

7 A Yes, sir.

8 Q And in that blue tarp, there were dishes wrapped up in
9 that blue tarp, right?

10 A No, sir, no dishes were wrapped in the blue tarp. It
11 was folded on top of the dishes.

12 Q Okay. So, you seized the blue tarp, right?

13 A Yes, sir.

14 Q And did you do any testing of the blue tarp to see if
15 there was blood?

16 A No, sir. I did not do any testing on the blue tarp.

17 Q Do you know anyone who did any testing on the blue
18 tarp?

19 A I'm unaware of any testing done on the blue tarp.

20 Q You seized this rain jacket in here in this box. Is
21 that correct?

22 A Yes, sir, it is.

23 Q And back at the lab, you did some presumptive testing
24 where you sprayed it with Phenol first?

25 A Phenolphthalein was first utilized, yes, sir.

1 Q And Phenolphthalein is a presumptive test for blood,
2 meaning, you know, it can test positive but it not
3 necessarily means it's blood, right?

4 A That is correct.

5 Q And in order to determine whether something that has
6 tested positive with Phenolphthalein, you do another type
7 test to confirm human blood, right?

8 A That is correct.

9 Q But the blue rain jacket never tested positive for the
10 presumptive test using Phenolphthalein, right?

11 A That is correct.

12 Q So, it was negative.

13 A Yes, sir.

14 Q So, after getting negative with Phenol, then you use
15 another product called LCV. Is that correct?

16 A We did. We used an alternate light source first to
17 make sure that we had all stains documented.

18 Q Now, alternate light source is what?

19 A It is a specific wave length of a flashlight, and you
20 use a color filter and then you can see any latent things
21 that you wouldn't be able to see with your naked eye.

22 Q And the alternative light source doesn't tell you
23 whether that's possibly blood or something else, does it?

24 A No, sir, it does not.

25 Q So, you use that alternative light source and you

1 identified some area, and is that the area you tested with
2 LCV?

3 A We tested the entire raincoat with LCV.

4 Q The entire raincoat. Okay.

5 A Yes, sir.

6 Q And again, that's presumptive test like
7 Phenolphthalein.

8 A Yes, sir.

9 Q And that tested negative.

10 A That is correct.

11 Q Okay, and -- so, there's no more blood testing done of
12 the rain jacket, right?

13 A I was not involved in any further processing of the
14 raincoat.

15 Q Do you know if that LCV that you sprayed on that
16 entire shirt has turned the rain jacket in that box
17 completely violet?

18 A I have not seen the raincoat since the processing was
19 done on October 7th of 2021.

20 Q Okay. What size is this rain jacket?

21 A I could not tell you the exact size of the raincoat.

22 Q Well, would you agree with me that the records
23 indicate it's a large?

24 A Yes, sir, it's a larger jacket.

25 Q Well, the size being large. Do you know if it's a

1 large? That's the size?

2 A I do not recall the size.

3 MR. GRIFFIN: Do you mind if she opens it up? Your
4 Honor, do you mind if the witness opens the box up and
5 let's see what size the rain jacket is?

6 THE COURT: Any objection?

7 MS. GOUDE: No objection, Your Honor.

8 THE COURT: Okay. You may.

9 (Break in proceedings.)

10 Q All right. Can you tell us what size it is, please?

11 A Yes, sir. I don't see a -- I don't see a tag right
12 here in the front.

13 (Break in proceedings.)

14 Q Okay.

15 A You may want to put gloves on. It has chemicals on
16 it.

17 Q I don't want to touch it then. Okay. Do you mind
18 standing up in front of the jury and show them how large it
19 is?

20 A (Witness complies.)

21 Q Thank you. Is it a poncho style rain jacket?

22 A Yes, sir, it appears that way.

23 Q All right. Thank you. Do you know if that rain
24 jacket, or photos of that rain jacket were shown to any
25 member of the Murdaugh family to see if they recognized it?

1 A I am unsure.

2 Q Okay. You did not then, did you?

3 A No, sir, I did not.

4 Q Did you show that photo or a picture, excuse me, the
5 photograph, the rain jacket -- let me scratch that. Did
6 you show Ms. Shelley Smith the rain jacket or a photo of
7 the rain jacket?

8 A No, sir, I did not.

9 Q Do you know of any SLED agent who did?

10 A I do not.

11 MR. GRIFFIN: One second, Your Honor.

12 (Break in proceedings.)

13 MR. GRIFFIN: That's all the questions I have, Your
14 Honor.

15 THE COURT: Any further questions?

16 MS. GOUDE: Briefly, Your Honor.

17 REDIRECT EXAMINATION

18 BY MS. GOUDE:

19 Q All right, Agent Moore, what happened to that tarp or
20 rain coat? Where is it? Is it back in this box?

21 A Yes, ma'am.

22 Q Okay. All right. State's Exhibit 226, this is the
23 raincoat you collected from that closet at Almeda?

24 A Yes, ma'am, it is.

25 Q Now when you collected it, did it have, like, this

1 tape here on the raincoat where we can -- you know, the
2 white tape with the letters on there?

3 A No, ma'am, I placed that on there.

4 Q So, that was done during processing?

5 A Yes, ma'am, it was.

6 Q And we've been talking about a raincoat, but this
7 isn't -- is this what you would normally think a raincoat
8 would look like?

9 A No, ma'am.

10 Q This is rather large for a raincoat?

11 A Yes, ma'am.

12 Q Okay. When you found it, it was balled up like this?

13 A That is correct.

14 MS. GOUDE: No further questions of this witness, Your
15 Honor.

16 THE COURT: Anything further?

17 MR. GRIFFIN: Nothing, Your Honor.

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

19 (The witness exited the stand.)

20 THE COURT: You can call your next witness.

21 MR. FERNANDEZ: The State calls William McElveen.

22 THE witness, WILLIAM MCELVEEN was first duly sworn
23 and testified as follows:

24 THE CLERK: Take a seat in the witness stand. State
25 your name again. Spell your last name.

1 THE WITNESS: My name is William McElveen.

2 DIRECT EXAMINATION

3 BY MR. FERNANDEZ:

4 Q Mr. McElveen, how are you doing today?

5 A Doing well. How are you?

6 Q Doing well. If you would, tell the jury a little bit
7 about yourself. Where did you grow up and where did you go
8 to school?

9 A I grew up in Columbia, South Carolina, and I went to
10 AC Flora High School. I went to the Citadel after high
11 school, graduated there in 2017. Went to get my master's
12 at Clemson, graduated in 2018. Moved back to Charleston,
13 worked for a CPA firm for awhile, and now I'm in finance
14 for a home builder.

15 Q For where, sorry?

16 A For a home building company.

17 Q And where do you -- what area generally do you
18 currently live?

19 A I live in Charleston now.

20 Q Mr. McElveen, you were -- were you friends with Paul
21 Murdaugh?

22 A I was good friends.

23 Q All right. Well, tell us a little bit about when
24 y'all first met.

25 A So, I lived in Edisto Beach every summer with my

1 granddad and -- when I was growing up, and he was in Edisto
2 all the time, so we just became close. Edisto is a small
3 town. Not many young people live there, so the young
4 people sort of stick together. We both loved fishing,
5 hanging out, so we just became good friends through that.

6 Q So, you would spend the summers in Edisto?

7 A That's correct, yes.

8 Q And what kind things would you do throughout those
9 summers?

10 A Just hang out, work, fish.

11 Q What kind jobs did you get?

12 A I worked multiple jobs there for five-ish summers.
13 Worked marina a good bit, a restaurant called the Sea Cow.
14 I worked at a reality company as an inspector and at the
15 Bi-Lo as well.

16 Q Okay, and I think you just said that you met Paul
17 about the high school years?

18 A That's correct.

19 Q Okay. Tell us a little bit about your friendship.
20 How did it this start? How did it kind of evolve?

21 A It started just kind of common interests in fishing
22 and hanging out. And then he was just a really fun guy, so
23 we just got more and more -- and I started going to Moselle
24 and hanging out with his whole family. They kind of took
25 me in, and it just evolved from there.

1 Q So, did you get to know him pretty well?

2 A Yes, I did.

3 Q Did you get to know his family fairly well?

4 A Yes, I did.

5 Q Tell us a little bit about Paul.

6 A Paul was just a really fun guy. He was just like the
7 life of the party kind of guy. Everybody that really knew
8 him loved him. I don't know, just a great guy, a very
9 loyal friend. The kind of guy that's always there when you
10 need him.

11 Q So, he was -- if you reached out and needed something,
12 he --

13 THE COURT: Hold on. Can you pull your chair a little
14 closer to the mic, please?

15 MR. FERNANDEZ: You might have to pull that mic closer
16 to your mouth. Just try to speak into the microphone.

17 THE WITNESS: Okay.

18 Q So, was he sort of a responsive friend, meaning if you
19 reached out to him, would he respond back?

20 A Yes, he was very responsive.

21 Q And how did you primarily communicate with him, what
22 means?

23 A Cell phone normally.

24 Q Phone calls or texts?

25 A A little bit of both, but mostly phone calls. He was

1 a big phone caller.

2 Q Well, I guess that -- tell us a little bit about
3 Paul's cell phone use. Did he like to use his cell phone?

4 A He did like to use his cell phone.

5 Q How would you describe it, his use of cell phone?

6 A He used his cell phone a lot. Kind of like every time
7 we had a road trip or anything like that, he would use it
8 to call all of his friends and just check in on everybody.
9 He would speak with almost all of his friends. We would
10 get a phone call from him almost every day, and then he
11 would text a lot, Snapchat, that kind of stuff.

12 Q Was he on his phone quite a bit?

13 A Yes.

14 Q To the point where it was -- was it very noticeable to
15 his friends?

16 A Yes.

17 Q Did you ever have a -- did you have an opportunity to
18 get to know Maggie Murdaugh?

19 A Yes, I did.

20 Q All right. Well, tell us about her. What was your
21 observations about her, your -- whatever friendship y'all
22 had.

23 A She was just a super sweet, sweet lady. She kind of
24 always trusted Paul when he was with me because she would
25 know he was staying out of trouble. She just treated all

1 of Paul's friends like they were her kids. She was just a
2 very nice lady.

3 Q And did she approve of you hanging out with Paul?

4 A Yes.

5 Q Okay. Tell us about that.

6 A About what? Sorry?

7 Q Well, did she ever comment to you about how she liked
8 you hanging out with Paul?

9 A Yeah, she did.

10 Q And did you have an opportunity to get to know Alex
11 Murdaugh?

12 A I did.

13 Q All right, and what were your perceptions of him?

14 A Kind of the same way with the rest of the family: just
15 took everybody in, all of Paul's friends. He was kind
16 of the dad of all of our friend group. It was same way
17 with the rest of the family, yeah.

18 Q Is he here today?

19 A Yes.

20 Q Would you identify him?

21 A Yes. He's in the brown jacket.

22 Q Thank you. Did you ever get to go out to the family
23 property on Moselle?

24 A Yes, I did.

25 Q How often would you -- have you been out there

1 visiting?

2 A Probably thirty or forty times.

3 Q Okay. Did you spend the night when you went out
4 there?

5 A Yes, normally.

6 Q Tell us a little bit about the property. What kind of
7 things would y'all do out there?

8 A Did a lot of hunting. Also probably more than
9 hunting. Just hanging out, you know, just enjoying each
10 other's company, hanging out.

11 Q So, you said about what, thirty or forty? Is that
12 what you said?

13 A That's correct.

14 Q If you would, please, speak up a little bit. It's
15 Okay, and out at the property, was there a main house
16 location?

17 A There was, yes.

18 Q All right. Was there a secondary location for kennels
19 and a shed?

20 A Yes, there was.

21 Q All right. Did you spend much time out at that
22 secondary location?

23 A A good bit, yeah.

24 Q All right. Describe that area for us, if you would.
25 What was out there, and what would you do out there?

1 A So, it's like a big shed hangar that the side comes
2 out. We would all hang out over there, and there's the dog
3 kennels. And then a few years back they built the shed
4 across from the hangar. It was just a good place to get
5 away from the main house. We'd just hang out and talk.

6 Q If you all were visiting -- if you were visiting
7 Moselle, would you spend most of your time hanging around
8 that shed, the hangar area?

9 A Depends. For large groups, we would have people over
10 there more often. If it was just me and Paul and the
11 family, we would just hang out at the house.

12 Q You mentioned kennels. Were there a number of dogs on
13 the property?

14 A There were, yes.

15 Q Okay. Did you -- do you remember them?

16 A Yes.

17 Q Okay. Tell us about the dog you remembered and --
18 well, first of all, were there kind of -- two different
19 kinds of dogs between family dogs or working dogs?

20 A Yes.

21 Q Okay. Did you get to know any of the family dogs?

22 A Yes.

23 Q Who were they? Tell us about those dogs.

24 A Bubba is a yellow lab, and then Bourbon, a brown lab,
25 and then Brady is a black lab. And they were all pretty

1 relaxed, would hang out around the house mostly, but I
2 don't know. They were just good dogs.

3 Q Did they -- and when you slept over there, did the
4 dogs sleep at the house location, the main house?

5 A Yes, they did. The family dogs did, the labs.

6 Q The family dogs.

7 A Yes.

8 Q And then there were some working dogs that -- where
9 would they stay, the working dogs?

10 A They would stay in the kennels by the shed.

11 Q Let me ask you the location. So the Moselle location,
12 when you started going there, did it have one or two
13 entrances and exists?

14 A Two entrances.

15 Q Okay, and describe the two entrances.

16 A So, one was the main entrance that was -- had the
17 brick pillar outside, and that would just kind of, like, go
18 to the house. Not really pass anything. Go through some
19 trees. The other entrance would be next to the cabin right
20 behind the shed, and that entrance would kind of go
21 multiple ways when you go in there, but that passes by the
22 cabin and the sheds, and then goes to the house as well.

23 Q And would that entrance, is that where the mailbox was
24 located?

25 A I believe -- I can't remember where the mailbox is. I

1 believe that was at the pillars at the main entrance maybe.

2 Q Is that the location near the dog kennels, that second
3 exit we're talking about?

4 A Yes.

5 Q Was there one exit that was used more often than the
6 other?

7 A We probably more often used the one by the sheds.

8 Q Have you ever -- if there was ever a time when someone
9 was leaving the house and you all were down at the kennels,
10 what was the normal course of action for that person,
11 whether it was Mr. or Ms. Murdaugh?

12 A Say that again.

13 Q If anyone was leaving the house or coming back and you
14 all were down at the shed area, the kennel area, what was
15 the normal course of action for Mr. and Ms. Murdaugh if
16 they were leaving the house and exiting and you were down
17 there?

18 A Typically they would come and check on us and drive by
19 and just say hey.

20 Q That was normal?

21 A I would say it's normal, yes.

22 Q Did you -- with Paul, were you guys close enough where
23 you shared your location with each other?

24 A We did quite a lot.

25 Q Tell us what that means. Is this an Iphone?

1 A Yeah. It's the app on Find My friends on Iphone.

2 Q And what does it mean to actually share your location
3 to anyone?

4 A It just means at any point in time, you can open your
5 phone and see where all of your friends are and pinpoint
6 their exact location.

7 Q Did you do that with many people?

8 A Probably five or ten.

9 Q Do you know if Paul did that with many people?

10 A I don't think Paul did it with many people, no.

11 Q When you spent time down at the hangar and the
12 kennels, was it common for firearms to be stored down there
13 or left down there?

14 A Not common, no.

15 Q In those times you said you'd been out there about
16 thirty or forty times, did you -- I mean, how would you
17 explain common? Was it -- was it something that you would
18 frequently see or not frequently?

19 A I can't remember a time I've seen firearms left at the
20 sheds.

21 Q When is the last time you saw Paul Murdaugh?

22 A June 5th, I think, two days before.

23 Q That weekend before the Monday --

24 A Yes.

25 Q -- June 7th?

1 A Yes.

2 Q Tell us about that weekend.

3 A I can't remember much. We were hanging out at my
4 friends' houses. I think we went to a bar called the Wind
5 Jammer in Charleston, but I don't remember much from the
6 weekend.

7 Q Did you see him on Sunday?

8 A I don't think I saw him on Sunday, no.

9 Q Did he stay at your house that weekend?

10 A I don't think so. My friends and I were talking about
11 that and we can't remember if it was my house or one of my
12 other friend's houses.

13 Q Would Paul commonly stay at -- when he was visiting
14 Charleston, would you crash at people's houses?

15 A Yes. He normally stayed at our house.

16 Q But you don't remember if that particular time he did
17 or not?

18 A I don't remember.

19 Q How were you kind of told about the murders? How did
20 you find out?

21 A So, I missed a few calls in the middle of the night
22 that, that I didn't wake up to. The next morning my
23 roommate came to my room and told me.

24 Q And your roommate is who?

25 A Frank Chapman.

1 Q And he told you what happened?

2 A Yes.

3 Q Did you make it out to the property at all?

4 A Yes. The next day I went out to the property.

5 Q So, the 8th of June?

6 A Yes.

7 Q And walk us through what happened out there when you
8 made it to the property. Where did you go?

9 A We just went to the main house and just went to see
10 the family and just be with everybody.

11 Q A lot of friends and family were there?

12 A A good bit of friends and family, yes.

13 Q Did you attend the funeral as well?

14 A I did, yes.

15 MR. FERNANDEZ: Beg the Court's indulgence.

16 (Break in proceedings.)

17 MR. FERNANDEZ: No further questions, Your Honor.

18 THE COURT: By the defense?

19 CROSS-EXAMINATION

20 BY MR. GRIFFIN:

21 Q Good afternoon.

22 A Afternoon.

23 Q Mr. Mcelveen, where are you from originally?

24 A I'm from Columbia, South Carolina.

25 Q Okay, and are you friends with Wills Chapman and Frank

1 Chapman and Will Loving --

2 A I am, yes.

3 Q -- and that crowd? Okay, and so you met with Paul, I
4 take it, down at Edisto with the Columbia group?

5 A Yep.

6 Q And you became really good friends of Paul's, correct?

7 A Correct.

8 Q And I think you described him as a loyal friend, did
9 you not?

10 A Correct.

11 Q And you became close not only to Paul but to the
12 entire Murdaugh family, right?

13 A Correct.

14 Q You know, there are houses that kids, teenagers, young
15 adults congregate at their parents' house. Was the
16 Murdaugh house at Edisto one of those houses where people
17 would congregate?

18 A It was, yes.

19 Q And you spent a lot of time at Edisto there in the
20 summers?

21 A I did, yes.

22 Q And you spent time around Alex and Paul and Buster and
23 Maggie. Is that correct?

24 A That's correct.

25 Q And how would you describe Alex's relationship with

1 Paul?

2 A They had a very good relationship; they were kind of
3 best friends in a way.

4 Q They were close?

5 A Very close.

6 Q And how -- from your observations, how would you
7 describe Alex's relationship with Maggie?

8 A From everything I've seen it was great, too.

9 Nothing -- I've never seen anything negative.

10 Q Right, and they liked for Paul to be -- hang around
11 you and -- right?

12 A That's correct.

13 Q I mean, I think you were asked about that. You strike
14 me as someone who's very responsible. Did they like that
15 about you you think?

16 A They did. I think so.

17 Q And you strike me as someone who, if you're down at
18 Moselle, would not leave guns laying around. You wouldn't
19 do that, would you?

20 A Probably not, no, sir.

21 Q So when you were with Paul, you know, hunting, you
22 were responsible enough to be sure that guns got put away
23 properly, correct?

24 A Correct.

25 Q You were asked about some of their dogs. Actually,

1 Paul had a puppy, did he not?

2 A He did.

3 Q Do you have that puppy now?

4 A I do.

5 Q What's his name?

6 A His name is Goose.

7 Q How is he doing?

8 A He's doing great.

9 Q Glad to hear that. And you described the three labs:
10 Bubba, the yellow lab; Bourbon, the brown lab; and Brady
11 the black lab.

12 A That's correct.

13 Q And when you were at Moselle, these were family dogs
14 and they stayed up at the residence?

15 A That's right.

16 Q And up at the residence they had an invisible electric
17 fence around the house, correct?

18 A I didn't know about it, but possibly so.

19 Q Okay. Well, was Bubba a handful and just take off
20 sometimes?

21 A Sometimes.

22 Q Right, and you don't know -- when was the last time
23 you were at Moselle?

24 A I can't remember.

25 Q Was it in 2021?

1 A Most likely.

2 Q Okay. Were the dogs there?

3 A I can't remember.

4 Q When you heard that Paul had been murdered, did Will
5 Loving come down to your house in Charleston, or was it
6 another friend's house?

7 A Will went to another friend's, but I think he came to
8 our house later in the day, but we had a group at our house
9 as well.

10 Q And then you went to Moselle?

11 A The next day we went to Moselle.

12 Q Would that have been on that Wednesday? The murders
13 were Monday night, you know, late.

14 A So, I guess that Wednesday we went to Moselle.

15 Q So, not the Tuesday but the Wednesday.

16 A I believe that's correct.

17 Q And who all went with you?

18 A I think Frank Chapman went with me, and that might be
19 it.

20 Q And who was there when you got there? Well, were any
21 other of Paul -- were any -- any other friends of Paul
22 there when you got there?

23 A Rogan was there and Nolen was. There might have been
24 --

25 Q And what was --

1 A There might have been a couple of more, but I'm not
2 sure.

3 Q Okay. What was Alex Murdaugh's demeanor when you saw
4 him?

5 A Just sad, crying.

6 Q Did y'all hug?

7 A We did hug, yeah.

8 Q I mean, did he -- he was crying?

9 A Yes.

10 Q And did you go back over to Moselle after the funeral?

11 A Yes, I did.

12 Q Were there a bunch of Paul's friends there?

13 A There were, yes.

14 Q And can you tell me, was Alex, was he still crying,
15 hugging all of Paul's friends?

16 A He was still crying. There were so many people there
17 that it was kind of a line to see him, but from the little
18 bit I saw him, yes.

19 MR. GRIFFIN: One second, Your Honor.

20 (Break in proceedings.)

21 MR. GRIFFIN: I don't have anything further.

22 THE COURT: Anything further?

23 MR. FERNANDEZ: Nothing, Your Honor.

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

25 (The witness exited the stand.)

1 THE COURT: We'll take a fifteen minute break. I'm
2 addressing the jury, a fifteen minute break.

3 (The jury left the courtroom.)

4 (A break was taken.)

5 THE COURT: Anything before the jury comes?

6 MR. WATERS: Beg the Court's indulgence for one
7 moment.

8 (Break in proceedings.)

9 MR. HARPOOTLIAN: Your Honor, we're attempting to
10 resolve -- this shouldn't be a complicated issue but Mr.
11 Waters and I are dealing with a complicated issue. I
12 apologize.

13 (Break in proceedings.)

14 MR. HARPOOTLIAN: Your Honor, Mr. Waters and I have
15 agreed, with some consternation on his part, to this
16 charge. And, of course, obviously this is a suggestion to
17 you; we're just suggesting to you. Obviously you have the
18 authority to modify --

19 THE COURT: All right.

20 Mr. Waters?

21 MR. WATERS: I mean, certainly, Your Honor, I don't
22 know if Your Honor has another instruction that you prefer,
23 you know. I probably would do the language just a little
24 different in that particular one, but I think fundamentally
25 the principles are accurate. I do think that the next to

1 the last sentence is superfluous because that's already
2 said, but I think that's fine. In the end, I don't think
3 there's too much that we have an issue with that particular
4 charge.

5 MR. HARPOOTLIAN: And, Your Honor, one matter -- other
6 matter before we bring the jury in, if you want me to do it
7 now?

8 THE COURT: Yes, sir.

9 MR. HARPOOTLIAN: The State intends on introducing
10 through --

11 Is it this witness or another witness? There's a GSR
12 person, a specific GSR person?

13 MR. WATERS: That's correct. It will be the witness
14 after this one.

15 MR. HARPOOTLIAN: Evidence of GSR, gunshot residue on
16 that blue jacket. We would object to any such testimony.
17 Under a 403 analysis, the prejudice outweighs the
18 probative, and I'm struggling to find out and figure out
19 what the probative is. I think it's factually driven, and
20 I think the State needs to give you some sense of what it
21 proves.

22 The jacket, I might point out, no one has put in the
23 hands of the defendant. And the tarp that they found, they
24 never tested for GSR, blood, DNA, and everyone says tarp.
25 That's a jacket, and I don't know how you connect it to the

1 defendant. If the prejudice far outweighs any probative
2 value and it's not been connected to him, even
3 circumstantially not connected to him -- the only witness
4 to it is Ms. Shelley. I talked to her a couple of times.
5 Indicated that was not what he had in his hands, and she's
6 never seen it before and never seen it with him. So, Your
7 Honor, we would object under a 403 analysis.

8 THE COURT: Yes, sir.

9 MR. WATERS: Yes, Your Honor. I think if you listened
10 to the testimony of Ms. Smith in totality, first of all she
11 identified a picture where she said, yeah, that looks like
12 what it was. It was balled up. And that picture, of
13 course, was then identified by Ms. Moore as where they
14 recovered the actual raincoat, which, of course, she was --
15 is a very, very large raincoat and very easily could be
16 identified as a tarp.

17 I think any issues that Mr. Harpootlian wants to make
18 he could certainly argue those to the jury, but the
19 connection has been established between Ms. Smith and that
20 particular raincoat in looking at the picture and saying
21 that's -- yeah, that looks like what I saw.

22 Additionally with that other tarp, she also testified
23 that there was no silver on that tarp. And if you look at
24 the picture of that other tarp, it's half blue and half
25 silver, so it's a very --

1 THE COURT: Which other tarp?

2 MR. WATERS: There was -- I think -- and I would have
3 to go find the exhibit. Stand by for me real quick, Your
4 Honor.

5 (Break in proceedings.)

6 MR. WATERS: So, Your Honor, I can put them up on the
7 ELMO or hand them up, whichever you prefer. But we have
8 State's Exhibit 224, and this was a tarp you can see with a
9 lot of silver on it. But State's Exhibit 411, Ms. Smith
10 identified as that's what it looked like. You can see that
11 balled up thing right there, and that is ultimately the
12 rain jacket, which, as you saw, particularly on redirect
13 with Ms. Goude, you know, this is extremely large. Very
14 easily could look like a tarp, and when she balled it up,
15 Ms. Smith said, yeah, that's what it looked like. So, I
16 think there's been enough of a nexus established as to the
17 probative value.

18 And what you will, of course, hear is, is that -- from
19 the GSR experts is that very high levels of GSR were found
20 within the inside, the inside of that blue rain jacket,
21 which again is this big and very, very long -- again,
22 Mr. Harpootlian can argue to the jury whatever inferences
23 he wants to, but I think the State has established enough
24 of a nexus to not only make it relevant, but to make its
25 probative value not substantially outweighed by the danger

1 of unfair prejudice.

2 MR. HARPOOTLIAN: Your Honor, I would note that I
3 think he either misunderstood or is misquoting what
4 Ms. Smith said. She said -- she was shown that photo. She
5 said it's the same color or like the same color. She never
6 ever, ever said that's what I saw him with as he came
7 through the door. He put -- and by the way, she found the
8 tarp. That couldn't be the tarp because the tarp was found
9 downstairs across a chair, which is what she said he walked
10 in with, so the tarp in the box obviously isn't it. And, I
11 mean, she said the tarp that he came in with was the one
12 that was on the chair when he came down, not the coat. All
13 she ever said was that blue coat, that balled up appears to
14 be the same color. No one has ever said that she saw him,
15 or anybody saw him with that jacket.

16 And I would also point out that -- I hate to say this,
17 but I would suspect there are a number of rain jackets in
18 this area of the state that have GSR on them, in them,
19 around them. So, there's no one that says he had
20 possession.

21 All she ever said was -- and, by the way, it was all
22 balled up. All she said was it looks like the same color.
23 And she saw a picture of the rain jacket and that is not
24 what he was carrying when he came in.

25 THE COURT: All right, the item is in evidence. The

1 witness testified as to the location of the item of
2 evidence and where she believed that it was placed by the
3 defendant. It's in evidence. Obviously the State contends
4 that it has some inculpatory evidence on it. This is a
5 circumstantial case and circumstantially proof can, may be
6 offered from that on the issue of whether or not the
7 gunshot residue, or whatever it might be, can be traced to
8 the defendant. And I overrule the objection and find
9 it's -- the evidence offered is more probative than
10 prejudicial, though I do not believe a probative versus
11 prejudicial analysis is required on this issue, but to the
12 extent that it is, I find that it's more probative than
13 prejudicial and I deny the motion to prevent the State from
14 offering testimony.

15 MR. HARPOOTLIAN: Respectfully, Your Honor, we except
16 to Your Honor's ruling.

17 THE COURT: Yes, sir.

18 Bring the jury.

19 (The jury returned to the courtroom.)

20 THE BAILIFF: The jury is present, sir.

21 THE COURT: Thank you.

22 The next witness, State's next witness.

23 MR. JAMES: Johnny James for the State. The State
24 calls Natasha Moodie.

25 The witness, NATASHA MOODIE, was first duly sworn and

1 testified as follows:

2 THE CLERK: Take a seat in the witness stand. State
3 your name again for the record and spell your last name.

4 THE WITNESS: My name is Natasha Moodie. Last name
5 M-o-o-d-i-e.

6 DIRECT EXAMINATION

7 BY MR. JAMES:

8 Q I had spelled it wrong on my paper, I'm sorry.

9 Ms. Moodie, where are you from?

10 A Jacksonville Florida.

11 Q Where do you work?

12 A Bank of America, NA

13 Q What do you do for Bank of America, NA?

14 A I'm a consumer resolution associate.

15 Q And what does a consumer resolution associate do?

16 A I manage a portfolio for litigate matters. I appear
17 on behalf of the bank for trials, depositions, mediation,
18 and I also review our business records on a daily base.

19 Q And your business records, were you asked to review
20 business records for Bank of America, NA, in relation to
21 this case?

22 A I did.

23 Q I'm showing you three items labeled for identification
24 as State's Exhibits 415, 416, and 417. Do you recognize
25 these items?

1 A I do.

2 Q And how do you recognize them?

3 A I reviewed them, and I also initialed them.

4 Q And generally speaking, what are these items?

5 A These are documents for this case opening account
6 documents, monthly statements for various accounts, and
7 copies of checks for this account, for various accounts.

8 Q So, are they bank records?

9 A Yes.

10 MR. JAMES: Your Honor, the State moves to introduce
11 Exhibits 415, 416, and 417 into evidence at this time, my
12 understanding with -- subject to any objections from Your
13 Honor's previous ruling today.

14 THE COURT: Yes, sir, Mr. Harpootlian?

15 MR. HARPOOTLIAN: Your Honor, may I confer with Mr.
16 James?

17 THE COURT: Yes.

18 (Break in proceedings.)

19 MR. HARPOOTLIAN: Your Honor, prior to the admission
20 of these records, I would ask you to give whatever
21 cautionary charge you were going to.

22 THE COURT: All right, I'll be happy to.

23 Ladies and gentlemen, evidence, or testimony, is about
24 to be offered that the defendant may have been involved in
25 other criminal activities, and that evidence is not

1 evidence or proof that he committed the offenses charged in
2 the indictments. This testimony has been allowed and is
3 being allowed for the limited purpose of assisting the
4 State in proving motive.

5 You may not consider this evidence for purposes of
6 character of Mr. Murdaugh, nor may you consider this
7 evidence as evidence of his propensity to commit other
8 crimes, or that it is more likely that he committed the
9 crimes with which he is currently on trial. It is being
10 allowed based on the State's representation that it helps
11 explain the defendant's motive to commit the crimes for
12 which he is accused.

13 And you may proceed.

14 Q Very briefly, Ms. Moodie, we had three discs that are
15 now in evidence, so what information is on that first disc?
16 You indicated it was bank records. Do you have any
17 additional information to describe those bank records?

18 A I do, but I don't have the disc in front of me.

19 Q I'm showing you State's Exhibit labeled 415. What
20 records are on that disc?

21 A They are checking account ending -- it involves
22 checking accounts, and I could give you the last four
23 digits of those.

24 Q If you would, please.

25 A Checking account ending in the last four digits is

1 6779. It has account opening documents for that one. The
2 next one is account ending in 7991, and those are account
3 opening documents for that account. And then checking
4 account ending in 7625, and that's account opening
5 documents for that account, and then also monthly
6 statements and supporting documents for all three accounts.

7 Q Thank you. Now showing you State's Exhibit 416,
8 what's on this disc?

9 A These are credit card ending in 9559, and those are
10 monthly statements in that, and account opening application
11 documents.

12 Q And State's Exhibit 417, what's on that disc?

13 A Also another credit card ending in 8591, and these are
14 application of company documents and monthly statements for
15 this account.

16 MR. HARPOOTLIAN: Your Honor, I don't believe these
17 are in evidence, but we would not have any objection to
18 them except as to our previously made objections.

19 THE COURT: Yes, sir.

20 MR. JAMES: The State moves to admit these three
21 exhibits.

22 THE COURT: They are admitted.

23 (DISC WITH BANK RECORDS MARKED AS STATE'S EXHIBIT
24 NUMBER 415 WAS RECEIVED INTO EVIDENCE.)

25 (DISC WITH BANK RECORDS MARKED AS STATE'S EXHIBIT

1 NUMBER 416 WAS RECEIVED INTO EVIDENCE.)

2 (DISC WITH BANK RECORDS MARKED AS STATE'S EXHIBIT
3 NUMBER 417 WAS RECEIVED INTO EVIDENCE.)

4 MR. JAMES: No further questions for this witness,
5 Your Honor.

6 MR. HARPOOTLIAN: No questions.

7 THE COURT: Thank you, Ms. Moodie?

8 THE WITNESS: Moodie.

9 THE COURT: Moodie. You may step down and you're
10 excused.

11 THE WITNESS: Thank you.

12 (The witness exited the stand.)

13 THE COURT: You may call your next witness.

14 MR. MEADORS: May it please Your Honor?

15 THE COURT: Yes.

16 MR. MEADORS: The State would now call Jamie Hall.

17 The witness, JAMIE HALL, was first duly sworn and
18 testified as follows:

19 THE CLERK: State your name for the record; spell your
20 last name, please.

21 THE WITNESS: My name is Jamie Hall, H-a-l-l.

22 DIRECT EXAMINATION

23 BY MR. MEADORS:

24 Q Good afternoon.

25 A Good afternoon.

1 Q Where do you work?

2 A I'm currently employed at the West Columbia Police
3 Department as an evidence custodian.

4 Q How long have you been there?

5 A Since April of 2022.

6 Q Will you please tell the ladies and gentlemen of this
7 jury about Jamie Hall, your background? As personal
8 background as you want to. I'll leave that to you, but
9 specifically your education and background that lead you to
10 law enforcement, please.

11 A Yes, sir. I grew up in the Midlands area of South
12 Carolina, and upon graduating high school I attended
13 Clemson University and obtained my Bachelor's of Science
14 degree in wildlife and fisheries biology. After that I
15 spent a couple of years traveling and working some various
16 jobs. I moved back to the area in 2013 and began looking
17 to start a career, and ended up at SLED in 2015 as an
18 administrative assistant in the Trace Evidence Department
19 in the Forensic Services Laboratory. I was an
20 administrative assistant until 2017 when I began -- became
21 an evidence technician -- or, excuse me, a forensic
22 technician II in the Trace Evidence Lab.

23 Q When did you graduate Clemson?

24 A Sorry, in 2010.

25 Q Okay. So, after you traveled some, you started work

1 at SLED in what year?

2 A 2015.

3 Q Okay. What was your job then?

4 A I was an administrative assistant.

5 Q And what does that mean?

6 A For the Trace Evidence Department, that involved
7 answering phone calls, filing documents, pretty much normal
8 administrative duties.

9 Q And did you further your education or your experiences
10 while you were at SLED in that field?

11 A No, sir. When I became the technician in 2017, that's
12 when I began the in-house training for that career.

13 Q Okay. Tell us about the in-house training when you
14 became a forensic technician.

15 A Yeah. So, that training involved oral and practical
16 examinations in-house and under the supervision of an
17 analyst in which I learned how to properly handle the
18 evidence and process the evidence for potential GSR. I
19 also oversaw some testimonies of some analysts to be
20 familiar with courtroom policies as well. And I took some
21 outside training from Hook College in Chicago as well.

22 Q Hook College in Chicago?

23 A Hook, yes, sir.

24 Q What was that training specifically?

25 A It was training regarding the scanning electron

1 microscopic, which is used for GSR analysis.

2 Q Is that -- the acronym is SEM for that?

3 A SEM, yes, sir.

4 Q And when did you leave SLED?

5 A In March of 2022.

6 Q And do you mind, you are working where now?

7 A At the West Columbia Police Department.

8 Q West Columbia Police Department. And you are their
9 what?

10 A Evidence custodian.

11 Q Now back in June of 2021, you were a forensic
12 technician for SLED.

13 A Yes, sir.

14 Q And special agent forensic technician? How --

15 A No, sir. I was not necessarily an agent or considered
16 law enforcement. I was just the forensic technician II.

17 Q So then in June of 2021, what was your job on a day-
18 to-day basis?

19 A My primary role in the Trace Evidence Department as a
20 forensic technician was to prepare evidence for GSR
21 analysis. That includes GSR kits, as well as inanimate
22 objects that came in for potential GSR testing.

23 Q And we're going to have Ms. Fletcher testify right
24 after you, but what is a GSR kit?

25 A A GSR kit is an envelope that goes out to officers or

1 investigators so that they can collect on scene from a
2 potential suspect's hands, and it involves -- it has all
3 the items they need: gloves so that they can make sure
4 they're not contaminating the subject's hand; and then the
5 little vials that contain the GSR particle lifts with the
6 double-sided adhesive that's used to dab across their hands
7 to pick up any potential GSR.

8 Q So, those are kind of done in the field, if you will?

9 A Yes, sir.

10 Q After a local law enforcement agency uses one of these
11 kits, what happens to it?

12 A When they decided they need it analyzed, they send it
13 to the laboratory, and then when it comes into the
14 laboratory, I prepare it for analysis. So, that involves
15 me making sure it's been properly sealed and initialed,
16 handled properly, the correct kit. There are some -- a
17 variety of kits out there. Our lab has particular kits
18 that we accept, so I confirm that it is an acceptable kit,
19 and I also confirm that it was collected within the allowed
20 timeframe. On a living person, we're touching things all
21 the time and possibly contaminating or removing the GSR, so
22 we do have a six hour time limit on kits collected from
23 individuals.

24 Q So, if a kit comes in to SLED, or your possession, do
25 you check to see if it was collected during that six hour

1 time period?

2 A Yes, sir, I do.

3 Q And how do you do that?

4 A We have what we call an information worksheet included
5 in each GSR kit that the officer fills out that includes
6 the time, or the estimated time that the shooting occurred,
7 as well as the time that the kit was collected.

8 Q I'm going to show you what is marked as State's 13.
9 Can you tell if you were involved with State's 13? And if
10 you can, how can you tell?

11 A Yes, sir. This has the unique SLED lab number and
12 item number, and it also has my initials on the day that I
13 processed it.

14 Q 6/8/21, JEH.

15 A Yes.

16 Q What's the E stand for?

17 A Elizabeth.

18 Q Now, with the Court -- would you open this, please?

19 A Sure. Do you have some scissors?

20 (Break in proceedings.)

21 Q Did you examine State's 13?

22 A Yes, sir. Again, it also has my date and initials
23 from the day that I processed it.

24 Q Your initials, again, JEH?

25 A Yes, sir.

1 Q 6/8/21?

2 A Yes, sir.

3 Q And when you're processing this, tell us again. What
4 are you looking to see? Whether it's -- what's done or
5 not? Just tell us what you --

6 A Okay. So, for a GSR kit I start by what -- using what
7 we call an inventory worksheet, and on that worksheet what
8 I'm doing is confirming the manufacturer of the kit, as
9 well as lot number for the kit. They have lot numbers for
10 quality control purposes to make sure they're not
11 contaminated before they're used for collection, confirming
12 who the kit was collected from, that six hour timeframe.
13 And during that time I also labeled the individual particle
14 lifts inside with the unique lab number, item number, date,
15 and initials for control purposes.

16 Q And I believe a sheet has been entered where a
17 Varnadoe collected this GSR kit from the defendant. Are
18 you aware of that?

19 A Are you referring to the gunshot residue analysis
20 information sheet?

21 Q That's exactly what I'm referring to.

22 A Yes, sir. That's what I would have used to confirm
23 the six hour timeframe.

24 Q Okay, and it's in evidence already. I'm not sure
25 exactly what number, but do you have that copy?

1 A Yes, sir, I do.

2 Q Okay, and this is already -- if you'll trust me, this
3 has already been entered into evidence. Did you use this
4 in examining and determining whether this was collected
5 properly?

6 A Yes, sir, I did. It also has my date and initials on
7 it.

8 Q So, using the form shows these ladies and gentlemen
9 what you do. How you came up and put --

10 A So -- yeah. There's a section here at the bottom, so
11 we have the subject's name from whom it was collected.

12 Q And who is that?

13 A This one says Richard Alexander Murdaugh, as well as
14 the time and date the shooting occurred: 6/7/21, 10:00 p.m.

15 Q And that's information that's gathered at the scene
16 from somebody, right?

17 A Yes, sir. This particular kit says that it was filled
18 out by collecting Officer Brian Vandore (sic). I'm sorry
19 if I messed that up.

20 A That's good enough.

21 Q Go ahead.

22 A And then at the bottom, the collecting officer has
23 also signed and dated that it was collected at -- on 6/7/21
24 at 11:15 p.m.

25 Q And would that 11:15 fit in the time period where

1 you're saying, okay, I can pass this on to be analyzed?

2 A Yes, sir, it's an hour and 15 minutes.

3 Q And so not taking away from what's your job at all,
4 but one of your jobs is just to make sure that's done
5 correctly at that point?

6 A Yes, sir.

7 Q Okay, and then do you inspect the vials, if you will,
8 to make sure --

9 A Yes, sir. I make sure there's nothing out of the
10 ordinary with them. Occasionally you might would have a
11 little crack in the vile, but I've never had anything
12 damaged.

13 Q So, in your opinion these were collected properly and
14 you passed them on for analysis?

15 A To the best of my knowledge, yes, sir.

16 Q Now, were there -- let me ask you this question.
17 Local agencies that you examined items for potential
18 evidence, in this case gunshot residue, how do they get to
19 your -- the lab?

20 A Typically the officers from the local agency submit
21 them through our evidence control department, and once
22 they're submitted that way, that's when they're assigned
23 their unique lab number and item numbers for each piece
24 of evidence. And then based on the type of analysis that
25 that agency requested, we would get notice that it needs to

1 be processed, and so I would pick it up from evidence
2 control and bring it upstairs to the trace lab to begin
3 processing.

4 Q Okay, and is all of that documented from local agency
5 to y'all and where it goes from there?

6 A I can't attest to what the outside agencies do. I
7 believe it probably varies agency to agency, but once it's
8 been logged into our system downstairs, it is tracked
9 throughout the laboratory for every hand that touches it.

10 Q That's kind of what we refer to as the chain, correct?

11 A Yes, sir.

12 Q Chain of evidence?

13 A The chain of custody.

14 Q Chain of custody. Now, did you have some other items
15 or potential evidence in this case that you examined?

16 A Yes, sir, I had several other items.

17 Q Okay. I'm going to show you what's marked State's 418
18 and ask you if you can just identify this, Ms. Hall, and
19 does it relate to your testimony?

20 A Well, I can no longer see my initials. But I did
21 process items that were in Container D, and this is marked
22 with Container D for this case number, yes, sir.

23 Q And would you open it up then and see if you can
24 further find your mark.

25 A Yes.

1 MR. MEADORS: With the Court's permission.

2 (Break in proceedings.)

3 Q I'm going to show you what's marked 21 -- excuse me,
4 your Lab Number 21 contained in State's 418 at this point
5 for identification. Do you recognize that?

6 A Yes, sir, I recognize it as the Lab Item Number 20.

7 Q And what is Lab Item Number 20?

8 A It was a brown paper bag containing one pair of green
9 cargo shorts.

10 Q And also contained in 418, Lab Number 21, can you tell
11 me if you recognize that?

12 A Yes, sir. It's Lab Number -- or Item Number for this
13 case 19, which was a brown paper bag containing one white
14 t-shirt.

15 Q Okay. Now --

16 MR. MEADORS: Jim.

17 MR. GRIFFIN: I don't have an objection to 418.

18 MR. MEADORS: Okay. Your Honor, I offer 418 without
19 objection.

20 MR. GRIFFIN: Without objection.

21 THE COURT: They are admitted.

22 (SHIRT AND SHORTS MARKED AS STATE'S EXHIBIT NUMBER 418
23 WERE RECEIVED INTO EVIDENCE.)

24 Q I'm going to show you what's -- for time purposes.

25 (Break in proceedings.)

1 (GSR INVENTORY MARKED AS STATE'S EXHIBIT NUMBER 422
2 FOR IDENTIFICATION.)

3 MR. MEADORS: Thank you, Your Honor. Sorry.

4 Q I'm going to ask you, please, look at 423, 424, and
5 425. Do you recognize these, and do they relate to what
6 you're talking about right now?

7 A Yes, sir. These are PGSR collection worksheets on
8 clothing that I generate during my process of collecting
9 from inanimate objects.

10 Q Okay. Inanimate objects.

11 A Yes, sir.

12 Q Okay. Now, let's start with the shirt, 423.

13 A Yes, sir.

14 Q That's in evidence. Tell these folks what you did
15 with the shirt.

16 A So, any time we're processing clothing or an inanimate
17 object in the lab, we start making sure that everything has
18 been thoroughly cleaned, and we also place down parchment
19 paper just as an extra check and balance to make sure
20 there's nothing contaminating the evidence. We also placed
21 what we call a clothing link out onto the table where we
22 are processing. It's just another one of those double
23 sided adhesive stubs, and it's left open and exposed to the
24 environment to make sure there's no contamination in the
25 environment. That's how I start all of my clothing. Then

1 I confirm that everything is adequately sealed and
2 documented, and I open my items and lay them out on the
3 parchment paper.

4 I photograph items, and then I do label those items
5 for identification later if needed. And then I will sample
6 the clothing item closest in the areas that would be
7 closest to the discharge of the firearm.

8 So, in this case we're talking about a t-shirt, so I
9 will sample the right chest and sleeve area together, and
10 the left chest and left sleeve together. So, if you want
11 to draw down your midline for right and left, and then we
12 typically go down to just below the chest area.

13 Q And is that what you do with every shirt?

14 A Yes, sir. If it's a long sleeved garment, I would
15 typically use a several -- a separate particle lift for the
16 chest area and the arms just because adhesive doesn't last
17 quite as long.

18 Q And if you said this I apologize. I'm tired. Why are
19 you doing those areas?

20 A It's closest to the discharge of a firearm.

21 Q Initial discharge, so that's where you test it.

22 A Yes, sir.

23 Q If we're looking at the shirt, look at 418, the shirt
24 that's contained in here. Which one is the shirt?

25 A 19.

1 Q 19?

2 A Yes, sir.

3 Q Before you get to doing the particle lifts, what's the
4 first thing you do?

5 A I confirm what the item is and that it's properly
6 sealed and initialed.

7 Q Do you open it?

8 A After I clean I open it, yes, sir.

9 Q And do you make observations of items when you first
10 open it?

11 A Yes, sir. Anything that seems out of the ordinary for
12 any item is documented on the worksheet in the comment
13 section.

14 Q And you have a comment section. That's where you put
15 your thoughts, right?

16 A Yes, sir. Anything that may, again, be out of the
17 ordinary or affect the analysis later.

18 Q Just to go back and go down a little bit, this is the
19 right sleeve/right chest, left sleeve/left chest, Hanes
20 Beefy shirt, right?

21 MR. GRIFFIN: Your Honor, I don't have any objection
22 to him introducing 423 into evidence. I don't know if it's
23 in evidence yet.

24 MR. MEADORS: We offered it a little while ago without
25 objection, 423, -24 and -25.

1 MR. GRIFFIN: I have no objection to those three
2 exhibits going into evidence.

3 MR. MEADORS: I thought I said that. If I didn't, I
4 apologize.

5 THE COURT: They're admitted.

6 (GSR WORKSHEET MARKED AS STATE'S EXHIBIT NUMBER 423
7 WAS RECEIVED INTO EVIDENCE.)

8 (GSR WORKSHEET MARKED AS STATE'S EXHIBIT NUMBER 424
9 WAS RECEIVED INTO EVIDENCE.)

10 (GSR WORKSHEET MARKED AS STATE'S EXHIBIT NUMBER 425
11 WAS RECEIVED INTO EVIDENCE.)

12 Q Is this a Hanes Beefy shirt?

13 A Yes, sir, it was.

14 Q And Item 19 was -- what are your comments underneath
15 that?

16 A A small reddish brown stain observed. Shirt had
17 an odor of laundry detergent.

18 Q What do you mean by that, an odor of laundry
19 detergent?

20 A It just smelled freshly laundered, which is not
21 typical of the lab. Typically clothes smell slightly musky
22 when we get it.

23 Q And you had examined this shirt when?

24 A On June 8th of 2021.

25 Q And you didn't know -- did you have any knowledge

1 about this case whatsoever?

2 A I just knew that they had asked to make it a priority
3 in the lab.

4 Q And you attempted to collect particle lifts from that
5 shirt.

6 A I did collect particle lifts from the shirt, yes, sir.

7 Q Next, State's 425. I'm sorry we're out of order here.
8 This is also your clothing worksheet?

9 A Can I see the top of that sheet? I'm sorry.

10 Q That's all right.

11 A Oh, yes, sir.

12 Q And what was this that you examined?

13 A This was the worksheet we generated when we collected
14 from a seatbelt that was collected from a 2021 Chevy
15 Suburban, South Carolina tag CZL420.

16 MR. MEADORS: And I think we have it marked for ID
17 only. It's right here on top. Thank you.

18 Q Do you recognize this? Strike that, sorry. The
19 seatbelt, State's 100.

20 (Break in proceedings.)

21 Q State's 100, can you look at this and see if you
22 examined before, and does it relate to your testimony?

23 A Yes, sir. This was SLED Item Number 142, and it also
24 has my date and initials on it as well.

25 Q All right. What did you do with State's 100?

1 A At the direction of the analyst Megan Fletcher, I
2 collected samples from various areas on the seatbelt.

3 Q And can you tell the ladies and gentlemen of the jury,
4 how did you determine where you were going to collect
5 samples?

6 A Since this was not our typical item, I collected from
7 areas in which Megan instructed me to collect.

8 Q Which was where?

9 A We collected from the buckle, three different areas of
10 the belt, and the latch plate.

11 Q Can you show the jury where you collected?

12 A Yeah. So, this, I believe, was what we call the latch
13 plate, sorry if I'm misspeaking on that, but -- and then
14 the buckle was -- oh gosh -- this area here, and we did the
15 top and bottom of it. And the three sections were just --
16 we measured the length for each section, did a section,
17 rolled more out, and did the next section.

18 Q And how were you actually doing it with the particle
19 lifts? How were you collecting this?

20 A So as stated before, the particle lifts had the
21 double-sided adhesive on it, and you just repeatedly dab
22 that across the garment with the item that you're
23 collecting until it loses it's adhesive abilities.

24 MR. MEADORS: 100 we would offer, Your Honor.

25 MR. GRIFFIN: No objection, Your Honor.

1 THE COURT: Admitted.

2 MR. MEADORS: Thank you.

3 (SEATBELT MARKED AS STATE'S EXHIBIT NUMBER 100 WAS
4 RECEIVED INTO EVIDENCE.)

5 Q In looking back on the sheet that's noted here, that's
6 where you went through and did your inventory sheet,
7 correct?

8 A Yes, sir.

9 Q All right, and this is to document you did what you
10 did, right?

11 A Yes, sir.

12 Q Now, did you also have an occasion to examine the
13 pants in this case that's already, I believe, in evidence?

14 A I did collect from some cargo shorts.

15 Q Okay, and those were also included on what I just took
16 down off the ELMO, but can you tell the folks where you
17 collected, or tried to collect, lifts off the cargo shorts
18 and why you collected in those areas?

19 A Yes, sir. For any type of pants or shorts, we always
20 collect from the right groin and the left groin area.
21 Again, that's the area that's closest to the discharge of a
22 firearm.

23 Q And that's standard? That's what you do?

24 A That is standard practice.

25 Q Now, did you --

1 (Break in proceedings.)

2 MR. MEADORS: 419 without objection, Your Honor.

3 THE COURT: Is that correct, Mr. Griffin?

4 MR. GRIFFIN: Yes, Your Honor.

5 THE COURT: It's admitted.

6 (SHOES MARKED AS STATE'S EXHIBIT NUMBER 419 WERE
7 RECEIVED INTO EVIDENCE.)

8 Q Would you mind opening it up for us? Well, first of
9 all, do you know whether or not you examined a pair of
10 shoes in this case?

11 A I did, and these are the shoes, SLED Item Number 21.

12 Q Would you please open that for the ladies and
13 gentlemen?

14 (Break in proceedings.)

15 Q Before you're cutting that, do you see JEH on here?

16 A Yes, I do. On 6/8/21 I signed my initials.

17 Q What is all of that right there?

18 A I believe it's yard debris.

19 MR. MEADORS: Court's permission to dump this right
20 here, or can I get a trash can?

21 THE COURT: Go get a trash can.

22 (Break in proceedings.)

23 Q These are State's 419 in without objection. And can
24 you show these to the jury?

25 A Yes, sir.

1 Q Show the jury what you -- I -- show the jury what
2 you --

3 A So with shoes, when we collect from them, we're going
4 to collect, again, to the area that would be closest to the
5 discharge of the firearm, so the farthest shoe. So, in
6 this case I would do the area where the laces would
7 typically be and the front toe. Depending on how well the
8 adhesive continues will depend on how far back I go, but I
9 start with the toe and then work my area down the sides.

10 Q Is this the condition they were when you saw them on
11 June 8, 2021?

12 A There was more grassy type material on them when I had
13 them.

14 Q Okay, and what I just dumped in the trash can, with
15 the Court's permission, and in here, did you indicate on
16 your comments section --

17 A Yes.

18 Q -- whether or not yard debris was present?

19 A Yes, sir. I commented that shoes were wet with yard
20 debris present.

21 Q Wet with yard debris?

22 A Yes, sir.

23 Q Did you on June 8th -- now, go back in your mind.
24 When you saw these, in addition to wet and yard debris, did
25 you make any other notes in the comments section about

1 those shoes?

2 A I did not.

3 Q Do you remember, did you see anything that looked like
4 blood?

5 A I did not make any note of that, no, sir.

6 Q With your naked eye.

7 A No, sir.

8 Q Top or bottom.

9 A No, sir.

10 Q Okay. Did you have any other items that you examined
11 that were presented to you for examination either by
12 yourself or with Megan Fletcher?

13 A Yes, sir.

14 Q What was that?

15 A It was SLED Item Number 173, and it was -- we
16 described it as one blue rain jacket/poncho.

17 Q Okay, and was this the same -- now, when did you
18 examine the poncho?

19 A I believe we began on October 5th of 2021.

20 Q Okay. So, is it fair to say that the clothes, the
21 shirt, the pants, and the shoes, were on June 8th of 2021?

22 A Let me check my notes. Yes, sir, that's correct,
23 June 8th of 2021.

24 Q And I didn't ask you this, and I apologize. When did
25 you examine the belt, the seatbelt?

1 A The seatbelt was examined on September 1st of 2021.

2 Q Okay, and, again, the specific date for the raincoat
3 was what?

4 A October 5, 2021.

5 Q And tell the ladies and gentlemen, take us to the lab
6 now. How did you examine that garment, the rain jacket?

7 A This was also not our typical garment, and I believe
8 there was some information provided from investigations, so
9 everything that I did in this case was at the direct -- or
10 in this particular item was at the directed -- the direct
11 supervision of Megan Fletcher. She essentially told me
12 where she would like for me to collect, and she documented
13 everything on the note sheet while I physically collected
14 the particle lifts.

15 MR. MEADORS: Your Honor, 420 and 427 without
16 objection.

17 THE COURT: Is that correct?

18 MR. GRIFFIN: That's correct, Your Honor.

19 THE COURT: They're admitted.

20 (PARTICLE LIFTS MARKED AS STATE'S EXHIBIT NUMBER 420
21 WERE RECEIVED INTO EVIDENCE.)

22 (PARTICLE LIFTS MARKED AS STATE'S EXHIBIT NUMBER 427
23 WERE RECEIVED INTO EVIDENCE.)

24 MR. MEADORS: And, Your Honor, 421 are the particle
25 lists from the rain jacket. I believe there's no objection

1 except for the objection they made previously.

2 MR. GRIFFIN: No additional objection.

3 MR. MEADORS: No additional objection to 421.

4 THE COURT: They're admitted.

5 (PARTICLE LIFTS MARKED AS STATE'S EXHIBIT NUMBER 421
6 WERE RECEIVED INTO EVIDENCE.)

7 Q So, let me go back in time real quick. Are these the
8 particle lifts you took from the seatbelt, 427?

9 A Yes, sir. My initials are also on each individual
10 stub.

11 Q And that's sort of like the officer has in the scene,
12 you're now doing the lab, taking particle lifts, correct?

13 A Correct.

14 Q Okay, and particle lists from 420, lifts from -19,
15 -20, and -21, which I think are the pants, the shirt, and
16 the shoes, were these the particle lifts in 420 that you
17 actually took?

18 A Yes, sir.

19 Q And again in the tubes.

20 A Yes, sir.

21 Q And your initials is on it.

22 A Yes, sir.

23 Q Now, 421, you said it was a little different and
24 unusual. How did you take the particle lifts on this rain
25 jacket?

1 A I believe everything was in -- considered in Megan's
2 custody while I was doing the collection, and then it was
3 transferred directly to my custody when I carbon coded the
4 particle lifts. That's just a process where a thin layer
5 of carbon was added; it allows the analyst to get better
6 images on the instrument. It doesn't do anything to add or
7 remove GSR. It just simply adds a layer -- a very thin
8 layer of carbon. So, it was in my custody at that time,
9 but prior to that it was in Megan's custody.

10 Q Okay. I'm going to show you what's marked as 226. Is
11 this the rain jacket that you were describing?

12 A If I can check the bottom cuff. Yes, sir. My
13 dates -- the date and my initials are here in the bottom
14 cuff.

15 Q So, you looked at this rain jacket.

16 A Yes, sir, I did.

17 Q Okay, and Megan Fletcher was with you.

18 A Yes, sir.

19 Q And tell the ladies and gentlemen, how did you
20 process? Where did you attempt to get particle lifts?

21 A Basically the entire garment. We marked it off in
22 different sections, again where Megan advised me to collect
23 from, and I repeatedly dabbed the particle lift across each
24 section until it lost adhesive.

25 Q These particle lifts?

1 A Yes, sir.

2 Q You dabbed each one of these?

3 A Yes, sir.

4 Q Okay, and what are these little things on here, these
5 tape or the --

6 A I'm not sure what those are.

7 Q Okay. Now, you did the outside of this garment.

8 A Correct.

9 Q Did you do anything else to it?

10 A We also sampled the inside of this garment as well.

11 Q So, you actually turned it inside out and took samples
12 from the inside.

13 A That's correct.

14 Q Okay. Megan Fletcher was with you.

15 A Yes, sir.

16 Q All right. What about the hood? Did you test it or
17 take samples from the outside of the hood?

18 A Yes, sir, we did.

19 Q Did you take samples from the inside of the hood?

20 A Yes, sir, we did.

21 (Break in proceedings.)

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

23 (Break in proceedings.)

24 Q I'm not wearing gloves here now, but when you're
25 examining all of these items, do you wear gloves?

1 A Yes, sir.

2 Q Does Megan Fletcher, did she wear gloves?

3 A Yes, sir.

4 Q Why?

5 A To make sure we're not contaminating it, as well as to
6 protect ourselves from anything that may be the on the
7 garment.

8 Q And as far as the -- not contaminating it, don't want
9 to put any of your -- anything of you on that garment.

10 A Correct. It's standard practice for us to wear a lab
11 coat, gloves, and if it's going to be processed for DNA
12 later, we also wear a mask.

13 Q And is that in a controlled environment when you
14 attempt to get these particles?

15 A Yes, sir.

16 MR. MEADORS: Thank you, Judge, that's all.

17 THE COURT: By the defense?

18 MR. GRIFFIN: Yes, Your Honor, thank you.

19 (Break in proceedings.)

20 CROSS-EXAMINATION

21 BY MR. GRIFFIN:

22 Q Good afternoon, Ms. Hall.

23 A Good afternoon.

24 Q The -- you said that if you're going to do DNA
25 testing, you wear a mask.

1 A Yes, sir.

2 Q Did you wear a mask?

3 A Yes, sir, I did.

4 Q So, to your knowledge were some of the these items
5 processed for DNA after the GSR processing?

6 A It was my understanding that they had the potential
7 for DNA analysis, yes, sir.

8 Q Okay. Now, let's just talk about how you go about
9 sampling for GSR. And you talked about the shirt and you
10 said you would do the chest and sleeve on either side. How
11 does that work? Do you lay the shirt out on a table?

12 A Yes, sir. So as I stated, the table is thoroughly
13 cleaned, and then we place down parchment paper as well,
14 sterile parchment paper, and lay the garment out on that so
15 that we can access all the areas.

16 Q And for the shirt here, I think it's Item 19, did you
17 just check on the two areas at the top on the chest side
18 or --

19 A Yes, sir. Unless we're given information from the
20 investigative team or from an officer who submitted it that
21 there is potentially a reason to test somewhere else, we
22 only test the chest and sleeve area because that's the area
23 that would be closest to the discharge of a firearm.

24 Q And that's what you're looking for is you call it
25 gunshot residue. Is that right?

1 A Yes, sir. It's microscopic so you cannot see it;
2 therefore, we're testing the areas where we would expect to
3 find it.

4 Q And you would expect to find gunshot residue on the
5 shoulders of a person who had recently shot a gun, I would
6 think.

7 A Yes, sir.

8 Q That's what you're looking for.

9 A That's what we're trying to find out, yes.

10 Q Right, and then you did some GSR testing of a seatbelt
11 assembly and buckle and whatnot, correct?

12 A Correct.

13 Q Okay, and you did GSR testing of this rain jacket
14 here, right?

15 A Correct.

16 Q And shirt, shorts, shoes. And Officer Varnadoe, I
17 think is his name, you received a sample from him and you
18 just checked to be sure it was all --

19 A I didn't physically receive it from him, but he was
20 the collecting officer listed on the sheet, yes, sir.

21 Q Okay, and so he would have taken the sample, or
22 whoever did it would have taken it from Mr. Murdaugh. That
23 would be Item Number 18, I believe?

24 A SLED Item 18, yes, sir.

25 Q And those are the samples taken from Mr. Murdaugh's

1 hands, I take it?

2 A Yes, sir.

3 Q Okay. Now, you can get gunshot residue on you by just
4 simply picking up a firearm, can you not?

5 A Those questions would be better asked of the analyst.
6 I can only testify to factually what I did.

7 Q Okay, and the analyst here is Ms. Fletcher?

8 A Yes, sir.

9 Q Okay. Well, let me ask you to take a look at your
10 worksheet, which is in evidence, 423. And do you have that
11 up there?

12 A Yes, sir.

13 MR. GRIFFIN: You know, I just -- I think I would
14 rather put it on the ELMO so we can --

15 Q Do you have it your --

16 A I have my copy, yes, sir.

17 Q Okay, great. So, that -- go to the top right there.
18 Agent Hall, it says that this was a brand Hanes Beefy
19 t-shirt.

20 A Yes, sir.

21 Q And then particle lifts right sleeve, right chest,
22 left sleeve, left chest, correct?

23 A Correct.

24 Q And it says: Description, paper bag containing one
25 white t-shirt. Is that right?

1 A That's correct.

2 MR. GRIFFIN: And then, Doug, if you'll down a little
3 bit more. Okay.

4 Q And then there it says comments: small reddish/brown
5 stains observed. Shirt had odor of laundry detergent is
6 what it says, correct?

7 A Correct.

8 Q Do you know what those small reddish/brown stains
9 looked like?

10 A They looked like small reddish/brown stains on the
11 shirt.

12 Q Were they tested?

13 A I have no knowledge of what was done after I handled
14 the object.

15 Q Okay. Now, below here it says: Sealed brown paper bag
16 containing one pair of green shorts. Is that just an entry
17 for another item?

18 A Yes, sir, that's Item Number 20. The sheet is
19 designed where we can put two items on one sheet.

20 Q Okay. So, when you received the shirt, Item 19, was
21 it in its own separate bag?

22 A In this case it was, yes, sir. That's why I made the
23 note that that individual item contained its own brown
24 paper bag, while the description says brown paper bag
25 containing.

1 Q Okay, and the shorts, those are green cargo shorts,
2 and again you lifted, it says, right groin, left groin.

3 A Correct.

4 Q And it's just -- I mean, it's on the -- is it on the
5 inside of the pants leg or --

6 A Well, it's on the outside of the garment down to, you
7 know, a reasonable distance, depending on the type of
8 fabric. Could depend on how much adhesive it has,
9 depending on how large the garment is from the person. A
10 small garment versus a 3 XL is completely different. It
11 just depends on how far I can go down on the garment.

12 Q And then -- and to do this, you would take a sticky
13 something or another and --

14 A It's a double-sided adhesive on an aluminum stub
15 within those little vials. The bottom has a holder for
16 that. And then we just use -- we grip it by the bottom and
17 repeatedly dab it across the garment.

18 Q Until it loses its stickiness.

19 A Correct.

20 Q And then -- do you do one vile per area or multiple
21 vials?

22 A It's one vile per area listed. If for some reason I
23 needed to use an extra vile, or an additional vile, that
24 would have had its own listing on the worksheet.

25 Q Okay, and I take it you don't know what the results of

1 your lifting were, do you?

2 A No, sir, I do not.

3 Q That -- it would -- you would then finish your work
4 and send it up the chain?

5 A Yes, sir. All the items were either given directly to
6 the analyst, or they're securely stored in the Trace
7 Evidence Lab until the analyst takes possession of them.

8 Q Okay, and this blue rain jacket, you said you put
9 carbon on it or something?

10 A Yes, sir. It's a standard practice for anything
11 collected from an inanimate object. We typically get a lot
12 of debris -- sand, dirt, or fibers -- typically from
13 clothing, and that can cause it to be a little bit more
14 difficult on the instrument for them to get pictures of the
15 particles. So, the carbon just allows them to get a better
16 picture of the carbon -- I mean, I excuse me, a better
17 picture of the particles when they do their analysis. But
18 it does not do anything to add or remove GSR.

19 Q So, you put the carbon down before you use your sticky
20 thing.

21 A No, sir. That process happens after the collection.
22 So, it goes into a small device, and there's little rubs of
23 carbon that are rubbed against each other inside the
24 instrument to put the layer of carbon onto it.

25 Q I see. But you're not putting carbon on the garment.

1 A No, sir.

2 Q Got it.

3 MR. GRIFFIN: One second, Your Honor.

4 (Break in proceedings.)

5 Q Ms. Hall, are you involved in any way with DNA
6 processing?

7 A No, sir, I'm not.

8 Q Okay, and so you don't know whether any of the items
9 were processed for DNA.

10 A I have no knowledge of where the items went after they
11 left my department.

12 Q Okay.

13 MR. GRIFFIN: Thank you so much.

14 THE WITNESS: You're welcome.

15 THE COURT: Any redirect?

16 MR. MEADORS: No, sir. Thank you.

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

18 THE WITNESS: Thank you.

19 (The witness exited the stand.)

20 THE COURT: Unless you have a two minute witness, this
21 will be it for today.

22 MR. WATERS: We don't, Your Honor, unfortunately.

23 THE COURT: All right, ladies and gentlemen, that will
24 do it for this day. We'll resume at 9:30 tomorrow morning.
25 Please do not discuss the case.

1 (The jury left the courtroom.)

2 THE COURT: Everyone will be seated.

3 Mr. Harpootlian, concerning the item that you were
4 objecting to the testing.

5 MR. HARPOOTLIAN: Yes, sir.

6 THE COURT: Is that the -- what exhibit number is
7 that?

8 MR. HARPOOTLIAN: Just the rain jacket, Your Honor --

9 MR. WATERS: 226, Your Honor.

10 MR. HARPOOTLIAN: -- not the t-shirt, not the shorts,
11 not the shoes.

12 THE COURT: And regarding the same, number 226, rain
13 jacket, is the same item that Mr. Griffin cross-examined
14 the previous witness concerning?

15 MR. HARPOOTLIAN: Ms. Smith?

16 THE COURT: Ms. Smith concerning?

17 MR. HARPOOTLIAN: Yes, he cross-examined her
18 extensively about whether she ever -- first of all, was
19 that the rain jacket in his hands when he came in that
20 morning; two, had she ever seen him with that rain jacket;
21 and three, did she -- when she looked into the closet, did
22 she know whether it was a tarp or whether it was a rain
23 jacket, was it the same color, she said it was the same
24 color. That's it. And we think the prejudicial outweighs
25 the probative.

1 THE COURT: I also recall Mr. Griffin questioning her
2 as to whether it appeared there was a gun or different
3 things in it?

4 MR. GRIFFIN: No, Your Honor. I questioned her as to
5 the tarp. This witness, Ms. Shelley Smith, has never --
6 they never showed her the rain jacket. She has never
7 identified the rain jacket, and when asked in court here's
8 a photo of that rain jacket, she says, Your Honor, that is
9 not what he had. And what's so prejudicial is they have
10 introduced GSR, and they will introduce an expert tomorrow
11 who will say it's covered with GSR, and that is extremely
12 prejudicial. They have no evidence connecting Mr. Murdaugh
13 to that rain jacket, and the only witness they relied upon
14 to get a search warrant, Your Honor, says that he came in
15 with a tarp.

16 I questioned whether in the tarp it looked like there
17 was a gun in the tarp. She says no. She says he went
18 upstairs, he came down, he laid the tarp open on his
19 mother's retirement rocking chair, and she leaves that day,
20 and she sees the tarp laid out, and it's a tarp that looks
21 like it goes over a car. And now they're coming in,
22 showing her a photo of something in a closet that they
23 seize and says it looks like a tarp. Does it look like
24 what you saw, and she says, well, it's blue.

25 And now they're putting in GSR on an item in a house

1 he doesn't live in, on an item he's never had in his
2 possession to the best of anybody's knowledge, and that's
3 the basis for our objection, Your Honor.

4 THE COURT: Yes, Mr. --

5 MR. WATERS: So, Your Honor, again, if you look at the
6 testimony in its entirety, Ms. Smith describes --

7 THE COURT: One second.

8 (Break in proceedings.)

9 THE COURT: Yes, sir.

10 MR. WATERS: She testified, of course, that Alex
11 Murdaugh had showed up early in the morning, which was
12 highly unusual. He was carrying what appeared to be a blue
13 tarp balled up, and then she was shown a picture in the
14 closet where it's balled up and says that looks like the
15 item.

16 Now, when it was pulled up and shown by them, she said
17 that's not necessarily what I saw, but she did recognize
18 the balled up item and the balled up item in the closet,
19 which the investigator said that's how they recovered it.
20 She did identify that picture. And then if you put the two
21 chains of evidence together, that's what the investigator
22 recovered that she identified.

23 Now, certainly they can argue to the jury whether or
24 not that's the right tarp or not, but she did say that that
25 is consistent with what I saw all balled up, which is the

1 only way she saw it. Again, this is also evidence that,
2 you know, was admitted and has been extensively examined
3 before the jury, Your Honor. So, certainly they can argue
4 all of these points to the jury, but there's enough of a
5 chain that's been established by the testimony for it to be
6 submitted to the jury.

7 MR. HARPOOTLIAN: Your Honor, might I make a
8 suggestion?

9 THE COURT: Yes, sir.

10 MR. HARPOOTLIAN: We're getting daily transcripts,
11 perhaps overnight before they -- the prejudicial thing is
12 the witness they're going to put up tomorrow. I would
13 suggest perhaps you could look at that daily transcript of
14 her testimony alone, and I don't believe, I submit, she
15 said what he said, maybe what he wished she said, but I
16 don't believe she said what he said.

17 Your Honor, I think Mr. Waters is arguing this. I
18 don't believe Mr. Waters has a dog in this.

19 MR. WATERS: My apologies, Your Honor.

20 MR. HARPOOTLIAN: It's 5:20. I just thought maybe
21 this was a simple solution. He's going to say this is what
22 she said; we're going to say this is what she said. I
23 think she never said that what was in the closet is what he
24 carried. But -- and, of course, we have a court reporter
25 that can, I guess, not type it tonight, but perhaps give

1 you audio of it, but it's a very simple question. It boils
2 down to what she said about what she saw in the closet
3 because clearly she said that when shown a picture, that's
4 not what he walked in with. He walked in with a tarp,
5 which he left over a chair.

6 And, you know, other than their supposition that he
7 somehow brought that rain jacket in, wadded it up, and
8 threw it up in the closet, there's no evidence that there
9 was a gun, no evidence that anything was balled up in it.
10 They want to make a giant leap of logic if -- I mean, it's
11 not circumstantial evidence of anything. So, I would ask
12 the Court to perhaps look at the daily transcript --
13 somebody's got one right there -- and just look at her
14 testimony. Not all of it, just her -- or even a piece of
15 her testimony: what did she see in the closet in response
16 to Mr. Meadors's question.

17 Now, Mr. Meadors believes she said something and
18 Mr. Waters believes she said something different, but the
19 proof is in the pudding, as you say, or whatever the legal
20 -- I would suggest strongly that maybe overnight look at it
21 and let us know what you think.

22 THE COURT: Mr. Meadors, you had something?

23 MR. MEADORS: With the Court's permission?

24 THE COURT: Or Mr. Waters?

25 MR. MEADORS: I think -- and I guess on redirect

1 through their investigator's transcript, I think they were
2 asked -- I asked her if they had asked her about whether it
3 could contain a firearm and she said, well, I don't know.
4 But that was brought out, I think, which was directly from
5 their investigators who asked her about it. So, that, I
6 think, made it relevant. They certainly thought it was
7 relevant when they were interviewing her. So, that's why
8 we do think it's relevant, and we hope Your Honor will let
9 us keep going tomorrow with the GSR to see if there's
10 anything potentially in the rain jacket that has GSR
11 evidence.

12 THE COURT: All right. Okay. We'll adjourn for this
13 day.

14 (Whereupon, the case was at ease.)

15 *TUESDAY, FEBRUARY 7, 2023*

16 (Court resumed at 9:39 a.m.)

17 THE COURT: Good morning.

18 (The gallery replied good morning)

19 THE COURT: Any further comment or argument regarding
20 the witness from yesterday, the last -- Ms. Smith, Ms.
21 Smith's testimony?

22 MR. GRIFFIN: Yes, Your Honor. We did get a
23 transcript, an overnight transcript of her testimony of her
24 testimony. It is very rough, but on my recross, if you
25 will, at page 90 I asked her: Have you ever seen this rain

1 jacket before? And the rain jacket, I had put a photograph
2 into evidence, Defendant's Exhibit 87. And she says no.
3 And then I said: Did Alex Murdaugh have that rain jacket
4 with him when he came to Ms. Libby's home on the morning, I
5 believe a few days after the funeral? She says no. Then I
6 asked her: Have you ever been in this closet before --
7 pointing to the State's exhibit -- where they show
8 something folded up? And she said says: No, I haven't.
9 And then I asked her: So, you don't know what that is
10 folded up there, do you? And she says: Correct. And then
11 I asked her: If what's in that closet is this rain jacket,
12 you've never seen Alex Murdaugh with this garment before,
13 have you? And she says: No, I haven't. And that's the
14 testimony that -- and that's on page 90 of the rough
15 transcript that we got last night -- well, this morning we
16 got it, Your Honor. Thank you.

17 THE COURT: All right. From the State?

18 MR. WATERS: Your Honor, again, it is fairly rough to
19 try to read some of this, but as I go back and point to
20 page 65 where the witness was asked to describe it. Again,
21 she talked about observing Alex coming to the house at an
22 unusual time a few days after the murders carrying a
23 bundled up blue vinyl item, and then he -- she was shown a
24 picture with it in that closet where it was recovered, and
25 she said:

1 Do you see the blue object in the center? Yes.
2 Does it appear to look like the object you've
3 described? Yes. You're saying yes. Is it the
4 blue, blue vinyl? Yes. This appears to be the
5 same thing you saw the defendant holding? It
6 looks so, yes.

7 Of course, then you had subsequent testimony from the
8 crime scene investigator about recovering that very item
9 that proved to be the raincoat, which, of course, if you
10 hold it out is very, very large and very much like a tarp.
11 So, I think many of these issues that the defense is
12 raising are issues for jury argument and go to weight, not
13 admissibility.

14 THE COURT: The witness testified on direct
15 examination that the item in evidence appeared to be what
16 Mr. Murdaugh brought into the house that night. She said
17 it was -- he was carrying something. It was in his arm.
18 She said it was blue something, that it looked something
19 like a tarp, a blue something but she did not -- clearly
20 she did not know what it was. It wasn't opened up and she
21 could not clearly identify the item either as a tarp, as
22 was shown by Mr. Griffin, or as a raincoat. She testified
23 that the item presented was consistent with the --
24 consistent in appearance with what Mr. Murdaugh brought
25 into the home that night and what was shown in the

1 photograph that was taken.

2 Certainly Mr. Griffin did, I would say, an effective
3 job in cross-examination in raising questions as to the
4 credibility of the witness. That is the exact job that a
5 jury has to do, that is to weigh the credibility of the
6 witness to determine whether the testimony was consistent
7 on the one hand or inconsistent on the other hand, and this
8 witness was consistent on the one hand and inconsistent on
9 the other hand, but that does not make the testimony
10 inadmissible. It doesn't render the evidence inadmissible.

11 Whether evidence can be made relevant and admissible
12 through inference, the inferences can be drawn from the
13 evidence. It is circumstantial evidence that is a part of
14 this case, which suggests a fact by implication or
15 inference. Could be the appearance at the scene of a
16 crime, testimony that suggests a link to the crime, and if
17 it can, facts can be proven through inference, the facts
18 and circumstances through which the witness testified on
19 direct and cross-examination.

20 And taking the testimony as a whole, the testimony --
21 the item is in evidence. I find that it is relevant, and
22 that it creates through inference facts that are in dispute
23 in this case, and I deny the motion to strike her
24 testimony, if that's what the motion is. I deny the motion
25 to declare her testimony as being irrelevant, and the

1 latest motion was that it's prejudicial, or prejudicial, or
2 the results of an examination of the item is prejudicial.

3 Of course, we haven't had that testimony, but we have
4 an item in evidence -- we have many items in evidence. We,
5 have -- you know, the items are being placed in evidence
6 as -- what number are we up to now? 400 or 500?

7 MR. WATERS: We're in the 400s, Your Honor.

8 THE COURT: 400 items of evidence. Witnesses have
9 been questioned as to whether they walked the side of the
10 roadway to see whether anything was along the roadway other
11 than a cell phone. Witnesses have been questioned as to
12 whether or not they looked down the drain pipe of a tub or
13 shower, or just any number of questions have been posed
14 with a witness -- to the witnesses as to -- as it relates
15 to discovery of evidence. This evidence was obtained
16 through a search warrant, it is in evidence, and it's there
17 for the jury's consideration. Certainly once an item is in
18 evidence and as long as a chain of custody has been
19 established, there can be testimony as to what it is or of
20 what significance is it, and that's the stage we are here
21 in these proceedings, and I deny the motion to strike it,
22 to find it for relevance purposes, or because it creates
23 a -- or presents evidence favorable to the State, which
24 automatically means it would be prejudicial to the
25 defendant.

1 Yes, sir.

2 MR. GRIFFIN: Your Honor, just to clarify, the motion
3 that the defense made late yesterday afternoon was in
4 advance of Megan Fletcher, SLED Agent Megan Fletcher's
5 testimony that there's GSR on the blue rain jacket, and so
6 the motion was to prevent her from testifying as to the GSR
7 and the testing of the rain jacket under 403. I understand
8 the Court's ruling. I don't think they're going to call
9 Ms. Fletcher first, but when she does take the stand, we
10 will for the record renew the objection.

11 THE COURT: Well, that's just the point. You say you
12 object under 403 claiming it's more prejudicial than
13 probative, and that's a fact finding issue; that's an issue
14 to be weighed not by me but by the fact finder. I am to
15 determine whether it's more prejudicial than probative. It
16 is -- it's relevant. It's apparently important enough that
17 the State seek to use it. All evidence adverse to the
18 defendant can be considered to be prejudicial, but I do not
19 find where the -- any prejudice substantially outweighs its
20 probative value, so I deny that motion.

21 I certainly respect your objection. The witness was
22 sort of all over the place with her testimony and appeared
23 to be confused. I'm not sure she -- she obviously was not
24 of the same level of -- unable to articulate her thoughts
25 through her emotions and through this setting of being

1 examined and cross-examined in this case, but the testimony
2 taken as a whole shows that she identified the item as
3 being consistent with what she thought the defendant
4 brought in. She said he had something in it, it was
5 important enough for her to contact someone about it, and
6 to -- that landed her here on the witness stand, among
7 other things, other reasons. But everything is noted and
8 protected for the record.

9 MR. GRIFFIN: Thank you, Your Honor.

10 THE COURT: Yes, sir.

11 Are you ready for the jury?

12 MR. WATERS: The State is ready to proceed, Your
13 Honor.

14 THE COURT: All right, regarding juror number 729, I
15 spoke with him briefly. I spoke with -- I guess I have now
16 said him. I broke with that juror briefly this morning and
17 he is going to stay with us. He's going to -- he's made
18 some arrangements, he thinks, with his job and he's going
19 to stay with us.

20 We have another juror, however, juror number 548, who
21 made contact with the Court and says that he's at the
22 emergency room this morning. There's no -- we don't know
23 what his situation is. He is an alternate juror, and we
24 will need to proceed without him, juror number 548. As
25 time passes attrition kicks in, and we have done well thus

1 far. This will be the first juror who will be excused.
2 He's at the emergency room; we don't know how long he'll be
3 there. We are not going to delay the trial until we find
4 out, so we'll proceed without that juror.

5 Yes, sir?

6 MR. HARPOOTLIAN: No objection, Your Honor.

7 MR. WATERS: No objection from the State, Your Honor.

8 THE COURT: All right. If you will bring the jury.

9 (The jury returned to the courtroom.)

10 THE BAILIFF: The jury is present, sir.

11 THE COURT: Thank you.

12 Good morning.

13 (The jury responded good morning.)

14 THE COURT: Day number -- is it day number twelve?
15 Day number twelve. Eleven, day number eleven. Are you
16 sure? Twelve. I said twelve, yeah, day number twelve,
17 State's case.

18 You may proceed with the State's case.

19 MR. WATERS: Thank you, Your Honor. May it please the
20 Court? The State would call Jeannie Seckinger.

21 MR. GRIFFIN: Your Honor, for the record we renew our
22 objection to this.

23 THE COURT: Yes, sir.

24 The witness, JEANNIE SECKINGER, was first duly sworn
25 and testified as follows:

1 THE CLERK: State your name again for the record when
2 you take your seat, and spell your last name, please.

3 THE WITNESS: My name is Jeannie Seckinger,
4 S-e-c-k-i-n-g-e-r.

5 DIRECT EXAMINATION

6 BY MR. WATERS:

7 Q Ms. Seckinger, how are you doing today?

8 A I'm good.

9 Q Awesome. Tell the jury a little bit about yourself,
10 if you could. Just kind of introduce yourself. Where did
11 you grow up, where did you go to school, if you would?

12 A I grew up in Hampton, South Carolina, graduated from
13 Wade Hampton. Went to the University of South Carolina
14 where I got any BS in accounting. After that I worked a
15 number of years in public accounting, then I transferred
16 into -- as a financial analyst with Westinghouse in
17 Hampton. And after the birth of my second child, I stayed
18 home and worked for my husband just a few years. And in
19 1999 I came to work with the firm on a part-time basis
20 doing some special projects and have not left, and that job
21 has grown since that time until I was over all of the
22 business aspects and financial aspects of the law firm.

23 Q All right. Which law firm are you talking about?

24 A Peters, Murdaugh, Parker, Elzroth, Detrick.

25 Q Is that PMPED?

1 A That's correct.

2 Q Is that what the firm is currently known, or is it
3 known by a different name?

4 A We are now a separate entity that we've reorganized as
5 Parker -- Parker -- Parker Law Group, LLP.

6 Q All right, and do you know the defendant, Alex
7 Murdaugh, over there?

8 A I do.

9 Q Do you see him in the courtroom?

10 A I do.

11 Q Can you identify him, please?

12 A He is in the blue jacket and white shirt sitting
13 between Jim and Dick.

14 MR. WATERS: Your Honor, can the record reflect she's
15 identified the defendant?

16 THE COURT: It does.

17 Q All right. Was he a partner in the law firm you're
18 speaking of?

19 A He was.

20 Q Is he a partner anymore?

21 A No.

22 Q And we're going to talk about some of those things and
23 the reasons for that here today. Is that correct?

24 A That's correct.

25 Q All right. So, I'm going to call it PMPED, what we're

1 talking about. Is that fair?

2 A That's fair.

3 Q All right. Well, tell me. You talked a little bit
4 about your role with PMPED. What would you consider your
5 role, or how would you define your role particularly as
6 we're moving into June of 2021?

7 A At that point, I would be CFO/COO basically over all
8 office management and all financial affairs of the office,
9 over hiring and firing, HR, just any -- like I said, any
10 business aspect of the firm.

11 Q So CFO, that means what?

12 A Chief Financial Officer.

13 Q And COO, that means what?

14 A Chief Operating Officer, and so I've kind of combined
15 those jobs.

16 Q All right. Are you a lawyer?

17 A I am not.

18 Q Are you an accountant?

19 A I am.

20 Q Do you have a CPA?

21 A I do.

22 Q All right. You said you started work at the firm
23 when?

24 A August of '99.

25 Q And that when did -- was Alex working there at that

1 time, the defendant?

2 A I think Alex came to work the year after me.

3 Q Okay. Did you know him prior to that?

4 A I did. I've known Alex since I was sixteen years old
5 in high school.

6 Q Y'all went to high school together?

7 A We did. He was a few years behind me, but we were in
8 the same school.

9 Q And you worked with Alex in the law firm up until
10 September of 2021?

11 A I did.

12 Q Let's talk a little bit, if we could, about the law
13 firm itself, and tell me a little bit about the financial
14 structure of the law firm. How does it work that fees come
15 into the law firm, and how do they get disbursed at the end
16 of year? Can you explain that to the jury a little bit?

17 A Yes. So, every fee that any attorney makes is
18 property of the law firm. It comes into the law firm and
19 goes into the law firm's account, and it is sitting in kind
20 of what we call a holding account that we just amass the
21 money. We have another account called the operating
22 account that we use to pay the daily bills of the law firm:
23 wages, insurance, office supplies, et cetera. Each
24 attorney in the law firm is also an employee of the law
25 firm. They receive a paycheck just like most people do

1 with W2, taxes taken out, and a W2 at the end of year.

2 When we get to the end of year, we figure the net
3 profit of the law firm, basically everything brought in and
4 everything paid out to date, and we distribute that money
5 based off a ratio of what that fee -- what that attorney
6 brought in to total. So, if an attorney brought in
7 10 percent, he's going to get roughly 10 percent of the net
8 income at the end of the year, and we do that in the form
9 of a bonus one time at the end of the year.

10 Q All right. When is that bonus typically paid?

11 A That bonus is typically paid the last week of December
12 every year.

13 Q And is that the -- for most cases and most of the
14 partners, as we're going to call them, in the law firm, is
15 that the vast majority of their compensation of year is
16 getting it all in one sum -- lump sum at the end of year in
17 December?

18 A That's correct. They receive a salary of 125 through
19 the year that they're paid every two weeks, but the vast
20 majority of their money comes in that one bonus check.

21 Q Now, you mentioned there was a salary. In looking
22 back in June of 2021, what were the partners in the law
23 firm, what were they getting as a salary?

24 A 125,000 a year.

25 Q All right, 125,000, and that was broken up into checks

1 like people are used to.

2 A Twenty-six times a year, yes.

3 Q Okay, and then -- so that has to be accounted for the
4 before bonuses are paid, correct?

5 A That's correct.

6 Q Salaries not only for the partners but also for all of
7 the other employees.

8 A That's correct, all staff.

9 Q All right, and is there other overhead that has to be
10 accounted for out of the fees before that bonus can be
11 paid?

12 A Yes. All of the other overhead is the basic operating
13 expenditures like I've discussed: rent for the building,
14 insurance coverage, insurance coverage for the employees,
15 office supplies, case costs that we advance for our clients
16 if we paid things as we go during the case. We pay
17 experts, record fees, all of that is a part of overhead.
18 So, after everything that's paid -- everything brought in,
19 after everything that's paid out is what we call that net
20 income that we distribute.

21 Q Is there some sort of 7 and a half percent fund or
22 offset that has to be accounted for as well before the
23 bonus is paid?

24 A There is. We have what we call 7 and a half percent
25 kind of a profit sharing, and everybody takes a -- their

1 gross fees less their portion of overhead, we take overhead
2 and divide it by the number of partners. And so you would
3 take -- we're just going to use numbers. If your gross
4 fees were \$100,000 an hour and overhead was \$50,000, you
5 have a net of \$50,000. And we take 7 and a half percent of
6 that and put it in a pot and divide it back evenly in
7 between everybody. And that purpose is meant to cover when
8 somebody has a high year or a low year, it kind of helps
9 people out and it helps account for differences in expenses
10 between each attorney.

11 Q So, all of that has to be taken care of before the
12 bonus is paid out to the partners at the end of the year.
13 Is that correct?

14 A That's correct.

15 Q And then whatever money is left over is divided up
16 based on the percentage of the fees that that particular
17 partner brought in of the whole -- or for the year. Is
18 that correct?

19 A That's correct.

20 Q So if you had a better year, you're going to get a
21 little bit more than somebody who didn't have as good a
22 year.

23 A Absolutely.

24 Q Over time, being the CFO, did Alex Murdaugh have a
25 very lucrative practice?

1 A He did.

2 Q Were there times where his bonus was high six figures?

3 A Definitely.

4 Q Were there times his bonus was seven figures?

5 A There has been.

6 Q And was it typical for the vast majority of his
7 compensation to be in that one time bonus at the end of the
8 year as opposed to the \$125,000 salary?

9 A Yes, his and everybody else's.

10 Q And that \$125,000 salary for these individuals was a
11 fairly small part of the compensation.

12 A Correct.

13 Q Now, one of the things that you mentioned is that --
14 at the very beginning is you said all fees belong to the
15 firm. Is that right?

16 A That is right.

17 Q And I'm going to show you what's been marked as
18 Exhibit 310 to your testimony real quick and see if you can
19 recognize this particular document.

20 A I do. This is the employment agreement that each of
21 the attorneys in the firm signed.

22 Q All right. I'll take that back real quick.

23 MR. WATERS: Can I have the ELMO, please?

24 (Break in proceedings.)

25 MR. WATERS: I would offer 310 at this time into

1 evidence.

2 MR. GRIFFIN: No additional objection, Your Honor.

3 THE COURT: It's admitted.

4 (EMPLOYMENT AGREEMENT MARKED AS STATE'S EXHIBIT NUMBER
5 310 WAS RECEIVED INTO EVIDENCE.)

6 MR. WATERS: Let me let this ELMO boot up real quick.

7 (Break in proceedings.)

8 Q All right. So, is this Exhibit 310. Is this the
9 first page of that agreement?

10 A Yes.

11 Q All right, and on your little screen up there, can you
12 read that all right?

13 A Yes.

14 Q Okay. If we look at it, it's talking about employer
15 and employees. Now, we've been talking about the law firm
16 partners, but in the agreement what are they referred to
17 as?

18 A They're actually shareholders. So, we refer to them
19 as partners in the fact that they all work together and
20 support each other, but because of the tax entity, we are
21 their shareholders. It's just a legal and accounting
22 determination, but, in fact, you'll see them referred to as
23 shareholders.

24 Q All right, but in this agreement they're called
25 employees, correct?

1 A That's correct.

2 Q Now, just real quick, you're talking about paying out
3 the bonus at the end of year and that's where the vast
4 majority of compensation for the partners goes out. Is
5 there a tax reason for that? Do y'all clear the books at
6 the end of the year?

7 A We do clear the books at the end of the year. We
8 function as a C-Corporation, which means any money that's
9 left in that C-Corporation would pay a tax, too. So, to
10 avoid double taxation, we pass that money down to the
11 partners to the best of our ability.

12 Q All right, and so you try to zero out the books?

13 A We do.

14 Q All right, and that's to avoid taxing on anything that
15 remained in the firm accounts.

16 A Correct.

17 Q So, let me ask you this. If the firm essentially
18 zeroes out the books by paying these bonuses to all of the
19 partners at the end of year, how do you operate in the few
20 -- you know, January and February where we're at now before
21 fees start to come in, what money do you use to do that?

22 A So, typically a group of the partners will go in and
23 loan money back to the firm to cover our first couple of
24 months of operating and expenses, and as we recover money
25 through the year, we'll pay them back or pay them off. So,

1 we're basically starting at an almost negative by borrowing
2 that money.

3 Q All right, and so some of the partners will loan money
4 to the firm to operate until there's enough fees that come
5 in to generate enough money. Is that correct?

6 A That's correct.

7 Q Do the partners have to do that, or is that something
8 they can do if they want?

9 A That's something that they can do if they want.

10 Q Was Alex one to ever do that?

11 A Alex never did that.

12 Q Okay. Before we go on back to this agreement, let me
13 ask you a little bit as far as the firm account. You
14 mentioned there's an operating account, correct?

15 A That's correct.

16 Q And then there is a client trust account, correct?

17 A That's correct.

18 Q Trust account.

19 A Trust account.

20 Q Tell me what the client trust account is, please.

21 A So, the trust account is a fiduciary account, meaning
22 that we have the responsibility to maintain and safeguard
23 that money. It's where the account, whenever a case
24 settles, that the money that is paid from the insurance
25 company or individual from the defendant is put into that

1 client trust account. And that's also where the money is
2 disbursed out to any clients or any lienholders or anything
3 to do with that disbursement. It's also where we collect
4 our fees and expenses from.

5 Q And are there legal obligations and money in the
6 client trust account to ensure that that money only goes to
7 the legitimate places it's supposed to go?

8 A That's correct.

9 Q And if the law firm wins a case, whether by settlement
10 or by trial, any recovery they get, does it go in that
11 trust account first before the law firm gets paid?

12 A Everything does, yes.

13 Q Now, I'm going to go back to exhibits -- this -- the
14 employment agreement, I believe, is Exhibit 310. And right
15 here in line 3 right there, can you read that to the jury,
16 please?

17 A Services for the benefit of employer. All
18 professional services rendered by the employee
19 shall be rendered as an employee of the employer,
20 and all proceeds and remuneration received
21 therefore shall enure to the employer's benefit.

22 Q All right, and this is the agreement signed by all of
23 the partners, correct?

24 A Correct.

25 Q And back in 2021 it was signed by Alex Murdaugh,

1 correct?

2 A Correct.

3 Q And all the years prior, correct?

4 A Correct.

5 Q And what does that provision mean? Explain that again
6 for the jury.

7 A That means that any work they do providing legal
8 services and any money earned by them belongs to the law
9 firm, not the partner, to the law firm, and should run
10 through the law firm's books and accounts.

11 Q It has to go through the law firm's books before it
12 can --

13 A Correct.

14 Q And then they have to wait to the end of year for it
15 to be accounted for after paying all of the overhead and
16 the salary and the 7 and a half and all of the rest of it.

17 A That's correct.

18 Q If a law partner were to divert fees to himself
19 personally and not send them to the law firm, what would
20 that be?

21 A Stealing.

22 Q Stealing. Okay. Tell me a little bit, if you would,
23 about the management structure of the law firm. How does
24 that work? Just very quickly.

25 A So each attorney apparently -- they all -- I can't

1 even speak -- they all have equal authority and equal
2 choice. But basically we'll have a little committee each
3 year that we can go to with day-to-day issues and make some
4 basic decisions that are then gone on and voted by the
5 whole firm.

6 I report directly to each and every attorney. So, I
7 would handle day-to-day obligations within certain
8 authorities, and if I had an issue, then I would go to this
9 committee or somebody who is present because a lot of times
10 attorneys are out of the building traveling and hard -- and
11 it would kind of go up the rank from there.

12 Q Okay. Was Alex very involved in the actual management
13 of the firm?

14 A No.

15 Q Were other partners more involved in the management of
16 the firm?

17 A Yes.

18 Q Tell me. What was your observation of Alex as a
19 lawyer in the office? What was your observations and
20 characterizations of him?

21 A Alex kept different hours than a lot of the rest of
22 us. He came in and he would work late. Always loud,
23 always busy, always in a rush. He had the gift of gab, but
24 he always seemed last minute and hurried and frenetic.

25 Q All right. Always last minute and frenetic?

1 A Yes.

2 Q What about his cell phone use? How was he with a cell
3 phone?

4 A Constantly on the phone.

5 Q Constantly on the phone. What were your observations
6 of him as a lawyer?

7 A I think Alex was successful, more not from his work
8 ethic but from his ability to establish relationships and
9 to manipulate people into settlements and clients into
10 liking him. So, he did it through the art of bullshit
11 basically.

12 Q That can be an art.

13 A Uh-huh.

14 Q Did he, in your estimation and your judgment -- was he
15 more of a technical type lawyer, or was he one that really
16 understood how to use the emotion of a case?

17 A He would use the emotion of a case and the emotion of
18 his clients.

19 Q Did he understand the emotional value that the
20 sympathies of a case could have?

21 A I --

22 MR. GRIFFIN: Your Honor, I'm going to object. He's
23 asked her to testify as to what he understands, what's in
24 his mind, and I object.

25 THE COURT: I sustain the objection.

1 Q With Alex's -- your observations of Alex as a lawyer,
2 what skills did you see in how he was able to value a case?

3 A I would think that he was able to read the client. It
4 seemed to -- he always got higher settlements than it looks
5 like they should appear, going back when we reviewed
6 everything. So, I think that he used his personality more
7 than technical skill. I think that -- you know, we looked
8 back and we see things that were manipulated and set up,
9 and I believe he did that a lot with his clients as well.

10 Q You mentioned that -- did Alex get good results? Did
11 the defendant get good results?

12 A It appeared that they usually did, yes.

13 Q Were they very lucrative results?

14 A Yes.

15 Q Did you have any observations in working with Alex for
16 twenty some odd years about his memory?

17 A I think that looking back where I thought he was
18 chaotic and didn't remember things, or kind of got bored
19 with details sometimes and wouldn't finish things off, I
20 really think, looking back as we've gone back and pieced
21 together a lot of this, that we saw where he would tell
22 people one thing and another person another. So, my
23 opinion looking back, I think he had almost a photographic
24 memory to keep all of the balls in the air that we were --
25 we now saw were in the air. It appears that he would have

1 to have a really strong memory.

2 MR. WATERS: Stand by for me real quick.

3 (Break in proceedings.)

4 Q You had mentioned before that for the firm to operate
5 at the beginning of the year after it cleared its books
6 that it would loan or take loans from partners at their
7 option in order to sort of give some seed money until fees
8 started to roll in. Is that correct?

9 A That is correct.

10 Q All right. I'm going to show you what's been marked
11 as Exhibit 428 to your testimony and just have you take a
12 look at that and ask you if you recognize those documents
13 as it relates to a particular instance involving the
14 defendant.

15 A I do.

16 Q All right, and tell -- tell me about this instance.
17 What happened here, please?

18 A Okay. So, this is in 2017. A check for the payment
19 got mistakenly written to R. Alexander Murdaugh instead of
20 his brother, Randolph Murdaugh. So, the loan payoff was
21 written to Alex.

22 Q All right. Let me slow you down. So, does his
23 brother work for the law firm?

24 A His brother does work for the law firm.

25 Q What name does he go by?

1 A Randy. He goes by Randy Murdaugh; his legal name is
2 Randolph Murdaugh, IV.

3 Q Okay. Had Randy Murdaugh loaned money to the law
4 firm?

5 A He did.

6 Q Had Alex Murdaugh loaned money?

7 A No.

8 Q All right, and so what happened there?

9 A So as we said, we had the clerical error, and a few
10 days later Alex came to our staff, and it's not quite clear
11 which staff because our records don't show that, but a
12 voided check -- he acted as if he'd lost this original
13 check and had another check written. So, a replacement
14 check was then written to Alex again, which was a mistake
15 again.

16 Q Did that second check get cashed?

17 A The second check got cashed pretty much immediately,
18 within a week or two, and then about a year later the first
19 check got cashed as well, and that's when I caught in the
20 system that he had cashed both checks. In looking back, I
21 realized that the mistake had been made and that somebody
22 had hit -- their names are right beside each other in the
23 vendor list and they made a clerical mistake, and that he
24 was paid money that he was not owed.

25 Q All right. Ultimately was -- did he get that money

1 twice that he was not supposed to have received?

2 A He did.

3 Q And ultimately was it because he claimed that he had
4 lost the first check?

5 A Correct.

6 Q Ultimately did he cash those checks?

7 A He did.

8 Q And cashed the original one a year later. Is that
9 correct?

10 A Correct.

11 Q All right. Was he confronted about this back at that
12 time when it was detected, I guess, in 2017? Is that
13 right?

14 A He was.

15 Q And he was confronted at that time?

16 A He was. Not -- I don't remember that he was
17 confronted by me. I know that Danny Henderson spoke with
18 him about it, and Alex just claimed that he made a mistake
19 and thought that he had made -- that he had loaned the
20 money that year, and Danny chose to kind of let it go and
21 sweep it under the rug.

22 Q Did he pay it back at that point?

23 A He did pay it back.

24 Q All right. So, that happened, and the explanation was
25 given and then he was allowed to pay it back. Is that

1 correct?

2 A That is correct.

3 Q And everybody moved on, right?

4 A That's correct. I have to point out that it was --
5 these attorneys worked as a brotherhood and were very --
6 family, and they trusted him and accepted this as the
7 explanation.

8 Q What was that word you just used? You said it was a
9 brotherhood?

10 A Yes.

11 Q So when the attorneys are dealing with one another,
12 when the attorneys are dealing with you, how were y'all
13 dealing with one another? What's the basis of that?

14 A Trust.

15 Q Trust?

16 A Trust.

17 Q So, over the years when Alex Murdaugh would tell you
18 that -- do a transaction or anything like that, what were
19 you relying on?

20 A His word and trust.

21 Q Are you generally familiar with what's been known as
22 the boat case?

23 A Yes.

24 Q All right, and do you remember that occurring around
25 February of 2019?

1 A I do.

2 Q All right, and again without going into the specifics
3 of the boat case, what was your general understanding of
4 the boat case? Well, let me ask you this. Was his son,
5 Paul, charged with driving a boat in the boat case to your
6 knowledge?

7 A Yes.

8 Q And was Alex Murdaugh sued civilly in the boat case
9 because of the death of Mallory Beach?

10 A Yes.

11 Q After the boat case, did you notice any changes in
12 Alex's behavior or his demeanor around the office?

13 A I can't say that I really did up until
14 November/December of '20, late '20.

15 Q Okay, and what did you notice then?

16 A Didn't really notice it then. We can go back and
17 notice it now. That's when he started making some
18 disbursements that he was stealing from that started
19 getting sloppy. So, the things that I noticed are more in
20 hindsight.

21 Q I put this exhibit up on the screen. Let me -- I'm
22 getting ahead of myself.

23 MR. WATERS: This is Exhibit 428, which I would offer
24 into evidence. That was the checks.

25 MR. GRIFFIN: Yeah. No additional objection.

1 Q All right, and sorry about --

2 THE COURT: Admitted without objection.

3 (COPY OF CHECK MARKED AS STATE'S EXHIBIT NUMBER 428
4 WAS RECEIVED INTO EVIDENCE.)

5 Q I just want to go back real quick. 428, this the loan
6 check you were talking about. Is that right?

7 A That's right.

8 Q This is where Alex erroneously received a check meant
9 for his brother, Randy?

10 A That's right.

11 Q And ultimately managed to get the same amount twice.
12 Is that correct?

13 A That's right.

14 Q And how much is that check for? I can bring it to you
15 if you need to see it.

16 A You're going to have to.

17 Q Yeah, I'll bring it to you. The screen over here is
18 bigger than that one.

19 A It was for \$121,358.63.

20 Q \$121,000, correct?

21 A That's correct.

22 Q When he received the check, did Alex say no, this
23 isn't mine, this isn't my \$121,000 check?

24 A No, he didn't.

25 Q Now, you mentioned -- you started to talk about some

1 things you noticed in late of 2020, and let's just set the
2 table a lit bit more before we do that. You mentioned
3 disbursements. Tell the jury -- before we see some
4 paperwork, tell the jury how disbursements go about. Is
5 there certain paperwork that's done, and how do the lawyers
6 interface with the finance stuff for that to be
7 accomplished?

8 A Okay. So, a disbursement after a case is won, or what
9 we call settled, the money comes into the client trust just
10 like I talked about. A disbursement will recap how much
11 money was won, how much attorney fees, how much expenses
12 were withheld or earned for our firm in that, and then it
13 will list any loans or liens that need to be paid off. And
14 what I mean by that is like medical liens, medical bills,
15 insurance companies getting their money back for items that
16 they paid, and then it will show the balance that goes to
17 the client.

18 Q And so then how do they interface with the finance
19 staff? What does the finance staff do as opposed to when
20 the attorneys prepare those disbursement forms?

21 A So, it comes over to our finance department. We have
22 the supporting documentation with it, and we will process
23 the checks based off the attorney's signature. Those then
24 go back to the attorneys that handled the case or the
25 paralegals that handled the case. They meet with the

1 client and explain the disbursement to them and give them
2 the funds.

3 Q Okay. Is the finance staff relying on what the
4 lawyers are sending them to determine what checks should be
5 cut?

6 A Yes, with support.

7 Q With support?

8 A Yes.

9 Q Ultimately are they trusting the attorneys to provide
10 them correct information?

11 A We are.

12 Q All right. So, you mentioned that something had
13 happened in late 2020 that was the first thing that you
14 started to notice in the wake of the boating case that was
15 a little different. Tell the jury what you were about to
16 talk about.

17 A As I said, in late 2020 I really didn't notice it at
18 that point, but some of these items that we're going to
19 discuss started happening at that point. My discovery of
20 things started coming to a head in May of '21.

21 Q In May of 2021?

22 A Yes.

23 Q All right, and tell me. What was the first thing that
24 came to your attention?

25 A So, one thing that came to attention was a

1 disbursement that the fees were made out and processed to
2 Forge Consulting, and what that meant is that the fees
3 weren't going into our personal account like they should
4 have. They weren't going to the firm.

5 Forge is a -- Forge Consulting is a true company that
6 you can do structures of attorney fees, but the way that
7 this was done was not correct. To do a correct structure
8 you have --

9 Q Well, let me slow you down and -- so we can unpack
10 this a little bit.

11 A Okay.

12 Q All right. Let's first talk about what is a
13 structure? What is a structure? What does that mean?

14 A So, a structure means that you can set up a fee in the
15 agreement with the insurance company that you can put that
16 money into an annuity, that you'll get it out later. You
17 can avoid taxes now and take them out when you're sixty-
18 five or whatever year you determine. So, it's a way that
19 they can defer income for retirement. If they're having a
20 good year, they can do that.

21 Q So, maybe an explanation would be kind of like the
22 lottery. You can either get your settlement in one lump
23 sum or you can get it paid over time, correct?

24 A Correct.

25 Q All right, and so this is what a structure is is

1 getting it paid over time.

2 A Correct.

3 Q And are there tax benefits associated with doing a
4 structure?

5 A They would avoid taxes the year that they made the
6 fee, and they would pay the taxes when they got it out,
7 similar to your retirement 401(k).

8 Q And is it sometimes common for plaintiff's lawyers,
9 lawyers who get recoveries for clients, to have their
10 clients get the settlement in a structure as opposed to
11 getting it all in one lump sum so that there's some
12 security over time with that money?

13 A It is definitely a vehicle that can be used by
14 plaintiff's lawyers. We don't do it very often in our firm
15 and when it is done, it has to be -- every partner needs to
16 know about it and it needs to be agreed upon because
17 obviously that money is not coming into the firm to help
18 with overhead and expenses. So, we have to agree on it,
19 and we have to account for it in our allocations at the end
20 of the year to determine bonuses that we're going to pay
21 out.

22 Q Sure, but I'm talking about with clients right now.
23 So, clients that receive a settlement, they can elect to
24 either get it in one lump sum, or they can get a structured
25 annuity over time where they get it, however much a year

1 from however many years it goes, correct?

2 A Yeah, that's true, too.

3 Q All right. Kind of like the lottery. You have the
4 whole big thing with taxes or you can get a bigger sum over
5 time, correct?

6 A That's correct.

7 Q And so some clients might choose to get it over time
8 so that their money is more secure over a longer time,
9 correct?

10 A Correct, and you generally see that when it's a minor
11 involved or somebody with special needs that has a
12 disability of some sort.

13 Q And so what is Forge Consulting, the legitimate
14 business Forge Consulting? What do they do?

15 A They set up structured annuities for clients like
16 we're talking about. They do special-needs trusts for
17 people who are injured and are going to need life care
18 plans, and they handle that for them. They have a few
19 other things that they do, but I'm not familiar as much
20 with those services.

21 Q Have they provided services over the years -- the
22 legitimate company, Forge Consulting -- legitimate services
23 to the law firm and its clients over the years in helping
24 them set up structured settlements?

25 A They do. We've used them 250 to 300 times.

1 Q And is there -- who's kind of like the main guy in
2 Forge Consulting, the legitimate business?

3 A Michael Gunn.

4 Q All right. Now, you mentioned that we're not talking
5 now about the clients structuring their settlements, but
6 what if a lawyer wins a big case and wants to -- so he's
7 going to get a huge fee. Let me ask you this first.
8 Generally what is the legal fees for the firm when they win
9 a case, whether by settlement or by trial?

10 A Generally they're 33 percent to 40 percent, and it
11 depends on what stages the case was in or the work we had
12 to do. So, if we settle a case before we have to start
13 doing summons and complaints and depositions or going to
14 trial, we take 33 and a third percent. If it goes further
15 we do 40 percent, and it can go to 45 percent if it's on an
16 appeal. But generally speaking it's between a third and
17 40 percent.

18 Q Okay. So, let's say that somebody is a partner and
19 let's say they win a case at \$10 million, and it was a
20 40 percent one. So, they're going to get the \$4 million
21 fee, correct?

22 A Correct.

23 Q All right. Let's say that they decided that instead
24 of taking that fee, that \$4 million fee, they want to
25 structure that fee just like a client would. Can they do

1 that?

2 A They can do that, and that's what I was referring to
3 before with the authorization of the other partners in
4 making sure that we have enough money to operate and enough
5 money to account for it. If they do that, it's supposed to
6 be done in the release, and the insurance company will send
7 the money directly to Forge Consulting and not through us.

8 Q Okay, because it can't go through y'all directly or it
9 doesn't work. Is that correct?

10 A Or you would not get the tax benefit of it.

11 Q And if an attorney still had to do that, they're going
12 to have to work everything out with y'all to make sure
13 everything is accounted for for the end-of-year bonuses and
14 everything else, correct?

15 A That's correct.

16 Q Is that a common thing that people in the firm were
17 doing?

18 A No.

19 Q All right. So, kind of setting all of that up, did
20 you -- what came to your attention as it related to the
21 defendant, Alex Murdaugh?

22 A So in May '17, there was a disbursement called
23 Hershberger, that the fees were such -- I would have to
24 look at the exact disbursement, but it said structured
25 fees, Forge, and it had an amount.

1 Q Let me get something marked real quick.

2 A Yeah.

3 (Break in proceedings.)

4 Q All right. I'm going to show you what's been marked
5 as Exhibit 429 of your testimony and have you just flip
6 through that real quick, and tell me generally what that
7 is.

8 A This is the disbursements to do with the money
9 recovered in the *Hershberger* case, and this one had
10 multiple disbursements.

11 Q All right. Well, let's just talk about the one you
12 were just referring to. I'll show it to you.

13 A Okay. It's this page.

14 Q On the third page of this exhibit. Is that right?

15 A That's right.

16 Q All right. Pick up your story. What did you notice
17 that came to your attention?

18 A So it says PMPED attorney fee, then in parenthesis it
19 had Forge. The check had been made out payable to Forge.
20 I knew this was incorrect, so I went and had a discussion
21 with Alex about this. And the basics of discussion was is
22 we needed to know about -- if they were going to do a
23 structured annuity, we needed to do it. I also told him
24 that the way he had done it was incorrect, that he would
25 not be saving any tax consequences, that he needed to

1 properly set it up with the insurance company on the front
2 side.

3 Q All right, and why wasn't it done right? Why were you
4 telling -- at least from what you knew at the time, why did
5 you think it was not being done right?

6 A Basically because it should have gone from the
7 insurance company directly to Forge. We would not write a
8 check and send it to Forge for a structured fee.

9 Q Let me put this up on the screen just real quick.

10 MR. GRIFFIN: Your Honor, no other objections for 429.

11 MR. WATERS: All right. At this time I would move
12 State's 429 into evidence, I believe, without additional
13 objection.

14 THE COURT: It's admitted.

15 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
16 NUMBER 429 WERE RECEIVED INTO EVIDENCE.)

17 Q All right. So, is this the disbursement sheet you
18 were talking about?

19 A Yes, sir.

20 Q And this is generally the first one that the jury has
21 seen, but this is generally how disbursement sheets look
22 that are prepared by the law firm?

23 A Yes. You generally see the caption and then our
24 inside number, which is the matter ID. You'll see the
25 recovery and who's paid out. Then the next section should

1 be your fee and expenses.

2 Q All right. So, you've got the fee right there,
3 correct?

4 A That's correct.

5 Q And then you have expenses. And what, generally, what
6 are expenses?

7 A So, the expenses are the case costs that we pay going
8 along: costs to get depositions and pay transcribers,
9 medical records, expert opinions. Sometimes vehicles are
10 involved that we store. So, it's anything that we pay on
11 behalf of that case.

12 Q All right, and so they would have to come out of the
13 recovery, too, correct?

14 A That's correct.

15 Q And that's separate from the attorney's fees, correct?

16 A Correct.

17 Q All right. So, when y'all settle a case, you're going
18 to get your attorney's fees, but you're also going to get
19 paid back any costs and expenses you had to litigate the
20 case.

21 A That's correct.

22 Q Two separate amounts.

23 A Correct.

24 Q All right, and then we've got a lien. Explain to me
25 what a lien is and what -- how these affect disbursements,

1 if you would, please.

2 A So, a lien is -- it can be as simple as paying a
3 doctor's bill that was guaranteed, or it can be paying back
4 subrogation, which means -- subrogation just means if you
5 had insurance that covered it personally, your Blue
6 Cross/Blue Shield, and we recovered money, Blue Cross/Blue
7 Shield or Medicare or Medicaid, if you had that, would then
8 be seeking their money back. So, that would be a lien.

9 Q So, sometimes if somebody had got injured like in a
10 car wreck or something might have medical bills, and
11 there's a lien for that?

12 A Yes.

13 Q And sometimes funds might be withheld to satisfy the
14 medical bills?

15 A That's correct, too.

16 Q Is it common for the law firm to then negotiate with
17 the medical provider like a hospital or whatever and see if
18 he can get that medical bill down to a number they'll
19 settle for?

20 A That is correct.

21 Q And then if you save any money between what their bill
22 was and what you get them to accept, is that additional
23 money that should go back to the client?

24 A That's right.

25 Q And are those very common in those types of cases?

1 A Yes, and generally we will not hold up disbursing the
2 money to the client waiting on that to happen because it
3 can take awhile. So, we may have a disbursement that
4 leaves some money in our account, the balance of those
5 bills, while we're negotiating them, and then we'll do a
6 second disbursement to pay those clients that money, or the
7 provider the money.

8 Q All right. So, you pay them the big amount first, and
9 then if you're lucky enough to settle for a lesser amount,
10 then whatever is left over you'll send them later.

11 A Correct.

12 Q All right. So, then down here we have then the
13 ultimate settlement -- disbursement to the beneficiaries,
14 the clients. Is that correct?

15 A That's right, and if there's multiple, as this one,
16 you would see the split between the two.

17 Q And just real quick, whose signature is that right
18 there?

19 A That is Alex's.

20 Q And have you -- you've worked with him for how long,
21 or did work with him for --

22 A Twenty-three years, twenty-two years.

23 Q All right, and so you got very familiar with his
24 signature?

25 A Yes.

1 Q Do you recognize that as his signature?

2 A Yes.

3 Q All right. Going back here to this disbursement, we
4 have PMPED attorney's fee, Forge, and then you have that
5 amount. And then what is this next page of this exhibit?

6 A That's the canceled check payable to Forge for
7 \$83,333.33.

8 Q All right, and do you recognize that signature on
9 there?

10 A That's Alex's.

11 Q Okay, and so when you were -- when we last left off,
12 you were telling Alex that it had been done wrong because
13 it had gone straight from the trust account direct to what
14 you believed to be Forge at the time, correct?

15 A Correct.

16 Q And it can't go to a law firm or the tax benefits go
17 away.

18 A That's right.

19 Q All right. So, you raised those issues with Alex.
20 What did -- what was his response when you first talked to
21 him about it?

22 A His response was that he was not worried so much about
23 the tax ramifications and saving the taxes, but that he was
24 trying to get money in Maggie's name due to the boat
25 accident that had happened in February of 2019.

1 Q Go ahead.

2 A He also brought up the fact that he was friends with
3 Michael Gunn and that -- was going to try to work with
4 Michael Gunn putting up some fees during the year as a
5 favor to Michael Gunn, and to help him accomplish putting
6 money in Maggie's name.

7 Q Did he say anything -- and I apologize if you already
8 said this. Did he say anything in response to your
9 pointing out that this isn't going to work for the tax
10 benefit?

11 A He said that's fine. He was not worried about the tax
12 benefit so much as getting the money in Maggie's name.

13 Q Because of what?

14 A The boat wreck.

15 Q All right. Did that concern you at all?

16 A Yes, it.

17 Q And why did it concern you?

18 A Because that is hiding assets, and we're not going to
19 be part of any hiding assets or any wrongdoing. So, we are
20 very concerned that he was trying to do that, and we didn't
21 want to be a part of it.

22 Q Okay. At that point in time, did you do anything
23 about it, or did you kind of table the matter for the time
24 being?

25 A We kind of tabled the matter for the time being.

1 We -- I had to kind of set aside trying to figure out how
2 I'm going to account for this in my books, and we were
3 going to go back and talk to partners and kind of figure
4 out what we were going to do.

5 Q Ultimately, when is the sort of the drop-dead deadline
6 that you have to account for everything in the books?

7 A Usually I will do our final closing -- I balance all
8 of the time, but usually we'll do that final accounting in
9 December, so I really start drilling down and looking at
10 everything and balancing out in December. But I knew I had
11 until December to figure this out, and at that point I was
12 more concerned about how we were going to put it on our
13 books, and also letting the partners know what was going on
14 so we could make sure that it didn't -- it was disclosed to
15 his attorneys with the boat wreck stuff.

16 Q Tried to just put that aside and keep it in the back
17 of your mind?

18 A Right.

19 Q This is in May of what year did this happen?

20 A '21.

21 Q All right. Later on that month, did you receive a
22 communication of any sort from Alex's paralegal?

23 A I did. On Monday, May --

24 Q Who is that real quick?

25 A That is Annette Griswold.

1 Q All right --

2 A She's one of his paralegals.

3 Q And what did Annette -- what communication did she
4 have with you?

5 A So, I received an email. I was working in our
6 Waltherboro office that day, and I received an email from
7 Annette that said she needed to talk to me in private, and
8 could I please meet with her when I got back from the
9 office. So, when I did get back in the office we met, and
10 she came to me with another concern that -- in another file
11 that we had.

12 Q All right, and tell me what file was that.

13 A So, this file was -- we refer to it as the *Faris* file,
14 and it was a case with *Faris v. Mack Truck* that had a
15 fairly significant settlement. And the concern was that we
16 had only received the expenses on this -- this -- let me
17 first say this case was handled by Chris Wilson's firm, and
18 they were handling the disbursement. All the money went
19 through their account and they drafted the disbursement and
20 met with the client. So, if that happens, typically the
21 associate attorney will mail us our fee and our expense
22 check at the same time.

23 Q So, let me slow you down. So, this particular case,
24 the *Faris* case, was Alex Murdaugh the only attorney on that
25 case?

1 A In our firm I believe he was, but Chris Wilson was the
2 associated attorney.

3 Q Was Chris Wilson in PMPED or was he in a different
4 firm?

5 A No, he's in his own different firm.

6 Q And does that happen sometimes that two lawyers, one
7 lawyer from your firm and one lawyer from another firm,
8 will share a case?

9 A Yes, we have quite a lot of that.

10 Q All right, and then ultimately those fees have to be
11 split whichever way they agreed to do that. Is that
12 correct?

13 A That's correct.

14 Q And then sometimes if the settlement money or the
15 trial money comes in to that other firm, then they have to
16 disburse the fees and expenses to you.

17 A That's correct.

18 Q And tell the jury again what was Annette's concern?
19 That she'd received part of it but not the other thing?

20 A Annette received only a check for the expenses.

21 Q But not the fees.

22 A Not the fee, which is unusual. So, she had already,
23 unbeknownst to me, contacted my staff to make sure that we
24 had not received that fee prior, and indeed we checked and
25 it had not been. So, the conversation Annette had with me

1 that day was her concern that we were missing the fee
2 check. And she had had some conversations with Vickie
3 Lyman, who is Chris Wilson's paralegal, and that led
4 Annette to believe that Alex had already had the money paid
5 to him.

6 Q And that's the concern that she reported to you?

7 A Yes.

8 Q All right. Hold on for me and I'm going to show you
9 what's been marked as State's 312. Give me one second.

10 (Break in proceedings.)

11 MR. WATERS: Your Honor, I believe State's 312 is
12 offered for admission with no additional objection.

13 MR. GRIFFIN: That's correct, Your Honor.

14 THE COURT: It's admitted.

15 (EXPENSE CHECK MARKED AS STATE'S EXHIBIT NUMBER 312
16 WAS RECEIVED INTO EVIDENCE.)

17 Q All right, I'm going to show you this packet of
18 documents. I'm going to go to some emails that are within
19 it. And first of all I'm going to show you this one right
20 here and just see if you recognize that, please.

21 A I do.

22 Q All right. Tell me what that is.

23 A This is an email from Vickie Lyman, who's the
24 paralegal for Chris Wilson, to Annette Griswold, who's the
25 paralegal for Alex Murdaugh. And in it -- and in it

1 Annette is questioning why did we get the expenses and no
2 fee. Vickie replied back: Dear friend, it's only costs
3 because your boss and mine got their fees once they were
4 signed.

5 Q All right. So, that's what -- why Annette brought
6 that concern to you, correct?

7 A Yes.

8 Q All right. Did you have any conversation with Annette
9 about what to do?

10 A Well, Annette expressed concern about tattling on Alex
11 and perhaps getting in trouble for -- for him, a
12 retaliation from him. So, I told her we --

13 Q What's the concern? What's the concern about that?

14 A The concern is --

15 MR. GRIFFIN: Objection, Your Honor. Hearsay.

16 MR. WATERS: I just asked her what her concern was,
17 Your Honor.

18 A The concern was that that money had been stolen.

19 THE COURT: Wait. When there's an objection wait.
20 Yes, sir?

21 MR. GRIFFIN: He's asking her what Annette's concern
22 was, and Annette needs to testify about her own concern.

23 THE COURT: State the question, please.

24 Q I'll restate the question. What was your concern?

25 A My concern was that he had stolen the fees and they

1 were paid to him personally.

2 Q All right. Did you -- in this conversation with
3 Annette, did you instruct her to do anything? Did you send
4 an email?

5 A I sent an email to Annette asking for Annette to get
6 copies of the complete disbursement from Chris Wilson's
7 office, along with a copy of what we call the general
8 ledger printout, which would show the deposit and the
9 checks, and the supporting document to the disbursement.
10 Often times we'll just get a copy of the disbursement. So,
11 I asked for the full records like we would have in our
12 office.

13 Q And what did you tell Annette to do once you sent that
14 email to her?

15 A Annette forwarded that email to Vickie Lyman at Chris
16 Wilson's office.

17 Q All right. I'm going to show you what's been --
18 what's part of Exhibit 312 and it's marked at 2374 at the
19 bottom, and just kind of read that email going up. Is that
20 the email that you sent to Annette?

21 A Yes.

22 Q And is that the one that you were asking her to
23 forward on?

24 A Yes.

25 Q To request additional information from Chris Wilson's

1 office to try to get to the bottom of it?

2 A Yes.

3 Q All right, and if we go to the prior page, is that
4 where Annette forwarded that document on to Vickie Lyman at
5 Chris Wilson's office?

6 A This is.

7 Q All right. All right, and just real quick, what was
8 the date on that email when it was ultimately forwarded to
9 Vickie Lyman at Chris Wilson's office?

10 A That email was sent on May 27th, but Vickie was out of
11 the office on vacation, so Vickie replied to Annette on
12 June 2nd upon her return.

13 Q Okay, and what was the reply?

14 A And the reply was just clarifying what documents that
15 we needed. And at that point Vickie replies back to
16 Annette that she's not privy to that information, but she
17 will forward it on to Chris Wilson.

18 Q To her boss, Chris Wilson.

19 A Yes.

20 Q All right. So, y'all -- have y'all gotten an answer
21 at this point?

22 A No.

23 Q All right. So, what's the next step? What happens
24 after that?

25 A So, we're waiting for awhile. And Monday, May 7th, I

1 went to Alex's office searching for him after lunch --

2 Q Let me slow you down just real quick. After you sent
3 this email on June 2nd, did Alex ever reach out to you or
4 talk to you about the inquiries that you were making about
5 where these fees were?

6 A Yes, he actually came in the next day. The first
7 thing -- Chris did not answer me, but Alex came in the
8 first thing and said that money is Chris's trust. Why do
9 you need all of this information? And I basically said we
10 just need it for our records. It's what we have in ours
11 and it's required for us to keep. He assured me that the
12 money was over there and that he would get the records, and
13 they would get everything that we needed.

14 Q And that was some point after June 2nd?

15 A I believe it was the next morning.

16 Q And did you seek him out or did he seek you out to say
17 hey, no, that money is there the whole time?

18 A He seeked me out.

19 Q Okay, and that's what he told you?

20 A Yes.

21 Q All right. Did -- around this time, did anybody
22 else -- did y'all -- did you have any other discussions
23 with any of the other partners about what was going on with
24 this?

25 A I did. I had initially gone to Lee Cope because he

1 was one of the -- he's one of the partners that does a lot
2 of the managing, and he happened to be the one that was in
3 the office when this was going on that I could find and
4 talk to. And he also helped me come up with a plan of how
5 we were going to handle it so Alex would not think that
6 Annette was questioning. Mark Ball also knew some about
7 it, so --

8 Q Okay. Did -- was there any discussion about anyone
9 contacting Chris Wilson?

10 A After we didn't get it -- that came later.

11 Q That came later?

12 A That came later.

13 Q All right. So, Alex comes to you and says all of that
14 money is there. What's the next thing that happened that
15 you did?

16 A So, the next thing that happened was on Monday, May --
17 June 7th, I went looking for Alex --

18 Q Let me slow you down. On Monday, June 7th?

19 A Yes.

20 Q What year?

21 A '21.

22 Q June 7th of 2021, what happened?

23 A I went to look for Alex, and when I got upstairs he
24 was standing outside of his office leaning on a file
25 cabinet, and he looked at me with a pretty dirty look, one

1 I had not seen before, and said what do you need now?

2 Clearly disgusted with me, which kind of raised my hackles,
3 so I said, well, let's go in your office and talk about it.

4 When we went in his office, I said -- I told him, I
5 said I have reason to believe that you received the *Faris*
6 money directly to you, and you need to prove to me that you
7 did not. And he assured me again that the money was in
8 there. I told him I still needed to see the ledgers or
9 proof that it was. Again, he told me the money was in
10 there, that we could get it at any time, said he was trying
11 to leave it in there to decide what to do as far as
12 structuring some more money, or putting more money in
13 Maggie's name.

14 Q All right. You asked him for proof. Is that correct?

15 A Yes.

16 Q Proof that he didn't have that money.

17 A Yes.

18 Q Did you -- were you able to complete that conversation
19 on the morning of June 7, 2021?

20 A It was actually the afternoon of June 7th, but --

21 Q The afternoon.

22 A But, no, we were not able to complete it. During the
23 middle of our conversation he took a phone call, and the
24 call was saying that his father was in the hospital and
25 that there was nothing more that could be done. He was

1 terminal. So, at that point, you know, I've known Alex
2 for -- since I was sixteen years old. Known the family
3 forever. It turned into a personal conversation about how
4 is your dad doing? How is everything going? You know,
5 what's going on? And I basically thought he was leaving to
6 go to the hospital to attend to his father, so I left the
7 office at that time, and we did not discuss the money
8 anymore.

9 Q You thought he was leaving to go --

10 A I thought he was going to go to see about his father.

11 Q He had gotten a phone call about his father June 7th
12 of 2021. Is that right?

13 A That's correct.

14 Q Did you have a conversation with Alex later on that
15 day?

16 A We did. Around 4:00 my phone rang, and I remember
17 because I was surprised that he was still there, and Alex
18 was asking me some information about his 401(k) balance.

19 Q And why was he doing that?

20 A He was doing that because he stated he had to get some
21 documents and financials together for a hearing regarding
22 the boat wreck later that week.

23 Q He needed his own financial information for a hearing
24 for the boat case that week, correct?

25 A That's correct.

1 Q Do you know when the boat case was, the boat case
2 hearing was?

3 A I believe it was June 10th.

4 Q June 10th?

5 A '21, within a few days.

6 Q Within a few days. Were you surprised to hear from
7 him in the office?

8 A I was because I thought he was leaving.

9 Q Thought he was leaving because of the call from his --
10 about his grand -- his father?

11 A His father.

12 Q Did you go home at the end of work that day?

13 A I did.

14 Q You went back home and had a normal evening?

15 A Yes, until about 10:30.

16 Q And then what happened at 10:30?

17 A I got a call, or started getting texts from friends
18 asking if I had heard if Maggie and Alex -- I mean, Maggie
19 and Paul had been shot. I didn't know anything about it.
20 They were hearing things on scanners. So, I sent texts to
21 a couple of the attorneys and did not hear back until
22 probably 2:00 in the night. Mark emailed me back -- or
23 texted me back that they, in fact, had been shot and
24 killed.

25 Q Was that shocking?

1 A It was very shocking.

2 Q Was everybody scared?

3 A Very scary. Nobody knew what was going on, so very
4 scary.

5 Q Did the -- you said this law firm was like a
6 brotherhood, correct?

7 A That's correct.

8 Q Did everyone rally to Alex's aide?

9 A We did. Nothing happened that week at work.
10 Everybody spent time with Alex trying to support him,
11 bringing the family meals, attending the funerals, so
12 nothing happened all week.

13 Q After the murders happened, was anybody at all
14 concerned about getting the proof for those missing fees
15 after those murders happened at that point in time?

16 A We weren't because we were concerned about Alex. He
17 wasn't working a whole lot; he was erratic. We knew he was
18 taking pills. We were just worried about his sanity, so we
19 weren't going to go in there and harass him about money
20 when we were worried about his mental state, and the fact
21 that his family had been killed. It just wasn't even on
22 our mind at that point.

23 Q It wouldn't be on your mind, would it?

24 A No.

25 Q As a few weeks went on, did you ever receive any

1 communication about those fees that kind of put the matter
2 to bed at least a little bit?

3 A We did. Lee Cope, who was one of the partners, took
4 over. You know, we decided we were not going to press
5 Alex, but Lee made some contact with Chris Wilson during
6 that time asking Chris for information. And I believe
7 after that, Alex searched me out again and said hey, I've
8 got that money.

9 It wasn't until -- I believe it was July 19th I
10 received an email that Chris had forwarded to Alex. Alex
11 then forwarded the email to myself and Lee Cope, and in
12 that email it said I am holding the fees for the *Faris*
13 case, and he named the amounts and said they are available
14 any time that you should need them. So, we're being told
15 by outside counsel that the money is there.

16 Q Did you trust what you were being told?

17 A Yes.

18 Q When you got that email, did it at least for the time
19 being look like the matter was put to bed?

20 A Yes. These are members of the bar who have taken a
21 sworn oath that we are supposed to trust, and they're
22 telling us that the money is there.

23 Q We're still on Exhibit 312. Let put this up on the
24 screen. Do you recognize that?

25 A That is the email that I'm referring to.

1 Q And this email comes from who to who?

2 A It comes from Chris Wilson to Alex Murdaugh.

3 Q And then it gets sent to who?

4 A Myself and Lee Cope.

5 Q From who?

6 A From Alex Murdaugh.

7 Q And can you read to the jury that paragraph right
8 there, what was forwarded to you that sort of put this
9 matter to bed?

10 A Alex, as discussed, I am confirming that I'm
11 holding in trust \$600,000 in the Andral Faris
12 case and 192,000 in the Denise Faris case, which
13 represent attorney fees. I will continue to hold
14 these monies in trust until I'm instructed by you
15 and your firm regarding payment.

16 Q Did that lead you to believe that those monies have
17 been there all of the while?

18 A Yes, with some hesitation on my part because I just --
19 it still seemed a little shaky to me, but I decided I would
20 have to believe what was presented to me.

21 Q What is the date on this particular email?

22 A July 19th.

23 Q So, we're just after --

24 A Of 2021.

25 Q Just a little month after the murders. Is that

1 correct?

2 A Yes, a little over.

3 Q Now, I'm going to take you forward a little bit.

4 Well, let me ask you this. In that time period in July and
5 August, going into early September, was Alex in the office
6 much?

7 A He's not in the office very much, no.

8 Q And you had mentioned before the first thing that kind
9 of came to your attention, and what case was that?

10 A *Hershberger* and *Faris*.

11 Q All right. At some point in time, does that
12 *Hershberger* matter kind of come back to your attention to
13 take a look at that?

14 A Yes. Like I said, I had it sitting there on my
15 desktop right in front of me, but due to work and personal
16 obligations and things that were happening that summer, I
17 didn't start looking again until September. I decided to
18 start combing through his fees for the year and just making
19 sure that we had not missed anything else.

20 Q Before you go on with that, around that same time as
21 you're doing that, does Annette Griswold come into your
22 office?

23 A She did. Incidentally, during the day after I had
24 found what I'm about to discuss with you, she walks into
25 the office and had found a check on Alex's desk that was

1 made payable to Richard Alexander Murdaugh, and it was from
2 Chris Wilson's trust account, and the amount, I believe,
3 was \$225,000, and it was signed, and on the memo *Faris*
4 fees.

5 Q I'm going to show you what's been marked as State's
6 313 and see if you recognize that.

7 A That's the check I'm just discussing.

8 Q All right.

9 MR. WATERS: Your Honor, at this time would move
10 State's 313 into evidence.

11 MR. GRIFFIN: No additional objection.

12 THE COURT: It's admitted.

13 (CHECK MARKED AS STATE'S EXHIBIT NUMBER 313 WAS
14 RECEIVED INTO EVIDENCE.)

15 Q And what is State's 313?

16 A That is a check from Chris Wilson's client trust
17 account payable to Richard Alexander Murdaugh, Esquire, in
18 the amount of \$225,000 referencing *Faris* fees.

19 Q Is it made out to the law firm?

20 A No, it's made out to him.

21 Q Who is it made out to?

22 A It's made out to him personally, Richard Alexander
23 Murdaugh.

24 Q When you see this check what, if anything, is your
25 realization?

1 A That he stole the money, that he'd been lying.

2 Q And what's the date on that check?

3 A March 10, 2021.

4 Q All right. So, Annette brings you that check, and
5 you're also looking at the Forge -- you said -- explain
6 what you were doing as well when this is going on.

7 A So simultaneously that day, I decided to print out a
8 listing of Forge payments to Forge Consulting, and as I was
9 printing those out, I was printing supporting documents and
10 canceled checks, and as the canceled checks hit the back of
11 my printer, I could see Alex Murdaugh's signature on the
12 back. It would say Alex Murdaugh, and a lot of them were
13 Bank of America. And as every one come out, I started
14 noticing it more and more, and I just had the sickest
15 feeling you could feel in the world. I knew that he was
16 stealing all of this money.

17 At that point, William Barnes just happened to call
18 over to my office and said what are you doing? How are you
19 doing today? And I said I'm about to throw up. You need
20 to come over here, and showed him the checks, at which
21 point he verified that he thought that was Alex's signature
22 as well.

23 From there we called Mark Ball. Mark Ball came and
24 looked over the information. We showed him the proof of
25 the check of the 225,000, and Mark noticed that one of the

1 cases -- that he definitely knew it could not have been
2 going to Forge because it was a workers' comp case.

3 Q Whose case was that?

4 A That was Thomas Moore.

5 Q Keep going.

6 A So, he knew that that money couldn't have been sent no
7 matter what. We also discussed this with Lee Cope. We
8 were trying to decide how we were going to handle this,
9 what are we going to do. Lee Cope -- it was decided that
10 Lee Cope would contact Michael Gunn directly, and we named
11 a few of the case. We got a few of the names. Lee
12 contacted Michael Gunn, asked him if there had ever been --
13 to please verify if there had ever been any structures with
14 that, and also asked Michael Gunn if they'd been banking at
15 Bank of America. Michael's reply to Lee was they had not
16 banked at Bank of America in a number of years, and that he
17 was unable to verify that those were indeed such structured
18 fees for those clients.

19 Q So, let me slow you down real quick. You researched
20 what name in there?

21 A Forge Consulting and Forge.

22 Q So, you're researching your system Forge Consulting,
23 correct?

24 A Yes.

25 Q To see any instances where it was an Alex Murdaugh

1 case that went to Forge Consulting, correct?

2 A Correct.

3 Q And did you find a number of checks?

4 A We did.

5 Q Do you have access to the firm trust account checks on
6 your system?

7 A Yes.

8 Q And when you saw those checks, what did you observe
9 that caused that sickening feeling you just described?

10 A They were made to Forge instead of Forge Consulting,
11 but also the fact that his signature was on the back and
12 the endorsement on the back was Bank of America.

13 Q And what did that indicate to you about all of those
14 checks when you saw his signature on them?

15 A That they were stolen fees and stolen money.

16 Q That's different from this, correct?

17 A That is correct.

18 Q What's being stolen -- what, if anything, is being
19 stolen with Exhibit 313?

20 A The fee -- the check is being written directly to
21 Richard Alexander Murdaugh, and in the other scheme it was
22 written to a Forge account, which we realized was a bank --
23 Forge bank account. We found in the office a few days
24 later bank statements that said Richard Alexander Murdaugh
25 doing business as Forge.

1 Q All right. So, you say a few days later in Alex's
2 office you found some bank statements?

3 A That's correct.

4 Q Do you remember what bank they were on?

5 A Bank of America.

6 Q And I'm going to show you what's been marked as
7 Exhibit 335 and see if you represent -- recognize that just
8 as an example?

9 A I do.

10 Q And what is that?

11 A This is a bank statement from Bank of America with the
12 name Richard A. Murdaugh, sole prop, which means
13 proprietor, doing business as Forge. And it has Alex's
14 home address as the contact on the bank account.

15 Q And you found bank statements on this account in his
16 office, correct?

17 A That's right.

18 Q Is this the legitimate Forge bank account?

19 A It is the fake Forge bank account.

20 MR. GRIFFIN: Your Honor, we don't have any additional
21 objection.

22 MR. WATERS: I would offer 335 at this time, Your
23 Honor.

24 THE COURT: It's admitted.

25 (FAKE FORGE ACCOUNT DOCUMENTS MARKED AS STATE'S

1 EXHIBIT NUMBER 335 WERE RECEIVED INTO EVIDENCE.)

2 Q Is that the name that was on the account that you
3 found?

4 A Yes.

5 Q You call it a fake Forge.

6 A Fake Forge.

7 Q And why do you call it fake Forge?

8 A Because there is a real Forge Consulting, but this was
9 a fake company that he set up to mimic and look like and
10 designed to look like Forge.

11 Q The real Forge, who's the main guy at the real Forge?

12 A Michael Gunn.

13 Q And does this account right here in Alex Murdaugh's
14 name have anything to do with the real Forge?

15 A Absolutely none.

16 Q Going back to Exhibit 313, this check, the problem is
17 who should this check had been made out to?

18 A That should have been made out to Peters, Murdaugh,
19 Parker, Elzroth, and Detrick.

20 Q To the law firm, correct?

21 A That's right.

22 Q All right. So, who is not getting what they're
23 supposed to get in this instance with this check?

24 A The law firm.

25 Q When we start talking about the fake Forge account,

1 who is generally not getting what they're supposed to get?

2 Is it the law firm or someone else?

3 A Generally the client. Sometimes the law firm, but
4 generally the client.

5 Q All right. I'm going to show you what's been marked
6 as State's 314 and see if you recognize this.

7 A Yes. This is a spreadsheet of all of the payments
8 made to the fake Forge referencing each client and the
9 amount that was stolen from each client.

10 Q And did you prepare that?

11 A I did.

12 Q All right, and is this based on an investigation that
13 you had to do in the wake of all of this?

14 A Yes, we did. We also had forensic auditors come in
15 and look at this. We had -- we hired former FBI to come in
16 and look at this. And we have also self reported to the
17 Office of Disciplinary Counsel which maintains licenses,
18 and we've turned over ten years of information to them at
19 least, provided them with all of this.

20 Q Let me see it real quick.

21 MR. WATERS: Your Honor, at this time we would move
22 into evidence State's 314.

23 MR. GRIFFIN: Your Honor, we do not have any
24 additional objection provided it's -- understand -- we
25 understand it's being offered for the limited purpose for

1 which Your Honor instructed the jury yesterday, that it's
2 not character evidence. It's only to motive according to
3 the State's theory.

4 THE COURT: Yes, sir. It's admitted.

5 (SPREADSHEET MARKED AS STATE'S EXHIBIT NUMBER 314 WAS
6 RECEIVED INTO EVIDENCE.)

7 MR. WATERS: Thank you, Your Honor.

8 Q All right. We're going to pick up on your story in a
9 little bit, but you were saying that when Annette Griswold,
10 around the time she brought you that Chris Wilson check
11 that had Alex's name on it, you also were bringing up and
12 searching Forge in your system, and that's when you saw all
13 of these quote fake Forge checks. Is that correct?

14 A That's correct.

15 Q And you mentioned that you went and talked to some
16 partners about it and that sort of thing, correct?

17 A That's correct.

18 Q And we're going to talk about that in a minute, but
19 just real quick, if you go to Exhibit 314, this is that
20 spreadsheet that you prepared. Is that correct?

21 A That's correct.

22 Q And we have the -- what's this right here?

23 A That is the date of the check where the funds were
24 stolen from.

25 Q Okay, and then right here?

1 A That's the client name.

2 Q All right, and then right here?

3 A That's what we call the civil action number that's
4 been filed within the court.

5 Q And then the category?

6 A Is what type that he did. Most of them were Forge
7 payments, or you see a couple other. Took insurance. He
8 had a few methods.

9 Q All right, and then over here, is that when y'all had
10 to pay the money back?

11 A Yes. So, for each one of these, the money that was
12 stolen, all of the partners got together and had to put the
13 money back into client trust, and we went through and
14 corrected and met with every client and distributed money
15 back to them. That's an ongoing basis, still going on.

16 Q So for all of these clients, you had to pay -- the law
17 firm had to pay money back?

18 A The partners came up with money and paid all the --
19 all of the clients back.

20 Q And why did y'all have to pay all of that money back?

21 A Because Alex had stolen it.

22 Q And we're going to talk about these in a minute, but
23 if you look at the bottom, at least for this category, what
24 was the total that you have? At least for this category?

25 A \$2,841,512.55.

1 Q And at least in this category, your earliest date that
2 we have is roughly what year?

3 A 2015.

4 Q All right. Let's go back to early September. Do you
5 remember what day it was that all of this was happening?

6 A September 2nd.

7 Q All right, and Annette brings you this check. You're
8 finding these things. You say you talked to some of the
9 partners about this?

10 A Correct.

11 Q And what happens after that? What do y'all do?

12 A We had a partner meeting at Lee Cope's house the
13 morning of Friday, September 3rd.

14 Q Was the defendant there?

15 A No.

16 Q All right. Is Randy Murdaugh there?

17 A Randy is not there initially. Initially we showed all
18 of the remaining partners what we had found and that he'd
19 been stealing. The consensus was let's get Randy in here
20 and let's show him so he wasn't blind-sided. Randy came
21 in. We presented him the evidence, and he immediately hung
22 his head and said he stole it. We've got to do something
23 about this.

24 Q All right, and did anybody then go make contact with
25 the defendant?

1 A So, Danny Henderson and Randy Murdaugh went to
2 confront Alex about it.

3 Q And what was reported to you after that conversation?

4 A The report was that Alex had admitted that he stole
5 the money and that we were forcing him to resign.

6 Q In the wake of all of that, you ultimately had to
7 start doing this review. Is that correct?

8 A Yes.

9 Q And this spreadsheet we're about to go through
10 reflects those various transactions. Is that correct?

11 A That's right.

12 Q All right. Let's do it.

13 THE COURT: Ladies and gentlemen, we'll take a break
14 now, if you'll go to the jury room. Please do not discuss
15 the case.

16 (The jury left the courtroom.)

17 THE COURT: We will be in recess for 15 minutes.

18 (A break was taken.)

19 THE COURT: If you will bring the jury.

20 (The jury returned to the courtroom.)

21 THE BAILIFF: The jury is present, sir.

22 THE COURT: Thank you.

23 You may proceed.

24 MR. WATERS: Thank you, Your Honor. May it please the
25 Court?

1 THE COURT: Yes, sir.

2 BY MR. WATERS:

3 Q Ms. Seckinger, before the break, just to reset the
4 table. You had gone in -- did you go into Alex's office on
5 June 7th of 2021 for proof that he had not taken the Chris
6 Wilson fees?

7 A Yes.

8 Q And then that conversation got delayed, correct?

9 A Yes, got disrupted and delayed.

10 Q The murders happened.

11 A Correct.

12 Q Did you receive an email in July leading you to
13 believe that the Chris Wilson fees were in the account all
14 along?

15 A We did.

16 Q And then we move to September when Annette Griswold,
17 Alex's paralegal -- did she bring you a check showing you
18 that, in fact, those checks had been written to Alex back
19 in March of 2021?

20 A That's correct.

21 Q At the same time, you were going through the system
22 and looking at payments to Forge, correct?

23 A Correct.

24 Q And the real Forge is headed by who? Who's the main
25 guy there?

1 A Michael Gunn.

2 Q All right, and then ultimately, though, you determined
3 these were going to what you called what?

4 A Fake Forge.

5 Q Fake Forge, which was an account set up to look like
6 Forge but in the name of who?

7 A Richard Alexander Murdaugh.

8 Q The defendant?

9 A Yes.

10 Q And then once you uncovered that, that started to pull
11 the thread in a series of things you're about to testify
12 going back the preceding years. Is that correct?

13 A That's correct.

14 Q So, that's kind of where we left off?

15 A That's right.

16 Q All right. We go back and look at State's 314. We're
17 just going to do these in order and I'll move as
18 expeditiously as we can. All right, I'm going to show you
19 what's been marked as State's 317 to your -- to this trial
20 and see if you recognize that.

21 A I do. This is the disbursement statement for Adrianna
22 Hagge.

23 MR. WATERS: Your Honor, at this time the State would
24 offer State's 317 into evidence.

25 MR. GRIFFIN: No additional objection, Your Honor.

1 THE COURT: All right. It's admitted.

2 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
3 NUMBER 317 WERE RECEIVED INTO EVIDENCE.)

4 Q All right, and tell the jury what this is very
5 quickly.

6 A So this one, there's a recovery of \$247,500, there's
7 attorney fees of \$22,000, expenses of \$426.54, and then the
8 settlement proceeds to Forge Consulting for the client's
9 amount of \$225,073.46.

10 Q All right, and that's the disbursement sheet that was
11 signed by who? Do you recognize the signature on there?

12 A Alex's.

13 Q All right, and let me put it up on the screen if we
14 could. And was this record, was this found in the files of
15 the law firm?

16 A Yes.

17 Q And whose signature is that right there?

18 A Alex's.

19 Q And what's the date on this?

20 A 12/20/2018.

21 Q And what's the first name of the client here, please?

22 A Adrianna.

23 Q All right, and we look at this particular
24 disbursement, it's got a recovery amount. That's how much
25 money came in. Is that correct?

1 A That's correct.

2 Q And then we have an attorney's fee?

3 A Yes, and that looks like that's a reduced fee.

4 Q All right. It's reduced fee in as much it is -- why
5 did you say it's a reduced fee?

6 A It's not a third or either 40 percent of \$247,500.

7 Q All right, and then we've got expenses. Is that
8 correct?

9 A Yes.

10 Q And finally we have this line right here. What does
11 that say again?

12 A Settlement proceeds to Forge Consulting, \$225,073.46.

13 Q Did that go to the real Forge Consulting?

14 A That went to the fake Forge Consulting.

15 Q And who controls the fake Forge account?

16 A Alex Murdaugh.

17 MR. GRIFFIN: Your Honor, I object to him writing on
18 the exhibits after they're in evidence.

19 THE COURT: Is it in evidence or not, this particular
20 exhibit?

21 MR. GRIFFIN: Yes, Your Honor.

22 THE COURT: All right. You may proceed.

23 MR. WATERS: Thank you, Your Honor.

24 Q All right, and looking at the second page of this
25 exhibit, what is this?

1 A This is the check made payable to Forge for the
2 \$225,073.46.

3 Q And that went to the fake Forge?

4 A Yes.

5 Q Did the law firm ultimately have to pay that money
6 back?

7 A We did.

8 Q Why did you have to pay it back?

9 A Because Alex stole it.

10 Q Again, looking at these disbursement sheets, these are
11 prepared by the attorneys and their staff. Is that
12 correct?

13 A That's correct.

14 Q And then they're delivered to the finance staff?

15 A Correct.

16 Q And then the finance staff uses that to do what?

17 A To cut the checks and give them back to the attorney
18 to disburse to the client.

19 Q So, this first sheet was delivered to your staff. Is
20 that correct?

21 A Correct.

22 Q And then they did what?

23 A They wrote the checks as per the disbursement.

24 Q And why did they do what Alex Murdaugh requested them
25 to?

1 A They trusted him, and he was their boss, and they --
2 that's what they thought they should do.

3 Q All right. Going to the next one, State's 318. All
4 right, I'm going to show you what's been marked as State's
5 318 and see if you recognize this document.

6 A Yes. This is the disbursement statement for Barrett
7 Boulware.

8 Q All right?.

9 MR. WATERS: Your Honor, at this time I would offer
10 State's 318 into evidence.

11 MR. GRIFFIN: No additional objection, Your Honor.

12 THE COURT: It's admitted.

13 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
14 NUMBER 318 WERE RECEIVED INTO EVIDENCE.)

15 Q All right, I'm going to put it up on the screen. If
16 you have a problems seeing, just let me know and I'll bring
17 it back to you. Okay?

18 A Okay.

19 Q All right. Again, this is a disbursement statement
20 for this particular case?

21 A That's correct.

22 Q And who is the first name of the client, please?

23 A Barrett.

24 Q And looking here on this particular one we have,
25 again, a recovery and then we have some expenses, and then

1 ultimately we have this right here. Is that correct?

2 A That's correct.

3 Q And who is that disbursement -- what does it say on
4 the disbursement sheet?

5 A Forge, but that's the fake Forge.

6 Q All right, and do you see a signature on there?

7 A I do. IT's Alex Murdaugh's.

8 Q All right, and going to the next page, do you
9 recognize that?

10 A This is the check payable for \$279,850 and I believe
11 85 cents, or 65 cents.

12 Q All right, and do you recognize that signature right
13 here?

14 A That's Alex Murdaugh's.

15 Q And do you recognize this writing right there?

16 A That is his handwriting.

17 Q All right, and did this money go into the real Forge
18 or go into the fake Forge?

19 A It went into his fake Forge account.

20 Q And did ultimately the law firm have to refund this
21 money?

22 A Again, we refunded the money; each partner put up
23 money and refunded the money to the client.

24 Q And why did the law firm have to refund it?

25 A Because he stole it.

1 Q Who stole it?

2 A Alex Murdaugh stole it.

3 Q And we go to the third page of this exhibit. Do you
4 recognize this particular check right here?

5 A I do.

6 Q All right, and what is that?

7 A So, this is an insurance proceed payment from, I
8 believe, Southern Fidelity Insurance in the amount of
9 \$75,193. That check never even came through our books. He
10 stole it, endorsed it, and put it in his Bank of America
11 account, and we found a copy of it on his desk later as we
12 were investigating.

13 Q Did the law firm ultimately have to replace that
14 money?

15 A We replaced that money as well.

16 Q I'm going to show you what's been, I believe, admitted
17 into evidence as State's 429.

18 A Okay. This is the disbursement sheet for Hershberger.

19 Q All right, and on that particular one let me -- first
20 of all, I'm going to put it up on the screen. And again,
21 if you can see it -- if you have to -- if I need to bring
22 it back to you, let me know. Okay?

23 A Okay.

24 Q All right. I'm going to go over to the third page of
25 this exhibit, and this is a disbursement sheet for this

1 matter. Is that correct?

2 A That's correct.

3 Q All right, and we look on this third line, and what
4 does it say right there?

5 A The PMPED attorney fee Forge.

6 Q All right. What's the amount?

7 A \$83,333.33, and that's the one we discussed earlier.

8 Q That's the one that first came to your attention?

9 A Yes.

10 Q All right. Ultimately let's go over to this next
11 check. Do you recognize that?

12 A It's the corresponding check with payment to Forge for
13 \$83,333.33.

14 Q Do you recognize that signature?

15 A Alex Murdaugh's.

16 Q And do you recognize that writing right there on the
17 endorsement?

18 A Alex Murdaugh's.

19 Q All right, and this is a check that you thought had
20 gone to a legitimate structure?

21 A Correct.

22 Q And where did it actually go?

23 A It went to his fake Forge account, the one in his
24 personal name.

25 Q I'm going to show you the second part -- page of this

1 exhibit. Do you recognize this check?

2 A I do.

3 Q All right. Tell me what this check is.

4 A This is another check payable to Forge for 91,867.50
5 for the settlement proceeds due to the Estate of Jacob
6 Hershberger.

7 Q All right, and just going back real quick, the first
8 amount of 83,000 and change, those were actually
9 representing what?

10 A Those were our fees that would be payable to the law
11 firm.

12 Q And this money right here, thought, that represented
13 what?

14 A Client money, client settlement money.

15 Q And did it go -- where did it go?

16 A It went to the fake Forge account in Alex's name.

17 Q And did the law firm ultimately have to repay that
18 money?

19 A We repaid that as well.

20 Q So, we've got two transactions in this particular one.
21 We've got the 833 and then we have 91,000. Is that
22 correct?

23 A Yes, and I have to correct myself on that one. We're
24 still in the process of paying that one.

25 Q And what's the date on that particular one?

1 A December 15, 2020.

2 Q And then the date on --

3 A May 12, 2021.

4 Q All right, and that's roughly around the time that
5 that came to your attention that you previously testified?

6 A Yes.

7 Q I'm going to show you what's been marked as State's
8 319 and have you take a look at it.

9 A This is the disbursement sheet for Blondell Gary.

10 Q All right, and I'm going to put it on the screen, and
11 if you need me to bring it to you, let me know.

12 A Okay.

13 MR. WATERS: And at this time, Your Honor, I would
14 offer 319 into evidence.

15 MR. GRIFFIN: No additional objection.

16 THE COURT: It's admitted.

17 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
18 NUMBER 319 WERE RECEIVED INTO EVIDENCE.)

19 Q All right. Looking at this we have, let's see, a
20 first name of the client here?

21 A Angel.

22 Q All right, and looking down we have a recovery amount,
23 and then what's this third line right there?

24 A Forge structure in the amount of \$112,500.

25 Q And going to the next page, what do we see?

1 A This is the check payable to Forge in the amount of
2 \$112,500.

3 Q And did that go to the real Forge or the fake Forge?

4 A It went to the fake Forge in Alex Murdaugh's name.

5 Q Okay, and whose signature is that?

6 A Alex Murdaugh's.

7 Q Going back to the original page, whose signature is
8 that?

9 A Again, Alex Murdaugh's.

10 Q What's the date on that? I don't know if you can see
11 it or not.

12 A It looks like 4/9/19.

13 Q Okay. Did y'all have to repay that money?

14 A We also repaid that money.

15 Q All right. Why did you have to repay that money?

16 A Because it was due to the client and Alex Murdaugh
17 stole it.

18 Q I'm going to show you what's been marked as State's
19 320 and see if you recognize this document.

20 A This is the disbursement sheet on Christopher
21 Anderson.

22 Q All right.

23 MR. WATERS: Your Honor, at this time I would offer
24 State's 320 into evidence.

25 MR. GRIFFIN: No additional objection.

1 THE COURT: It's admitted.

2 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
3 NUMBER 320 WERE RECEIVED INTO EVIDENCE.)

4 Q All right. Again, we have a disbursement sheet. Is
5 that correct?

6 A We do.

7 Q All right, and then we have a recovery. Is that
8 correct?

9 A Yes, of 750,000.

10 Q And then how much on the disbursement sheet was
11 written to Forge?

12 A 750,000.

13 Q Every -- every bit of it?

14 A Yes.

15 Q And whose signature is that?

16 A Alex Murdaugh's.

17 Q Second page.

18 A A check payable to Forge for \$750,000.

19 Q What's the date on it?

20 A February 20, 2020.

21 Q Did this go to the real Forge or the fake Forge?

22 A It went to his fake Forge personal account.

23 Q In this particular case, were there multiple
24 recoveries?

25 A There were multiple recoveries in this one.

1 Q So, some of the money -- did some of the money
2 actually go to the client back when all of this happened?

3 A Some of the money did go to the client, and when
4 meeting with the client to go over this, he told me that he
5 was unaware of the second settlement.

6 Q And how much of the second settlement did Alex
7 Murdaugh take?

8 A 100 percent of it, the entire 750,000.

9 Q What's the date on that?

10 A February 20, 2020.

11 Q Do you recognize that signature right there?

12 A That is Alex's.

13 Q I'm going to show you what's been marked as State's
14 321. Do you still recognize this document?

15 A This is a disbursement statement -- excuse me -- to
16 Deon Martin.

17 Q All right.

18 MR. WATERS: Your Honor, at this time the State would
19 offer State's 321 into evidence.

20 MR. GRIFFIN: No additional objection.

21 THE COURT: It's admitted.

22 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
23 NUMBER 321 WERE RECEIVED INTO EVIDENCE.)

24 Q All right. Looking at this particular one, what is
25 the first name of the client here?

1 A Deon.

2 Q All right, and a couple of things. The first thing I
3 want to ask about is is we have right here -- what's that
4 third line right here? What does that say?

5 A It says structure for annuity directly to Michael Gunn
6 in the amount --

7 Q And tell the jury who Michael Gunn is.

8 A He is the owner of the real Forge Consulting that we
9 do structured annuities.

10 Q What's -- for that, was there any structured annuity
11 directly to Michael Gunn?

12 A We were able to verify later that there was no
13 structured annuity to Michael Gunn.

14 Q All right, and what was the effect of having that line
15 in this disbursement sheet when it was prepared by the
16 defendant and his staff?

17 A You can see a line where the payment, it says
18 settlement proceeds structured annuity 500 out. So,
19 basically what he did here was create a fake fee, or fake
20 recovery, that he took a 40 percent fee on \$200,000. That
21 \$200,000 should have been the client's money but he faked a
22 fee. It's just phantom money.

23 Q So by putting this line in here, right here with that
24 fake annuity then, 40 percent of that would be --

25 A It was counted in as fees under his column in our

1 system.

2 Q And so just by that paperwork, poof, you have --

3 A Poof, phantom money.

4 Q Phantom money. Did y'all ultimately have to account
5 for that?

6 A We did.

7 Q With the client?

8 A We did.

9 Q All right. Down here at the bottom, do you recognize
10 that signature?

11 A Alex Murdaugh's.

12 Q Do you see a date?

13 A 8/20/2015.

14 Q All right, and then moving on to the next page in
15 that -- you previously testified that there could be
16 multiple disbursements in a case. Is that correct?

17 A That's correct.

18 Q And is this one such case?

19 A Yes.

20 Q All right. Right here I'm looking at the second
21 disbursement, and down at the bottom, can you tell me the
22 date on this?

23 A October 6, 2015.

24 Q All right, and down at the bottom right here, what
25 does that say?

1 A Disbursement to Forge, \$338,000 -- \$338,056.14.

2 Q Did that go to the real Forge or the fake Forge?

3 A Went to the fake Forge.

4 Q Flipping to the next page, do you recognize that?

5 A That is the check payable to the fake Forge in the
6 amount of \$338,056.14 signed by Alex Murdaugh.

7 Q Did y'all ultimately have to pay that back to the
8 client?

9 A We did. We paid that and the \$200,000 back.

10 Q And why did you have to do that?

11 A Because Alex had stolen it.

12 Q Going to the next page, we have another disbursement
13 in this case. Is that correct?

14 A Yes.

15 Q All right, and what does this line say right there?

16 A Structured to Forge marked \$45,000.

17 Q Where did that \$45,000 go?

18 A It went to the fake Forge account in Alex Murdaugh's
19 name.

20 Q Going forward we see this check. Do you recognize
21 that?

22 A That's the check payable to Forge in the amount of
23 \$45,000.

24 Q Do you recognize that signature?

25 A It's Alex Murdaugh's.

1 Q Do you recognize that writing right there?

2 A Alex Murdaugh's.

3 Q Where did that money go?

4 A To the fake Forge account in his Bank of America
5 Richard Alexander Murdaugh name.

6 Q So, we have three things here. We have the phantom
7 fee, correct?

8 A Correct.

9 Q We have the 338,000 and change?

10 A Correct.

11 Q We have the 45,000?

12 A Correct.

13 Q Did your law firm have to pay all of that back?

14 A We paid every cent of that back. The attorneys put it
15 in --

16 Q Why did you?

17 A -- because Alex stole it.

18 Q I show you State's 315 and see if you recognize this.

19 A This is another disbursement for Eleese Mallory.

20 MR. WATERS: Your Honor, at this time I offer State's
21 315 into evidence.

22 MR. GRIFFIN: No additional objection.

23 THE COURT: It's admitted.

24 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
25 NUMBER 315 WERE RECEIVED INTO EVIDENCE.)

1 Q All right, who is the client's name on this one, the
2 first name, please?

3 A Elease.

4 Q All right, and in this particular one, what's the
5 total recovery amount?

6 A \$183,528.

7 Q And is there an attorney fee?

8 A There's an attorney fee of \$30,000, but again that's
9 reduced. And I'm able to tell that because it's not a
10 third or either 40 percent.

11 Q And that \$30,000 was ultimately cut to the firm?

12 A It ultimately was cut to PMPED.

13 Q And who was it credited to, on whose books?

14 A Alex Murdaugh's.

15 Q And then what is -- there's some fees for about 600
16 and change, correct?

17 A Yes, expenses.

18 Q Excuse me, expenses. And so what's the remainder?

19 A The remainder is \$152,866 that was payable Forge, and
20 that is the fake Forge account.

21 Q All right, and whose signature is that right there?

22 A Alex Murdaugh's.

23 Q Do you recognize the second page?

24 A That is the check that was payable to Forge.

25 Q Do you see the date on that?

1 A I can't really see that.

2 Q I'm going to hand you back State's 314, which is the
3 spreadsheet you prepared. Is that correct?

4 A Yes.

5 Q Looking down at the bottom, can you remind the jury
6 what the date is of that particular check?

7 A It was November 30, 2020.

8 Q November 30, 2020. Okay. Did any of the recovery in
9 this case actually go to the client?

10 A In that one none of it went to the client.

11 Q It either went to Alex's fees or it went to where?

12 A To his fake Forge account that was doing business
13 as Bank of -- doing business as Forge, the bank account
14 with Bank of America.

15 Q Did you ever -- was there ever any conversation with
16 Alex about this case as it related to those fees?

17 A There was. Later in the summer of 2021, his secretary
18 called over to accounting and said that he wanted to
19 disburse some money to Eleese Mallory, and at that point we
20 informed that the money had already been disbursed. So,
21 then Alex said that he wanted to give a portion of his fee
22 back to the client because she was just a sweet lady, that
23 he thought she needed some funds given back to her. He
24 would like to do her a favor.

25 Q Of the \$30,000 in fees?

1 A Yes.

2 Q Was that after all of that \$152,000, the bulk of that
3 recovery for that case, had been instead disbursed to the
4 fake Forge account?

5 A Yes.

6 Q Did y'all have to account for that and pay the client
7 back?

8 A We did.

9 Q And why was that?

10 A Because he stole the money.

11 Q Going to 322. I show you was been marked as State's
12 322 and see if you recognize this.

13 A Yes. It's another disbursement that has actually
14 several parts but it is Jamian Risher.

15 Q Okay.

16 MR. WATERS: Your Honor, at this time I would offer
17 State's 322 into evidence.

18 MR. GRIFFIN: No additional objection.

19 THE COURT: It's admitted.

20 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
21 NUMBER 322 WERE RECEIVED INTO EVIDENCE.)

22 Q All right. What's the first name on the --

23 A Jamian.

24 Q And looking at this particular disbursement sheet,
25 what is this amount right there?

1 A \$90,000.

2 Q And who is it made payable to on the disbursement
3 sheet?

4 A Forge.

5 Q We see a signature right there. It looks a little
6 different. Do you recognize that signature at all?

7 A I still believe it's Alex's.

8 Q And going to the next page, what is that?

9 A This is the check payable to Forge in the amount of
10 \$90,000.

11 Q And what's the date on it?

12 A It cleared on 9/1/16. It was written sometime in
13 August of 2016.

14 Q Where did that check go?

15 A It went to the fake Forge account with Bank of America
16 that is in his personal name.

17 Q Going to this page of the exhibit, do you recognize
18 that?

19 A Yes, I do.

20 Q And tell me what this is very quickly.

21 A These were some of those client case expenses that we
22 would collect normally, and what you're seeing here is some
23 costs for employee travel on the first line, but then costs
24 paid to Austin Aviation for some airline services, and then
25 some bills and travel within New York.

1 Q We have Austin Aviation. Is that, like, a private
2 plane?

3 A That is a private plane.

4 Q Limousine service?

5 A That's a private limousine, yeah.

6 Q All right. Did y'all ultimately refund this money to
7 the client?

8 A We did.

9 Q And why was that?

10 A We discovered that those were after the close of the
11 case, and there was no way that they could have been done.

12 Q They had been billed to the client?

13 A They had been billed to the client and deducted from
14 the client's disbursement, so we reimbursed those as well
15 when we were giving our clients the money back.

16 Q I'm going to show you what's been marked as State's
17 323 to your testimony and see if you recognize that.

18 A This is a disbursement for Johnny Bush.

19 Q Okay.

20 MR. WATERS: Your Honor, at this time I would offer
21 State's 323 into evidence.

22 MR. GRIFFIN: No additional objection.

23 THE COURT: It's admitted.

24 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
25 NUMBER 323 WERE RECEIVED INTO EVIDENCE.)

1 Q All right. Very quickly.

2 A Johnny.

3 Q Johnny. All right. Down here we've got -- what does
4 that line say?

5 A Forge \$95,000.

6 Q Where did that money go?

7 A To the fake Forge account that Alex held.

8 Q Is that the check?

9 A It's the corresponding check for the \$90,000 with
10 Alex's signature.

11 Q All right, and did y'all have to pay that money back?

12 A We did.

13 Q And why did you have to pay that money back?

14 A Because Alex stole it as well.

15 Q I show you State's 324 and see if you recognize that.

16 A Yes. This is a disbursement to Jordan Jinks.

17 Q All right.

18 MR. WATERS: Your Honor, at this time I would offer
19 State's 324 into evidence.

20 MR. GRIFFIN: No additional objection, Your Honor.

21 THE COURT: It's admitted.

22 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
23 NUMBER 324 WERE RECEIVED INTO EVIDENCE.)

24 Q All right. Right here looking at this particular one,
25 who's the first name of the client?

1 A Jordan.

2 Q Right here on this disbursement, what do we have right
3 there?

4 A A payment to Forge in the amount of \$85,000.

5 Q Okay, and whose signature is that at the bottom?

6 A Alex Murdaugh's.

7 Q What's is the date?

8 A August 1, 2018.

9 Q Looking at the second page, what is this right here?

10 A The check to -- payable to Forge for the \$80,000.

11 Q All right, and where did that money go?

12 A To the fake Forge account.

13 Q Do you recognize that signature?

14 A That's Alex's signature as well.

15 Q All right, and we go to the next page. What is this?

16 A This is a second disbursement with another check
17 payable to Forge in the amount of \$65,000.

18 Q Okay. Do you recognize that signature?

19 A Alex Murdaugh's.

20 Q All right, and what's the next page?

21 A Check payable to Forge in the amount of \$65,000 with
22 Alex Murdaugh's signature.

23 Q All right, and what date did that clear?

24 A October 4, 2018.

25 Q This \$85,000, where did that go?

1 A To the fake Forge.

2 Q This \$65,000, where did that go?

3 A To the fake Forge account.

4 Q Did your law firm have to account for that money?

5 A We accounted for and reimbursed the client due to the
6 fact that Alex had stolen it.

7 Q I show you what's been marked as State's 325 to your
8 testimony and see if you recognize this.

9 A This is another disbursement for Manuel Christiani.

10 Q All right.

11 MR. WATERS: Your Honor, at this time I would offer
12 State's 325 into evidence.

13 MR. GRIFFIN: No additional objection.

14 THE COURT: Okay.

15 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
16 NUMBER 325 WERE RECEIVED INTO EVIDENCE.)

17 Q All right. First name?

18 A Manuel.

19 Q What does this say right here?

20 A Forge \$70,000.

21 Q Going over to the next page, do you recognize that?

22 A That is the check payable to Forge for \$70,000, signed
23 by Alex Murdaugh.

24 Q What date did it clear to your trust account?

25 A August 16, 2016.

1 Q And where did this money go?

2 A It went to his fake Forge account.

3 Q Did you have to account for this money?

4 A We did.

5 Q And why did you have to account for it?

6 A This money was stolen. This money still has not been
7 paid back. It's under a court order to be paid into the
8 court because there's some dispute about who it belongs to.

9 Q But ultimately --

10 A But ultimately we funded it and it's paid into -- to
11 the court, so it came out of our pockets again.

12 Q I show you what's been marked as State's 326 to your
13 testimony and see if you recognize this.

14 A This is another disbursement for Mary Duncan.

15 MR. WATERS: Your Honor, at this time I would offer
16 State's 326?.

17 MR. GRIFFIN: No other -- no additional objection,
18 Your Honor.

19 THE COURT: It's admitted.

20 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
21 NUMBER 326 WERE RECEIVED INTO EVIDENCE.)

22 Q All right. First name of the client?

23 A Mary.

24 Q Looking down here, what is that line right there?

25 A Settlement proceeds to Forge in the amount of \$19,500.

1 Q Do you see the date?

2 A October 3, 2018.

3 Q Do you recognize that at all?

4 A Alex Murdaugh's.

5 Q That's the signature you mean?

6 A Yes.

7 Q All right. What's this right here on the second page?

8 A This is the check payable to Forge for \$19,500

9 referencing Mary Duncan settlement proceeds.

10 Q And what date did that clear?

11 A October 22, 2018.

12 Q How much?

13 A \$19,500.

14 Q And where did this money go?

15 A To the fake Forge account.

16 Q Did your law firm have to account for that?

17 A We did, and we reimbursed the client for that.

18 Q And why did you have to do that?

19 A Because Alex stole it.

20 Q I show you what's been marked as State's 327 and see

21 if you recognize this.

22 A This is a disbursement sheet for Randy Drawdy.

23 MR. WATERS: Your Honor, at this time I would offer

24 State's 327 into evidence.

25 MR. GRIFFIN: No additional objection.

1 THE COURT: It's admitted.

2 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
3 NUMBER 327 WERE RECEIVED INTO EVIDENCE.)

4 Q The disbursement sheet, what line do we have right
5 here?

6 A Forge \$9,569.30.

7 Q Do you recognize that signature?

8 A Alex Murdaugh's.

9 Q Looking at the next page.

10 A It's the check payable to Forge for the \$9,569.30.

11 Q And what's the date on it?

12 A It is dated October 3, 2017.

13 Q Do you recognize that signature?

14 A Alex Murdaugh's signature.

15 Q Did your law firm ultimately have to account for those
16 funds?

17 A We did, and we reimbursed the client that money as
18 well because it was stolen funds again.

19 Q And what -- where did these funds actually go to?

20 A They went to the fake Forge account that was under his
21 control.

22 Q All right. I'm going to show you what's been marked
23 as State's 328 and see if you recognize this.

24 A This is a disbursement for Thomas Moore.

25 MR. WATERS: Your Honor, at this time I would offer

1 State's 328 into evidence.

2 MR. GRIFFIN: No additional objection, Your Honor.

3 THE COURT: It's admitted.

4 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
5 NUMBER 328 WERE RECEIVED INTO EVIDENCE.)

6 Q All right. Right here on the disbursement, what's the
7 name, first name?

8 A Thomas.

9 Q All right, and what does the disbursement say?

10 A Forge \$125,000.

11 Q Down here do you recognize that signature?

12 A That's Alex Murdaugh's on the left.

13 Q Whose handwriting does that like to you?

14 A It looks like Alex Murdaugh's as well. Tommy Moore
15 confirmed with us that he did not sign that disbursement.

16 Q Going to the second page, what is this?

17 A This is the check payable to Forge in the amount of
18 \$125,000.

19 Q Did that go to the real Forge or the fake Forge?

20 A Fake Forge.

21 Q All right, and whose writing is that right there on
22 the endorsement?

23 A That's Alex Murdaugh's.

24 Q Whose signature on the check?

25 A Alex Murdaugh's.

1 Q Did y'all have to account for that money to the
2 client?

3 A We did. We reimbursed him as well.

4 Q And why did you have to account for that?

5 A Because it had been stolen by Alex.

6 Q The ones that you've been describing, this was after
7 you started to pull the thread and all of that started to
8 unravel. Is that correct?

9 A That's right.

10 Q Was the quote fake Forge as you call it, was that the
11 only thing that you detected as you started to review the
12 activities of Alex Murdaugh while he was a partner in the
13 law firm?

14 A No.

15 Q I'm going to show you what's been marked as Exhibit
16 329 to your testimony, and just quickly tell me if you
17 recognize that and what it is.

18 A I do recognize this. This is a list of payments that
19 were stolen by being paid to Palmetto State Bank.

20 Q All right. Hold on for me real quick.

21 (Break in proceedings.)

22 Q All right. Going back to State's 329, again, did you
23 prepare this spreadsheet?

24 A I did.

25 Q Is this based upon your role as the CFO and going back

1 and reviewing various records and trying to figure all of
2 this out?

3 A Yes, sir.

4 Q All right.

5 MR. WATERS: Your Honor, at this time the State would
6 offer State's 329 into evidence.

7 MR. GRIFFIN: No additional objection, Your Honor,
8 subject to the Court's prior limitations on its use.

9 THE COURT: All right. It's admitted.

10 (SPREADSHEET MARKED AS STATE'S EXHIBIT NUMBER 329 WAS
11 RECEIVED INTO EVIDENCE.)

12 Q All right, putting this up on the screen. Can you see
13 that all right or do I need --

14 A Yes, I can see it.

15 Q I see up at the top there's some writing on it. Can
16 you tell the jury what that is real quick?

17 A That was a mistake when I made up the worksheet that
18 we discovered when I got here. Those checks were written
19 in the period of 2012 instead of the 75 that I had down, so
20 we scratched through and I initialed my correction.

21 Q So, that says 2012 and then your initials. Is that
22 correct?

23 A Yes.

24 Q And then over here, what is this right here?

25 A That's the client's name that the money was stolen

1 from.

2 Q All right, and then what's that?

3 A The civil action court number.

4 Q All right, and then category?

5 A The method that he used to get away with this, and
6 then this payment was Palmetto State Bank checks.

7 Q And this line right there?

8 A The date that we put money back into our trust account
9 to be able to refund the clients.

10 Q And then finally the amount?

11 A \$2,079,826.54.

12 Q Does this include what was in what we've already gone
13 through in State's 314, the other spreadsheet, or is this
14 different money?

15 A It's additional money.

16 Q State's 314, what was the amount, the total amount?

17 A \$2,841,512.55.

18 Q And then the new one we're about to talk about?

19 A \$2,079,826.54.

20 Q Now, you mentioned Palmetto State Bank. This is not
21 the fake Forge. Is that correct?

22 A That's correct.

23 Q All right. Tell me just generally what you uncovered
24 and how funds were allegedly misappropriated through this
25 method by the defendant.

1 A Palmetto State Bank was the PR on some of these funds,
2 and there was lines on these disbursements to be paid to
3 Palmetto State Bank. On the surface they looked okay.
4 When I called and asked the bank to give me information
5 backing up the checks, what had happened to them once they
6 were written to the bank, we discovered that the money had
7 been used for paying things on Alex's behalf like loan
8 payments, equipment purchases, paying back loans to people
9 he had borrowed money from. Everything was for his use.

10 Q And in looking at that, was there an individual -- an
11 official at the bank who was assisting Alex Murdaugh with
12 these transactions?

13 A Russell Laffitte was the one helping convert those
14 funds.

15 Q And is Russell Laffitte any relation to you?

16 A Russell Laffitte is my brother-in-law. He's married
17 to -- my sister's husband.

18 Q I show you what's been marked as State's 330 --
19 homestretch -- State's 330 to this trial and see if you
20 recognize that document.

21 A This is the Badger disbursement.

22 Q All right.

23 MR. WATERS: Your Honor, at this time I would offer
24 State's 330 into evidence.

25 MR. GRIFFIN: No additional objection, Your Honor.

1 THE COURT: It's admitted.

2 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
3 NUMBER 330 WAS RECEIVED INTO EVIDENCE.)

4 Q And how much were the attorney's fees on this
5 particular case?

6 A \$1,240,000.

7 Q That's how much the attorney's fees were?

8 A That's the attorney fees.

9 Q And then if we scroll down to this disbursement, we
10 have -- what's this number right here?

11 A \$1,325,000.

12 Q And that's pursuant to -- this disbursement was
13 supposed to be made out to who?

14 A Palmetto State Bank.

15 Q Okay, and that's completely separate from these
16 attorney's fees in this case. Is that correct?

17 A That's correct. It's addition.

18 Q Did those attorney's fees actually get paid into the
19 firm account?

20 A Those did, yes.

21 Q And they were legitimate, correct?

22 A Those were legitimate.

23 Q And they were credited to who?

24 A Alex Murdaugh.

25 Q And that's completely separate from this additional

1 \$1,325,000 below that. Is that correct?

2 A That's correct.

3 Q All right, and what happened to that \$1,325,000?

4 A That \$1,325,000 ended up being converted into payments
5 on his behalf through the bank.

6 Q All right. Can you tell me the date on that?

7 A November 19, 2012.

8 Q Now, this particular amount right here on your -- I'm
9 going to show you the page 3 of this exhibit. And is this
10 the email that you found in the records of your law firm?

11 A We did.

12 Q All right, and who is this email from and who is it
13 to?

14 A The email is from Russell Laffitte to Alex Murdaugh.

15 Q Okay. What does it say right there?

16 A It says: Alex, can you get Jeannie to recut check
17 43162 dated 11/19/12 as follows? And then it lists four
18 different amounts, and it says: Thanks, Russell.

19 Q And then below that, the next page, is this another
20 email that was found in the records of your law firm?

21 A It is.

22 Q And what's the date on this email?

23 A February 6, 2013.

24 Q And please, who's the email from?

25 A So, this email is from Alex Murdaugh to Russell

1 Laffitte.

2 Q All right, and tell the jury what it says, please?

3 A It gives an amount of \$388,687.50:

4 Whatever the amount I owe on the Hannah loan,
5 75K, and whatever the balance would be on the
6 \$1,325,000 after these deductions.

7 Q And, again, remind the jury what -- the amount that
8 was written to PSB.

9 A \$1,325,000. And in that email the last line asked --
10 Alex asked Russell to: Email me and request that.

11 Q Okay, and did that actually happen?

12 A Yes.

13 Q So, had your staff already cut this check based on the
14 disbursement for \$1,325,000?

15 A Yes.

16 Q And based on this email chain, did you ultimately
17 recut checks made out to Palmetto State Bank?

18 A Yes, sir.

19 Q In the amounts requested?

20 A In the amounts requested.

21 Q And those funds, what happened to those?

22 A They were used to pay personal loan payments on Alex's
23 behalf. So, again, the funds that he stole and paid
24 obligations that he owed.

25 Q Did you have to account to the client for this amount

1 right here?

2 A We did.

3 Q And you had to do that because they were
4 misappropriated by the defendant?

5 A That's right.

6 Q All right. Looking through these checks, are these
7 the checks that were recut by your staff after the request
8 by Alex?

9 A Yes.

10 Q To Russell and then from Russell to you?

11 A Correct, and incidentally this one we also reimbursed
12 the client the PR fee because the PR had not done their
13 job. So, we made sure that we reimbursed the client for
14 that as well.

15 Q Who was the PR?

16 A Russell Laffitte.

17 Q Flipping through this exhibit, are these the various
18 checks and how they were ultimately converted?

19 A That's information that I got back from Palmetto State
20 Bank showing how they were converted.

21 Q And looking at this check right here, which is the
22 fifth page of the exhibit, can you see the date on that?

23 A February 8, 2013.

24 Q This check right here, what's the date on that?

25 A September 13, 2013.

1 Q I show you what's been marked as State's 331 and see
2 if you recognize this.

3 A This is the corrected disbursement for Arthur Badger
4 that we reconstructed.

5 Q And that goes with the prior exhibit. Is that
6 correct?

7 A Yes.

8 MR. WATERS: Your Honor, at this time I would offer
9 State's 331.

10 MR. GRIFFIN: No additional objection Your Honor.

11 THE COURT: It's admitted.

12 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
13 NUMBER 331 WERE RECEIVED INTO EVIDENCE.)

14 Q And this just, again, reflects what you were just
15 talking about and the payments of those monies. Is that
16 correct?

17 A That's correct, where previously it had the 35,000.
18 And so our total repayments to the client was \$1,360,000,
19 which is the 35 and the 1.325.

20 Q And the 35 is the --

21 A The PR fee.

22 Q -- fee of Russell Laffitte?

23 A Yes.

24 Q I'm going to show you State's 332 and 334. I'm going
25 to show you 334 first and see if you recognize this

1 document.

2 A This is a disbursement to Natasha Thomas.

3 Q All right.

4 MR. WATERS: Your Honor, at this time I would offer
5 State's 334 into evidence.

6 MR. GRIFFIN: No additional objection.

7 THE COURT: It's admitted.

8 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
9 NUMBER 334 WAS RECEIVED INTO EVIDENCE.)

10 MR. WATERS: Thank you, Your Honor.

11 Q And while we're here, State's 332?

12 A This is the corrected disbursement that we drafted to
13 return the money to Natasha Thomas.

14 MR. WATERS: Your Honor, I would offer State's 332
15 into evidence.

16 MR. GRIFFIN: No additional objection.

17 THE COURT: It's admitted.

18 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
19 NUMBER 332 WAS RECEIVED INTO EVIDENCE.)

20 Q All right. Looking at this particular disbursement,
21 again, what's the first name of client?

22 A Natasha.

23 Q All right, and we have various recovery amounts here.
24 Is that correct?

25 A That's correct.

1 Q And we have the actual legal fees received in this
2 case, correct?

3 A Yes.

4 Q Who were those actually credited to?

5 A Well, 800 of that is to Alex Murdaugh, and then the
6 other portion of the fee was the \$15,000 fee payable to
7 Russell Laffitte as conservator for this case.

8 Q And those fees were actually -- were credited to who?

9 A To Alex Murdaugh.

10 Q And on top of that, though, go down to the bottom and
11 we have this last line. What's that right there?

12 A Natasha Thomas, Palmetto State Bank, \$325,000.

13 Q That \$325,000, where did it go?

14 A It went to Palmetto State Bank and was converted into
15 funds for personal use, again paying loans, buying
16 equipment, et cetera.

17 Q Personal expense for who?

18 A For Alex Murdaugh.

19 Q Did y'all ultimately have to account to the client for
20 that money?

21 A We did.

22 Q And why did you have to do that?

23 A Alex stole that money.

24 Q Do you recognize that signature right there?

25 A Yes, that's Russell Laffitte.

1 Q What's that check right there? Do you recognize that?

2 A This is the check that we wrote to Palmetto State
3 Bank.

4 Q And what's the date on that?

5 A 12/20/2011.

6 Q Real quick, I want to go back just to make sure on
7 State's 330 -- this was Arthur. That's the page that you
8 were just talking about a minute ago?

9 A That's correct.

10 Q The one with the 1.325 million?

11 A That's correct.

12 Q And on this disbursement sheet, what was the date?

13 A November 19, 2012.

14 Q All right, back to Natasha. Now, you mentioned it was
15 often common for money to be held back for liens. Is that
16 right?

17 A That's right.

18 Q And ultimately the idea is to settle those liens,
19 like, to the hospital or something like that or Medicaid,
20 and then ultimately pay the client any excess that you were
21 able to settle with them. Is that correct?

22 A That's right.

23 Q In this case, were certain monies held back for liens?

24 A There was money held back, yes.

25 Q Okay, and ultimately was there an amount that was paid

1 on those liens? In particular, I'm showing you this line
2 right here that says ACA recoveries.

3 A Yes, there was.

4 MR. WATERS: Stand by for me real quick.

5 (Break in proceedings.)

6 Q After we're looking at that particular line, how much
7 was that amount?

8 A \$110,965.27.

9 Q And was ultimately Medicaid paid back some amount of
10 money?

11 A Yes.

12 Q Was it less than their actual bill?

13 A Yes.

14 Q And so that meant that there was some money left over
15 that should have gone to the client. Is that correct?

16 A Correct.

17 Q Did that money actually go to the client?

18 A No, it did not.

19 Q All right. I'm going to flip towards the end of this
20 exhibit and show you this check. It's actually the last
21 page of the exhibit. Do you recognize that?

22 A Yes. That's the remaining funds that should have been
23 made to Natasha after solving that lien, setting that lien,
24 and it was in the amount of \$25,245.08.

25 Q Can you see the date on that, or see when it cleared?

1 A It looks like it -- it looks like it was dated maybe
2 6/13/2012 or either 8, pardon my eyes, and it cleared the
3 bank on the 8/29/2012.

4 Q All right. Do you recognize the signature on that
5 check?

6 A Alex Murdaugh's.

7 Q And where did those funds go?

8 A Those went -- again were converted at Palmetto State
9 Bank into things that benefitted him personally such as
10 loan payoffs, money to them.

11 Q Did y'all ultimately have to account to the client for
12 that money?

13 A We did.

14 Q And why did you have to do that?

15 A Because Alex Murdaugh stole it.

16 Q In looking through these documents that were attached
17 here, what are these documents as I steadily flip through
18 them?

19 A That's where the money went. So, there was payments
20 made to Mr. Charlie Laffitte, there were boat payments
21 paid, there was payments back to a loan from a
22 conservatorship.

23 Q Is that a different case that the firm had?

24 A That is.

25 Q And who was the conservator on that case?

1 A Russell Laffitte.

2 Q And what's the name of that particular client?

3 A Plyler.

4 Q And there were multiple -- well, there were loans made
5 from that?

6 A Yes.

7 Q Loans to who?

8 A There were loans made from that to Russell Laffitte
9 and Alex Murdaugh.

10 Q So, money from this was used to pay back some of this
11 money?

12 A Yes, sir.

13 Q Whose signature is that on this check, number 219721?

14 A That's Russell Laffitte's.

15 Q And who is that cashier's check made out to?

16 A Randolph Murdaugh, III.

17 Q Who is that cashier's check made out to?

18 A This is made out to R. Laffitte as conservator for
19 Malik Williams.

20 Q Who is Malik Williams?

21 A Malik Williams was another client that Russell was a
22 conservator for that Russell loaned money to Alex out of
23 that conservatorship, and this is a payment back on that
24 conservatorship loan.

25 Q When you say conservatorship, Russell was put in

1 charge of dealing with --

2 A Investing it in --

3 Q -- client's money on your behalf?

4 A Yes.

5 Q And he was loaning money to himself and to Alex?

6 A He did out of Plyler. I'm not sure about Malik
7 Williams, but he loaned Alex money out of Malik Williams.

8 Q And the money from some of these misappropriations
9 you've identified was used to pay those loans back to the
10 conservatorship?

11 A Correct.

12 Q All right. I'm going to show you State's 333. Do you
13 recognize this?

14 A This is a disbursement for Russell Laffitte as
15 conservator for Hakeem Pinckney.

16 Q All right.

17 MR. WATERS: Your Honor, at this time I would offer
18 State's 333 into evidence.

19 MR. GRIFFIN: No additional objection, Your Honor.

20 THE COURT: It's admitted.

21 (DISBURSEMENT DOCUMENTS MARKED AS STATE'S EXHIBIT
22 NUMBER 333 WERE RECEIVED INTO EVIDENCE.)

23 Q All right, a little bit ago we were looking at a case
24 with a Natasha Thomas. Is this case related to that one?

25 A Yes. They're both in the same accident.

1 Q All right, and I'm going to show you the disbursement
2 sheet on this particular one, and again we have a recovery
3 here. Is that correct?

4 A Yes.

5 Q And right here we have legal fees. Is that correct?

6 A Correct.

7 Q How much were the legal fees for this particular one?

8 A For this one there was \$4,098,000 that would have been
9 credited to Alex that were payable to PMPED, and we also
10 paid Russell Laffitte a \$60,000 conservator fee.

11 Q So out of this particular one, there were legit fees
12 earned by -- of how much again?

13 A Almost \$4.1 million, \$4,098,000.

14 Q Credited to who?

15 A Alex Murdaugh.

16 Q All right. On top of that, though, we scroll down and
17 we have this entry right here. What does that say?

18 A Palmetto State Bank, \$309,581.46.

19 Q All right. Where did that money go?

20 A Again, that went payable to Palmetto State Bank, and
21 it was used with the other money from Natasha Thomas to pay
22 off loans and for conservatorships and loans that he had
23 made personally. So, for Alex's personal benefit.

24 Q And right there, do you recognize those signatures?

25 A Yes, I do.

1 Q Whose signature is that?

2 A Russell Laffitte.

3 Q Whose signature is that?

4 A Alex Murdaugh.

5 Q Right here, what is this, the third page of the
6 exhibit?

7 A This is the check payable to Palmetto State Bank for
8 \$309,581.46 on behalf of the Hakeem Pinckney settlement.

9 Q Did you have to account for that with the client?

10 A We did.

11 Q And why did you have to do that?

12 A Because Alex stole that money as well.

13 Q As we go through this exhibit, are these some of the
14 various documents?

15 A Yes.

16 Q Tell the Court and the jury what these are, please.

17 A That would be a loan payment on a boat loan that Alex
18 held personally with the bank. Again, another loan payment
19 for that same Murdaugh charter bank loan. Check payable
20 back to Mr. Charles Laffitte for a personal loan.

21 Q And we don't have to go through every one, but that's
22 generally these expenditures you've identified as personal
23 for Alex?

24 A Yes.

25 Q Just a couple of more. I know we've been going for a

1 long time. You had mentioned that -- that one instance in
2 which there was the loan payment that should have gone to
3 Randy Murdaugh that instead went to the defendant, correct?

4 A That's right.

5 Q And ultimately that happened twice, and then when it
6 was detected he paid it back. Is that right?

7 A That's right.

8 Q And the matter kind of went away. Is that right?

9 A That's right.

10 Q Were there other instances in which Alex Murdaugh used
11 the firms credit card for expenditures that were not
12 business related?

13 A He did.

14 Q And in those instances what had happened?

15 A In the instances that he used it for personal, we
16 would deduct it from his annual bonus at the end of the
17 year and he would pay it back.

18 Q He would pay it back and the matter would be
19 forgotten. Is that right?

20 A Yes.

21 Q When those things were happening at the law firm, were
22 y'all aware of all of this?

23 A No.

24 Q And -- stand by for me real quick.

25 (Break in proceedings.)

1 Q All right. Sorry about that. Just real quick, when
2 y'all allowed Alex to pay back the money in those sort of
3 smaller instances, were you aware of all of this?

4 A No, sir.

5 Q When you or your staff received these disbursement
6 funds from Alex and his staff, did they cut them in the
7 manner in which they were instructed?

8 A Yes.

9 Q And why did they do that?

10 A Because they trusted him.

11 Q And in the majority of those instances that involved
12 client money, did Alex Murdaugh also receive substantial
13 legal fees in each one of those cases?

14 A Yes.

15 Q And in each one of those cases in which that happened,
16 at least in the ones we've gone through according to your
17 review, did he also misappropriate substantial money on top
18 of that?

19 A Yes.

20 Q How long have you known Alex Murdaugh?

21 A Since I was sixteen, so about fifty -- no, forty
22 years.

23 Q Worked with him closely for how long?

24 A Twenty-two, twenty-three years.

25 Q Did you really know Alex Murdaugh?

1 A I don't think I ever really knew him; I don't think
2 anybody knows him.

3 MR. WATERS: Thank you. Nothing further.

4 THE COURT: Let's all stand for a moment.

5 (Break in proceedings.)

6 THE COURT: Okay. Cross-examination.

7 MR. GRIFFIN: Thank you, Your Honor. Your Honor, we
8 would renew our request for a limiting instruction on the
9 half a day hearing on these financial misdeeds, and I don't
10 want the jury to be lost on what the purpose is.

11 THE COURT: Any comment, Mr. Waters?

12 MR. WATERS: No objection.

13 MR. GRIFFIN: Thank you, Your Honor.

14 THE COURT: Ladies and gentlemen, I gave this limiting
15 instruction yesterday and I'll repeat it, that this
16 evidence of these financial crimes and other crimes that
17 you're now having -- receiving testimony on, it's regarding
18 the contention that the defendant was involved in other
19 criminal activity. That is not evidence or proof of the
20 offenses charged in the indictment, those charges being for
21 murder, two counts, and possession of a weapon during the
22 commission of a crime, two counts. This testimony is being
23 allowed for the limited purpose in assisting the State in
24 proving motive.

25 You may not consider it for purposes of character of

1 Mr. Murdaugh, nor may you consider it as evidence that he
2 has the propensity to commit other crimes, or that it is
3 more likely that he committed the crimes with which he's
4 currently charged. It's being allowed based on the State's
5 representation that it helps explain the defendant's
6 motives for which he is accused.

7 And you may proceed.

8 MR. GRIFFIN: Thank you, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. GRIFFIN:

11 Q Good afternoon.

12 A Hi.

13 Q Do you have -- let me show you Exhibit 314.

14 MR. GRIFFIN: Can you just put that up? Can you do
15 that for me, Doug?

16 Q This is a summary of -- it's a listing of clients of
17 the firm who the law firm had to reimburse because of
18 Alex's misconduct. Is that correct?

19 A That's correct.

20 Q Now, you have been -- the law firm has been working
21 with various law enforcement agencies since September of
22 2021, I suspect, sharing all of this information.

23 A Yes.

24 Q And with regard to Exhibit 314, it would appear that
25 the law firm, just for all of these clients, has paid out

1 over \$2.8 million. Is that right?

2 A That's right.

3 Q And in a real way the law firm is the victim of this
4 conduct.

5 A Correct.

6 Q And for each one of these client transactions that the
7 law firm had -- had to repay, I mean, you're aware that
8 Alex has pending criminal charges in every single one of
9 them.

10 A I'm aware of that.

11 Q And the same with the Palmetto State Bank matters that
12 you talked about.

13 A Correct.

14 Q He has pending criminal charges for every single one
15 of them.

16 A Yes.

17 Q And we're not here today to try those charges on the
18 financial crimes. We're here -- you understand you're
19 testifying because he's been charged with the murder of his
20 wife, Maggie, and his son, Paul, correct?

21 A I do.

22 Q And they were murdered on June 7th of 2021.

23 A Yes, sir.

24 Q Now, some of these -- it looks like, according to your
25 testimony, that this misconduct has been going on since --

1 as early as 2011?

2 A Unfortunately when we found that out.

3 Q Right. That's some ten years before the murders of
4 Maggie and Paul, correct?

5 A That's correct. He managed to fool a lot of people,
6 myself included.

7 Q I understand, and I understand you have the right to
8 be very hurt and angry about that, and are you hurt and
9 angry about that?

10 A Oh, yes. I take it very personally. It haunts me
11 that I let this -- or that this happened.

12 Q Do you feel like it happened on your watch and --

13 A I think anybody would feel normal feeling like that.
14 It's a big betrayal of trust.

15 Q And, Ms. Seckinger, when I'm asking you these
16 questions, I'm not in any way diminishing your feelings and
17 your anger. I'm just trying to flesh out how these relate
18 to the murder of Maggie and Paul.

19 A I understand that.

20 Q But it would appear that it's been going on for years
21 and years and years.

22 A Unfortunately, yes, it appears.

23 Q And it has cost the law firm in 2021 and still, you
24 know, over 4, almost \$5 million it's paid out.

25 A That is correct.

1 Q And when we're talking about the law firm, we're
2 really talking about lawyers in the firm. His brother,
3 Randy, correct?

4 A That's right.

5 Q Johnny Parker, who now the firm is named after.

6 A Right.

7 Q Ronnie Crosby.

8 A Right.

9 Q Lee Cope.

10 A Correct.

11 Q Mark Ball.

12 A Correct.

13 Q And others that have come out of their pocket to
14 reimburse clients.

15 A Yes, they did.

16 Q Now, the Forge -- well, let me strike that. On
17 June 7, 2021, the day Maggie and Paul were murdered, you
18 went to Alex's office some time in the early afternoon or
19 midafternoon and -- to try to get to the bottom of where is
20 the fee that Chris Wilson's office said they wrote to you
21 for the *Faris* case.

22 A Correct.

23 Q And he looked at you and he said what do you want now,
24 right?

25 A Yes, he did, when I was coming up the steps.

1 Q And you said I wouldn't be doing my job if I wasn't up
2 here asking you about this.

3 A That's correct.

4 Q And I think you said he kind of had an angry look,
5 didn't you?

6 A He did. When I walked up the steps, he gave me a very
7 disgusted look and said what do you need now?

8 Q But then once you got in his office, his demeanor
9 changed and --

10 A It --

11 Q -- and he assured you that the check was -- the funds
12 were still in Chris Wilson's trust account?

13 A He did.

14 Q And then sort of fast forward. On September 3rd, I
15 believe it was 2021, Annette Griswold, from your firm,
16 found a canceled check written from Alex -- excuse me,
17 Chris Wilson's firm directly to Alex Murdaugh, right?

18 A Yes, sir.

19 Q And that check wasn't written to Forge Consulting.

20 A No. It was written to Richard Alexander Murdaugh,
21 Esquire.

22 Q And all of these papers that you have been -- have
23 been introduced in part of your investigation, that's the
24 only time that, using these documents that you brought to
25 court, where Alex has gotten a check directly -- personally

1 from another law firm and it didn't go to the PMPED.

2 A We discovered during the investigation that there had
3 been another time that that had happened, but that was not
4 discovered by myself.

5 Q And that was with Chris Wilson's firm also?

6 A Yes.

7 Q All of the other stuff that you've brought here and
8 talked about since 9:30 or so this morning involved this
9 fake Forge account, correct?

10 A Correct.

11 Q And then there's some stuff involving Palmetto State
12 Bank going back to 2011, '12, '13, early on?

13 A Correct.

14 Q With regard to the events of June 7th, when you went
15 and talked to Alex when you were asking him about where is
16 the fee money, you had previously spoken to, I guess, Lee
17 Cope or someone in the firm?

18 A Lee Cope.

19 Q And wasn't the concern at the time that Alex was
20 trying to shield income from disclosure in this lawsuit
21 that -- where he was a defendant that -- where he was being
22 sued following the boating crash where Mallory Beach lost
23 her life tragically?

24 A Yes. At that point we thought he was trying to
25 shelter money, or move money into his wife's name, or

1 reduce his income for the year by not claiming -- by not
2 collecting a fee.

3 Q Right, and it really -- and one of the reasons you
4 thought that is because you had talked to him about what
5 looked to be an odd way to structure an attorney's fee with
6 the *Hershberger* case.

7 A Correct.

8 Q And he explained that he didn't care about the tax
9 consequences. He was just trying to get money into
10 Maggie's name and not his name because of the boating
11 accident.

12 A That's correct.

13 Q And that was the concern and alarm within the firm is
14 that we're not going participate in any way to shield, hide
15 income from civil disclosure in a court proceeding.

16 A That's correct.

17 Q Because that goes against the ethics and standards of
18 the law firm and lawyers in that firm.

19 A That's correct.

20 Q And no one at the time was thinking that Alex was
21 stealing money from the firm, right?

22 A I had my suspicions on whether it was really in there,
23 but we were not pursuing it as stolen money.

24 Q Okay, and you had seen that -- and I think it was May
25 of 2021 or May 12th or something that -- a disbursement

1 sheet where attorney's fees went to Forge on the
2 *Hershberger* settlement.

3 A Correct.

4 Q Now, it's not the first time that lawyers -- well,
5 lawyers in the firm had previously structured attorney's
6 fees in big settlement cases, haven't they?

7 A Once.

8 Q One time? And the way that works is the money goes
9 from the defendant insurance company, or defendant company,
10 or the source of payment, it goes not to the law firm and
11 then to the lawyer. It goes to some financial entity,
12 whether it's an insurance company or something, and then
13 that money is then paid out in an annuity over the years to
14 the lawyer.

15 A That would be the correct way.

16 Q And that's -- and you delay taxes by not taking the
17 money, right?

18 A Correct.

19 Q And that's how it was done in the past.

20 A Right.

21 Q The one time it was done.

22 A Right.

23 Q And your concern here was that's not how you do it
24 because it looked like the money came into the firm, and
25 then it was written out to Forge, and Forge structured a

1 payment, according to Alex.

2 A Correct. It would not have been the way -- the way it
3 came in, it would not have been credited to his account.
4 It would have just looked like it was going out as an item,
5 so it would not have been accounted for correctly. And he
6 also did not discuss it with anybody in the firm or have
7 permission to do that.

8 Q And the one time that it happened previously, I don't
9 know what the amount of the fee was, but the point of the
10 matter is that money never came into the firm, but all of
11 the partners knew about it, you knew about it, and you were
12 able to include it in your calculations.

13 A Yes.

14 Q Including the 7 and a half percent that the lawyer is
15 responsible for paying into the -- I guess to the --

16 A To the kitty, yeah.

17 Q -- the distribution fund or whatever it is?

18 A Yeah.

19 Q That's sort of a leveling account that helps lawyers
20 who haven't had a good year. It brings them up and it just
21 sort of smooths out --

22 A It kind of smooths out overhead, the different offices
23 having different costs and --

24 Q Okay, but when Alex had given you that explanation and
25 you said there's no -- that's not proper, you're going to

1 get taxed, and he said that I don't care, I'm trying to get
2 money in Maggie's name and help Michael Gunn out, you never
3 talked to Alex about the *Hershberger* fee again, did you?

4 A Not to my recollection, no, sir, not since after the
5 murders happened. We did not discuss any of that.

6 Q The -- and the Chris Wilson issue was there's a
7 settlement in the *Faris v. Mack Trucks* case, the law firm
8 received an expense check to reimburse the firm for their
9 expenses, but where is the fee? Where is the fee? And
10 that's what started the questions being asked.

11 A That's right.

12 Q And you went in on June 7th to ask Alex about that.
13 You know, you got to show me proof it's in his trust
14 account. Is that right?

15 A Right. I told him we had reason to believe that he
16 had received the money, and I needed proof that he had not.

17 Q And during that meeting, he received a call that his
18 father was being put back in the hospital.

19 A Well, he was in the hospital and was terminal, that
20 they had decided that there was nothing else they could do
21 for him and he would be terminal.

22 Q And you took off your CPA hat and your CFO hat and you
23 befriended him.

24 A Correct.

25 Q Because you knew how close he was to his father. Is

1 that right?

2 A I do.

3 Q And you knew -- and his father was a well known lawyer
4 and was a legacy name in that law firm.

5 A Well, that didn't mean anything to me. I had just
6 known him since I was fifteen or sixteen years old; I
7 didn't think of him in terms of that. I thought of him in
8 terms of a friend and my friend's father.

9 Q Right, and that Alex was close to his father?

10 A Yes.

11 Q And his mother?

12 A As far as I know.

13 Q And his family, he was close to his family.

14 A As far as I know. I had not spent any time with him
15 around his family in over seventeen years.

16 Q But after you learned that his father was going back
17 in the hospital, or was in the hospital and was terminal --
18 let's fast forward. This was the 7th of June, correct?

19 A Yeah, the Monday the 7th.

20 Q And on the 10th Mr. Murdaugh died, did he not?

21 A I believe that was the date, yes.

22 Q Okay. Just a few days after this he died.

23 A Yes.

24 Q Of natural causes.

25 A Yes.

1 Q And so when you learned on the 7th that his father was
2 terminal, or going back in the hospital, you became his
3 friend and you didn't continue your inquiry anymore that
4 day, correct?

5 A No, because I had told him what I needed and he knew
6 what I was expecting to get back, and I was under the
7 impression he was leaving to go care for his father. You
8 know, in our firm we're very family oriented and any time
9 there's an emergency or something we need to do, we grant
10 the person the time off, and I made the assumption he was
11 going to go take care of that.

12 Q Right, and then you learned that night that Maggie and
13 Paul were murdered.

14 A Right.

15 Q What was your -- I think you said in your testimony
16 that your initial reaction, you were scared, you were
17 afraid. What were you scared of?

18 A Well, when this happened, there was a lot of rumors
19 rolling around. Nothing this violent had ever happened.
20 We didn't know who had gone after his family, if somebody
21 was going to come after him, if somebody was going to come
22 to the office and come after him. There was just a lot of
23 dis-settlement (sic) within the office and constantly
24 having to -- employees were scared.

25 Q But your mind didn't go to gosh, I bet he killed his

1 wife and son because I asked him about the *Faris* fees,
2 right?

3 A No.

4 Q And then after that you didn't continue investigating
5 the *Faris* fees, you let Lee Cope deal directly with Chris
6 Wilson.

7 A Lee Cope advised me that he would take over.

8 Q But the inquiry in the *Faris* fee didn't stop because
9 Maggie and Paul were murdered, did it?

10 A It did as far as talking to Alex.

11 Q Well, I mean, Alex told you what he told you, and then
12 the inquiry was is he telling the truth, and let's deal
13 directly with Chris Wilson, right?

14 A Correct.

15 Q So, the inquiry didn't stop with Maggie and Paul's
16 murder, did it?

17 A It stopped for a period of time.

18 Q How long?

19 A Couple of weeks.

20 Q Couple of weeks.

21 A Maybe a month.

22 Q Maybe a month. The death of his wife and son got him
23 thirty days' reprieve on your investigation into the *Faris*
24 matter. Is that what happened?

25 A Well, it did, and then we received word from Chris.

1 At that point we still did not receive the documentation,
2 so it did delay receiving the documentation.

3 Q Now let's be clear. When you're looking into the
4 *Faris* matter and you go in on June 7th, it wasn't reported
5 to you by Maggie Murdaugh that, hey, I think Alex is
6 stealing money. You didn't have any conversation with
7 Maggie about that, did you?

8 A I never had conversations with Maggie.

9 Q Or Paul. He wasn't involved in any way with the *Faris*
10 fee to your knowledge, was he?

11 A I never had a conversation with Paul.

12 Q And then you go and Lee Cope is dealing with Chris
13 Wilson's office, and then it turns out -- it turns out that
14 Chris Wilson sends an email to Alex saying the money is in
15 my trust account, and Alex forwards it on to you and Lee
16 Cope. Is that right?

17 A Correct.

18 Q And once that happened, there was no rush to grab the
19 money out of Chris Wilson's trust account, was there, in
20 July of 2021?

21 A We did not make the rush at that point because we had
22 enough operating money and we were going to come back to
23 it. Typically the attorney dealing with that case would
24 handle it, and Alex was not in the office very much.

25 Q So the money -- the firm had plenty of money to

1 operate, and you just needed to get the money into the firm
2 by the end of the year when you did the bonuses. Is that
3 pretty much how things were being looked at in July of
4 2021?

5 A I don't know that we would have waited until December,
6 but we just were not doing it at that point in that summer.
7 It was actually just an irregular summer, but personally
8 and professionally keeping up with other obligations and
9 timeframe to get it.

10 Q And so in September of 2021, you're doing your CFO
11 job. You decide to -- when you had this *Hershberger* thing
12 on your desk -- I mean, you said it was on your desk. Was
13 it on your desktop or a sheet of paper?

14 A Well, it was kind of where my important stuff is that
15 I need to get back to, so it's sitting right under a
16 monitor right in front of my face.

17 Q And you talked about you had a number of commitments
18 and personal issue, I think you said, and I don't know want
19 to know about your personal issues, but what I do want to
20 establish is Maggie and Paul's murder did not cause you to
21 delay in following up on the *Hershberger* matter, did it?

22 A In some ways, yes, because it -- the shock of it and
23 the delay, and the things going around the office did. But
24 the true delay came in me having the time to do it.

25 Q And you had a lot of other things going on.

1 A Yes.

2 Q And what you decided to do is to see if there was some
3 other kind of structured fees that Alex had done in 2021 to
4 -- sort of like he did in the *Hershberger* case because you
5 needed to know what his gross collections were and how much
6 he owed to the firm, and that's why you looked in September
7 of 2021, right?

8 A Correct, and I'm also still suspicious, you know, in
9 my own mind. I wanted to make sure that he had accounted
10 for everything and that we had indeed collected everything.

11 Q Right, and so you ran a report at the law firm of
12 clients with settlements. Tell us what you did.

13 A Well, I started running a report of all of the fees
14 that he had collected and started looking through those
15 disbursements. And then it came to me that I could
16 probably shortcut this a little just by printing off the
17 payments to Forge, and then I have started focusing on
18 those first, and that's when I found the checks and the
19 information that I found.

20 Q And that -- well, let's -- do you remember about what
21 his fee collections were about September of 2021?

22 A I've got so many numbers in my head, but there were
23 over a million, probably between a million and 2 million.

24 Q 2 to 3 million that he --

25 A A million to 2 million.

1 Q Oh, a million to 2 million of fee income that he had
2 collected --

3 A Correct.

4 Q -- when you ran this report?

5 A Correct.

6 Q And did that include or not include the 792 and the
7 *Faris* case?

8 A It did not.

9 Q So if you add the *Faris* case, it would have been over
10 2 million?

11 A I guess. I can't swear to what his number was. I
12 look at numbers all day long, but that's the recollection
13 of the range he would have been in.

14 Q And after this, after you learned about this fake
15 Forge account, Alex didn't -- I mean, he was forced to
16 resign from the firm.

17 A That's correct.

18 Q That day or the next day, correct?

19 A The next day.

20 Q And so that money that came into the firm was used by
21 the firm to pay off some of these victims, right?

22 A We have done some of that, yes.

23 Q Now, the discovery of the fake Forge account when you
24 were sort of -- when you ran the report on Forge -- and
25 that shocked you, didn't it?

1 A Yes.

2 Q That information had been in the systems of the law
3 firm going back to, I guess, 2015 when that fake Forge
4 account was first opened?

5 A I don't know when it -- I don't think it was opened
6 that far back. But I had no reason to suspect anything was
7 going on. We had no clients complaining about money
8 missing, trusted him. We had no reason to look.

9 Q Right.

10 A He fooled a lot of people like I said, myself and us
11 included.

12 Q And that's a good point. Clients weren't calling up
13 complaining around June 7th that, hey, y'all need to be
14 looking at Alex because, you know, something is amiss here.
15 That wasn't happening around June 7th, was it?

16 A No, and shamefully when we did talk to the clients,
17 they talked about how much they trusted Alex and how much
18 he thought of them, and how that they were shocked and
19 confused by the fact that he had manipulated them and
20 confused them all of those years.

21 Q And so it sounds to me like on June 7th, you didn't
22 observe some pressure cooker going off within the firm as
23 to how Alex was handling his business.

24 A I don't know about anybody else's pressure cooker. I
25 know I was putting pressure on him to get the answers to

1 the *Faris* fees.

2 Q And it was a brotherhood of lawyers, that in the past
3 that they've -- caught with getting more than what they
4 were entitled to, they would pay it back and you let
5 bygones be bygones. That's how it's operated in the past,
6 right?

7 A On trust, yes.

8 Q Right, and now the -- so, you ran a report on
9 information that had been in the systems for years. Is
10 that correct?

11 A Correct.

12 Q And the tragic murders of Maggie and Paul didn't do
13 anything to affect what was in your systems, right?

14 A No.

15 Q And you just started looking because you had had a
16 conversation with Alex back in May about the *Hershberger*
17 fee going to Forge and not in an appropriate structured
18 manner --

19 A Right.

20 Q -- and that was in early May. And you never had
21 another conversation with him about that, right?

22 A Well, May and June, in between -- it was late May and
23 June. The conversations about both were kind of in tandem
24 because every time we would talk about *Hersh* -- *Faris*, he
25 would bring up I'm going to structure fees, but he never

1 specifically readdressed the fact that *Hershberger* -- it
2 did address the fact that he should not be doing this
3 again, and that if he should, he needed to let somebody
4 know. I believe Alex, meanwhile, was going around
5 complaining to my partners about why I was on his case.

6 Q To his partners?

7 A Yes.

8 Q And just to be clear, the *Faris* fee money was -- I
9 mean, it didn't show up on any of these reports and it was
10 all paid into the law firm, was it not?

11 A It was after -- some time after September.

12 Q So, here you are on September the 3rd and you are
13 running a report. You see a lot of Forge checks on Alex's
14 client files and you start printing off the checks.

15 A That's correct.

16 Q And that's how you discovered it. I mean, it was that
17 Alex, not only is he signing checks to Forge, he's
18 endorsing the checks and putting them into the bank.

19 A Correct, and at -- the same day is when Annette found
20 the check in his office that had been payable to him for
21 the *Faris* fees.

22 Q Yeah, I was going to get to that. So, it just -- that
23 was pure coincidence.

24 A Yes. The timing of that is pure coincidence, yes.

25 Q And Alex, as you understood, was confronted perhaps

1 the next day or the --

2 A On Friday morning. I believe that was Friday the 3rd.

3 Q Was it the same day that you --

4 A I did mine on Thursday the 2nd.

5 Q So, the 2nd you did yours.

6 A Yes.

7 Q Now, on the 7th in the afternoon, Alex called you and
8 asked you what his balance was in his law firm retirement
9 plan?

10 A Yes, sir.

11 Q And he told you he was working on the financial
12 disclosure for the boating accident case?

13 A Yes.

14 Q And he had called you on other occasions to get that
15 balance because he was filling out financial statements for
16 one thing or another, right?

17 A He had before, yes.

18 Q And then let me -- do you know -- well, you know he
19 didn't have any life insurance on Maggie or Paul. Do you
20 know that?

21 A I have no awareness of that.

22 MR. GRIFFIN: One second, Your Honor.

23 (Break in proceedings.)

24 MR. GRIFFIN: Your Honor, that's all of the questions
25 I have.

1 THE COURT: Redirect?

2 MR. WATERS: Very briefly, Your Honor.

3 REDIRECT EXAMINATION

4 BY MR. WATERS:

5 Q You were asked some questions about when you had the
6 conversation about the *Faris* fees, and what was your
7 concern then with just the *Faris* fees back at that point in
8 time on June 7th?

9 A That he was trying to shelter money from the boat
10 wreck, or move assets out of his name, or either delay
11 collecting fees. So, trying to hide income from the boat
12 wreck.

13 Q At that point in time, did you have any idea about any
14 of these events?

15 A I did not.

16 Q You were asked about the prior instances in which
17 there had been, like, the loan -- the double loan payment
18 and the credit cards, and Alex paid that back, right?

19 A That's right.

20 Q And he paid that back and everything was forgotten.
21 Is that correct?

22 A That's right.

23 Q You were asked about whether or not all of this was in
24 your systems.

25 A That's correct.

1 Q And it was in your systems, wasn't it?

2 A It was.

3 Q Since 2011, correct?

4 A That's right.

5 Q And he'd gotten away with it all of that time.

6 A He did.

7 Q I believe you testified that on June 7, 2021, when you
8 went in to talk to Alex Murdaugh that you had your
9 suspicions, correct?

10 A I did.

11 Q And you demanded what? What did you demand from him?

12 A I demanded proof that the money was actually in the
13 account; I wanted the ledgers showing the transactions.

14 Q And did you tell him what you believed? Did you tell
15 him why you wanted that proof?

16 A I told him I believed -- I had reason to believe that
17 he had received the fee payable to him.

18 Q You were asked a little bit about the law firm, and
19 his father was in the law firm or had been?

20 A He had been, yes.

21 Q Was his grandfather in the law firm?

22 A Yes.

23 Q Was there a long history of that family name in this
24 law firm?

25 A Yes.

1 Q Was it the most prominent law firm in the area?

2 A I believe so, yes.

3 Q A very prominent family name?

4 A Yes.

5 Q All of this had been in your system since 2011?

6 A Yes.

7 Q Once the murders happened, it didn't seem right to be
8 raising those issues with the defendant then, did it?

9 A No, it didn't.

10 MR. GRIFFIN: Objection to the leading.

11 THE COURT: Don't lead the witness.

12 Q After the murders happened, did it seem right to you
13 to raise those issues to the defendant?

14 A No. As I stated earlier, we were concerned about the
15 welfare of Alex and the feelings of himself. He was not at
16 work, and we were trying to make sure that he was
17 emotionally okay and able to deal with things before we
18 pressured him about anything.

19 Q And then just a few weeks later and still in -- I
20 mean, just in July, are you still in shock from all of
21 these murders?

22 A Yes.

23 Q And did ultimately you get an email from Chris Wilson?

24 A I did, on July 19th.

25 Q And what did that email say?

1 A Chris said that he had the money in the trust
2 available to us.

3 Q He's got the money so no big deal, correct?

4 A Correct.

5 Q Did you still, though, in the back of your mind have
6 some suspicions going back for awhile?

7 A I had suspicions that I didn't really believe that
8 because I had yet to see the ledger or the proof, and it
9 seemed like there's no reason not to send that to me if
10 something wasn't going on.

11 Q But ultimately you turned back to these issues and
12 that Chris Wilson check was found. Did that result in the
13 uncovering of all this?

14 A It did.

15 Q Did that result in him losing his job at the law firm?

16 A It did.

17 Q Where his family name had been a fixture there for
18 decades.

19 A Correct.

20 Q And that later resulted in him losing his license to
21 practice law.

22 A It did.

23 Q And the defense asked you that. Did that result in
24 him facing a ton of criminal charges based on all of that?

25 A Yes.

1 Q All of that was on the cusp of being uncovered, was it
2 not?

3 A Yes.

4 MR. GRIFFIN: Objection. Leading.

5 Q Was that on the cusp of being uncovered?

6 A Yes.

7 MR. GRIFFIN: Same objection.

8 THE COURT: The question has been answered.

9 MR. WATERS: Nothing further, Your Honor.

10 THE COURT: Any further exam?

11 MR. GRIFFIN: Just very briefly.

12 RECROSS-EXAMINATION

13 BY MR. GRIFFIN:

14 Q Ms. Seckinger, and the finding of the Chris Wilson
15 check was coincidental to your work on the Forge account
16 research, correct?

17 A Yes, but as we uncovered the Forge, we knew we had a
18 problem.

19 Q I understand, and it was the Forge issue that led to
20 all of this.

21 A It would have eventually been the issue if we had
22 requested Chris Wilson -- regrettably that we did not. In
23 July we would not have received the money because the money
24 was not in there. We found that out later.

25 Q We'll find out about that. But -- so, the Chris

1 Wilson issue is a one-off compared to all of these other
2 transactions that you brought here today, right?

3 A That's right.

4 MR. GRIFFIN: All right. Thank you.

5 THE COURT: You may step down.

6 THE WITNESS: Thank you.

7 (The witness exited the stand.)

8 THE COURT: And we will break for lunch and resume at
9 2:40. 2:40.

10 (The jury left the courtroom.)

11 (A lunch break was taken.)

12 THE COURT: Mr. Harpootlian, you mentioned this
13 morning how bad the rough draft was.

14 MR. HARPOOTLIAN: I'm sorry, how bad what?

15 THE COURT: How bad the rough draft was that you
16 received.

17 MR. HARPOOTLIAN: That we paid \$450 for? Yes, sir.

18 THE COURT: Okay. Okay. I wanted the record to be
19 clear that those rough drafts were not provided by the
20 South Carolina court reporters, South Carolina judicial
21 reporters.

22 MR. HARPOOTLIAN: I want to make it clear that if I
23 said that, I never implied that our South Carolina court
24 reporters would produce such a deficit product.

25 THE COURT: Yes.

1 MR. HARPOOTLIAN: That was made clear to me by Court
2 Administration that it is by -- what's the name of the
3 company?

4 SPEAKER: FTR.

5 MR. HARPOOTLIAN: FDR?

6 SPEAKER: FTR.

7 MR. HARPOOTLIAN: FTR.

8 THE COURT: A private company. I don't know the name
9 either, so.

10 MR. HARPOOTLIAN: Apparently has not perfected its
11 software because we paid \$450 for something that was, as
12 you saw, not of much use. I want to make the record clear
13 it was not our South Carolina reporters. It was some
14 northern company.

15 THE COURT: Because certainly Ms. Harris and I have
16 been working together for probably a decade, and I have
17 worked with Mike as well, and they are excellent court
18 reporters.

19 Okay, are you ready for the jury?

20 MR. WATERS: The State is, Your Honor.

21 MR. GRIFFIN: The defense is, Your Honor.

22 THE COURT: You may bring them in.

23 MR. WATERS: Your Honor, I'm sorry, just real quick.
24 One of the things that I had discussed with the defense and
25 we had mentioned to Your Honor before is, you know, there's

1 some issues that surround the side of the road. And we're
2 not, you know, plowing that ground currently with the
3 understanding with the defense that if this becomes an
4 issue as the trial goes forward, that there won't be an
5 objection to recalling a witness for that limited purpose,
6 and I just want to put that on the record before we go
7 forward.

8 MR. HARPOOTLIAN: 100 percent in agreement, Your
9 Honor.

10 THE COURT: All right. Very good. Thank you.
11 You can bring the jury.

12 (The jury returned to the courtroom.)

13 THE BAILIFF: The jury is present, sir.

14 THE COURT: Okay. Thank you.

15 You may call your next witness.

16 MR. WATERS: May it please the court Your Honor? The
17 state calls Ronnie Crosby.

18 The witness, RONNIE CROSBY, was first duly sworn and
19 testified as follows:

20 THE CLERK: State your name again for the record as
21 you take the witness stand. Spell your last name, please.

22 THE WITNESS: Ronnie Crosby, C-r-o-s-b-y.

23 DIRECT EXAMINATION

24 BY MR. WATERS:

25 Q MR. Crosby, how are you doing today?

1 A I'm doing okay.

2 Q Tell the jury what your profession is, please.

3 A I'm an attorney.

4 Q And where do you -- what -- do you work for a
5 particular firm?

6 A I do. I work for -- currently for Parker Law Group.

7 Q And before it was Parker Law Group, did that firm have
8 a different name?

9 A It did. It was Peters, Murdaugh, Parker, Elzroth, and
10 Detrick. I've heard it referred to as PMPED earlier today,
11 so --

12 Q Do you know the defendant, Alex Murdaugh?

13 A I do.

14 Q Do you see him here in the courtroom?

15 A I do.

16 Q Can you point him out to the jury?

17 A He is seated at defense table between Mr. Harpootlian
18 and Mr. Griffin, and I believe he has a blue blazer on.

19 MR. WATERS: Your Honor, can the record reflect he's
20 identified the defendant?

21 THE COURT: It does.

22 Q When it was still PMPED, did Alex Murdaugh, was he a
23 partner in the law firm that you were a part of?

24 A He was.

25 Q And as a result of Mr. Murdaugh's actions, did that

1 law firm kind of change its name now to Parker, or is that
2 one of the reasons? Or how would you explain that?

3 A Well, yes. As a result of the actions that you heard
4 about earlier today, we did change not only the name of the
5 law firm but to a separate legal entity.

6 Q And how long have you been with -- and let's just go
7 back and call it PMPED before all of this happened. How
8 long had you been with PMPED?

9 A I started in the summer of '94, so almost thirty years
10 now.

11 Q And when did you first get to know the defendant?

12 A Some time in the late 90's. I probably met him before
13 then when I was working as a clerk for a judge, Judge Smoak
14 whose picture is here in the courtroom, and -- probably met
15 him in court but met him -- really think I started getting
16 to know him at the time of his grandfather -- his great --
17 his grandfather's death, which would have been in the late
18 90's.

19 Q What was his grandfather's name?

20 A Randolph Murdaugh, Jr., or the second, and he went by
21 the name of -- a nickname of Buster.

22 Q Was Buster in the law firm as well?

23 A He was there when I started. He would come, hold off
24 -- come into office. Yeah, he was there. I don't think he
25 was a principal or any kind of equity partner, but he was

1 there, yes.

2 Q Over the years, did the defendant become -- did you
3 become a partner in the firm?

4 A I did.

5 Q What year roughly do you recall becoming a partner in
6 the firm roughly?

7 A I would say somewhere around '99 to 2000.

8 Q And did the defendant become a partner in the firm as
9 well?

10 A Yes. He came to work some time in the late 90's,
11 early 2000's, and would become a partner probably somewhere
12 around 2004 or 2005.

13 Q And became your law partner up until 2021 from that
14 time?

15 A That's correct.

16 Q Just real quick before we move on, under the agreement
17 that the partners had, what is the rules as it relates to
18 fees that a partner earns during the course of the year?

19 A All fees belong to the law firm.

20 Q And just very quickly, explain to the jury very
21 quickly just the compensation. Is most of the compensation
22 for a partner received during the year or in one lump sum
23 at the end of the year?

24 A Well, as Ms. Seckinger laid out earlier, we receive a
25 salary, and then at the end of the year we divide net

1 profits, which would generally be the -- a larger portion
2 of your income, although not always. Sometimes, depending
3 on how someone's year went, you may not get any -- much of
4 anything as a bonus at the end of the year if you -- if
5 your work did not generate sufficient fees to overcome the
6 amount of overhead expenses that were -- was assigned to
7 the individual attorney.

8 Q Generally, though, most of the compensation is in that
9 end of the year bonus?

10 A That's fair to say.

11 Q Was that the case in your understanding for Alex?

12 A Well, not just Alex, but it was for all of us.

13 Q To your observations over the years, did Alex have a
14 relatively lucrative practice?

15 A Yes, he did. He had up and down years like all people
16 who do plaintiff's work, but, yeah, he was -- had a lot of
17 good clientele.

18 Q Some years he would get bonuses of six and seven
19 figures. Are you aware of that?

20 A Yes, he could.

21 Q If a lawyer were to do legal work with a partner in
22 the firm and have those fees, if he was sharing a case with
23 another lawyer and had the lawyer issue those fees directly
24 to that lawyer instead of firm, what would that be?

25 A Mr. Waters, I'm fooling with this microphone and I may

1 have missed a nuance in your question. Could you ask that
2 again? I apologize. Trying to quit leaning but apparently
3 I can't stretch it out any further.

4 Q Is it common in plaintiffs' cases for lawyers, let's
5 say, within the firm or -- lawyers within the firm and
6 lawyers outside of the firm to share cases?

7 A Yes, I do that. Probably 70 percent of my practice is
8 with other law firms.

9 Q And in that instance, do you have to split the fee in
10 the event there's a recovery by settlement or trial?

11 A Yes. If there's a recovery up front before when the
12 trial -- the case begins and the work begins, there's an
13 agreement on how a fee is going to be split with the other
14 law firm. Sometimes there may be three -- you know,
15 multiple law firms in a given case.

16 Q And are there instances then when the other law firm
17 is responsible for disbursing the money, including
18 disbursing the fees to PMPED?

19 A Yes, that happens quite often.

20 Q And if a lawyer in PMPED were to have those fees made
21 out to him or her instead of the firm, what would that be?

22 A Well, it would be against our policy, but it would be
23 stealing of fees from the firm if they went -- did not come
24 to the firm because they belonged to the law firm.

25 Q Let me ask you a little bit about the defendant

1 himself. What is your observations of the defendant's cell
2 phone usage?

3 A He was somebody who used his cell phone a lot, I mean,
4 more -- much more than I do. He was always on his cell
5 phone.

6 Q And describe a little bit about your observations of
7 him as a lawyer. What were his skills as a lawyer? What
8 was he good at?

9 A Alex was a very good lawyer. He was good with people,
10 very good at reading people, very good at understanding
11 people, and very good at making people believe that he
12 cared about them and building a rapport and trust with
13 them. And he was very good with strategizing against
14 insurance companies and opposing lawyers that ultimately
15 got often times results that the lawyers in the firm would
16 be really amazed at what a good job he was able to do.

17 Q Was he good at understanding the emotional value of a
18 case and being able to leverage that?

19 A Yes. I mean, that goes hand in hand with what I just
20 said. It was very much a strength that he had.

21 Q Was he a good technical lawyer? Did he have a lot of
22 academic and technical skills as a lawyer?

23 A Well, I'm not going to judge his intelligence
24 because I think he's very intelligent. As far as being a
25 real student of the law, probably wasn't and never

1 developed a, like, a technical expertise like some lawyers
2 will. Some lawyers specialize in one thing, like medical
3 malpractice, and that's all they do, but he didn't. He was
4 more of a general practitioner.

5 Q Around the time of the recession back in 2008, 2009,
6 2010, did you ever have any conversations with the
7 defendant and gain a general understanding of his financial
8 condition at that time?

9 A I did.

10 Q And tell the jury what that was, please.

11 A Well, for a number of years Barrett and one of his
12 non-lawyer business -- Alex and one of his non-lawyer
13 business partners, a guy named Barrett Boulware, they did a
14 lot of real estate transactions, you know, just buying land
15 and speculating on it. And I think leading up to that they
16 had purchased some property that -- speculating that they
17 could sell it, maybe some developmental property and, of
18 course, we all know what happened in 2008/2009, that market
19 went bad, and I think it -- I think both Barrett as well as
20 maybe some of the other partners did not have the financial
21 ability to deal with those loans that they had financed it,
22 and so I think Alex was having to carry a lot of that and
23 it put a strain on him financially.

24 Q At some point after that, to your discussions with him
25 and to your knowledge of the cases in the firm, did he have

1 some big cases that you thought had rectified that strain,
2 that financial strain?

3 A Yes. There was a string of rather large cases, some
4 of them I actually worked on with him, that resulted in
5 very large settlements that would have been, my
6 understanding, would have certainly have been sufficient to
7 rectify that, as well as, I believe, ultimately some of
8 that property that was causing the strain was -- they were
9 able to sell it. So, the long answer is yes.

10 Q What were some of those cases that you thought at
11 least had rectified any financial issues that he had?

12 A A case referred to as *Plyler*. And these are
13 internally the way we referred to them. *Pickney*, which
14 also had a companion case *Thomas*. I think the *Plyler* case
15 was actually four cases, but we referred to it as one. And
16 then he had a case called *Badger*, and -- those cases would
17 have been large cases.

18 Q And that's -- from your understanding, the legitimate
19 fees from those cases were very, very large?

20 A Yes. The law firm earned and subsequently
21 Mr. Murdaugh would have earned good income off those cases.

22 Q Are you generally familiar with what's called the boat
23 case?

24 A Yes.

25 Q And is that the February 2019 both wreck in which

1 Ms. Mallory Beach was killed?

2 A Yes. Ms. Beach actually worked for my wife.

3 Q Somebody you knew?

4 A Yeah. I knew her as well as the other girls and knew
5 Paul.

6 Q As a result of that boat case, was it your
7 understanding that the defendant had been civilly sued as a
8 result of that?

9 A Yes. There was a lawsuit brought against Alex and
10 others.

11 Q Moving on from the boat case, did you ever have any
12 conversation with -- after the boat case, did you have any
13 conversation with Alex about structuring his fees in any
14 particular case?

15 A You know, that conversation had come up around the
16 office with not only him but other lawyers over, over the
17 years. To my knowledge, I was the only lawyer to ever do
18 that. But he did some time in the spring of 2021, he had a
19 conversation with me about that.

20 Q And what was the conversation you had with him?

21 A I think it was just generally asking me, you know, how
22 it was, you know, done, whether I thought it was a good
23 idea, what the process was, that type of thing. I don't
24 recall the very specifics, but I do recall telling him that
25 given the low interest rates that it wouldn't be very

1 fruitful. If you had high interest rates and you can buy
2 into, lock on an annuity, that it would make sense, but,
3 you know, there were pretty much zero interest rates during
4 that time.

5 Q And when you made that point, did he have any response
6 to that?

7 A Other than he was thinking about doing that.

8 Q Now, you mentioned that you -- you're actually the
9 only one in the firm that you recall doing -- structuring
10 some fees. Is that correct?

11 A Yes, and I think that that's a fact, not just that I
12 recall.

13 Q All right, and so you actually set up a real
14 structure, correct?

15 A Well, yeah, I did.

16 Q You didn't just divert the fees into another account
17 and spend them, correct?

18 A No. And to clarify, and I think Ms. Seckinger touched
19 on it, was the traditional way of doing it to avoid taxes
20 until you're older is -- you never take what's called
21 constructive possession of the money. So, whoever -- if
22 it's an insurance company, or whoever is paying the money,
23 would pay to the annuity company, and they would buy an
24 annuity and you would have a contract, and then whatever
25 the terms is when you would start receiving that money, and

1 then you would start paying taxes on it. You can take a
2 structure without -- there has since then become other ones
3 but they don't have the tax advantages, they don't really
4 make much sense, where you can take the money and then
5 buy -- you're basically just buying an annuity.

6 Q Before I move on, do you know a person by the name of
7 Gloria Satterfield? Or do you know of a person by the name
8 of Gloria Satterfield?

9 A I knew Gloria. I knew her for a lot of years.

10 Q Did she have any employment relationship with the
11 defendant, to your knowledge?

12 A Yes, she did, and when my children were first born,
13 she helped my wife out a little bit with some laundry and
14 stuff.

15 Q What, to your understanding, happened to her, if
16 anything?

17 A My understanding was that she was tripped by some of
18 Alex and Maggie's dogs and hit her head, and approximately
19 three weeks later she died. I don't think she ever came
20 out of the hospital.

21 Q Did you ever talk to the defendant about that event?

22 A I recall having a brief conversation. It really
23 wasn't a conversation. It was more him saying that the
24 dogs knocked it down and that the -- he was -- the kids
25 were going to sue him for Gloria's death.

1 Q The kids? Which kids are you talking about?

2 A Gloria's, Gloria's two boys, I believe she has.

3 Q When you say the kids were going to sue him, did he
4 say in the fashion that it was going to be an aggressive
5 suit, or did he say in the way that he was going to help
6 out?

7 A Oh, I understood exactly that it was going to be a
8 friendly insurance claim, so to speak, so that, hey, this
9 happened, in hopes that the insurance company would
10 probably pay them some amount of money to -- I took it to
11 help them out.

12 Q Did you ever have any other conversations with him
13 about that case other than that one?

14 A Never had another conversation -- well, no. I've
15 never had a another conversation with him about it.

16 Q Are you familiar with the case known as the *Faris* case
17 or the Mack Trucks case?

18 A Yes, I'm very familiar with it.

19 Q Did you have any involvement in that case?

20 A Yes. Early on I had some involvement. I was asked to
21 get involved because it dealt with products -- a product
22 failure, which is going back to your reference. It's sort
23 of been my specialty over the years. It was where a drive
24 shaft had fallen out of a Mack truck and caused a motorist
25 to have an accident, and when -- we looked into it and it

1 turns out there was a recall on it, and so pretty much made
2 it where it wasn't going to be much of a fight about Mack's
3 responsibility, and so I knew it then. And then when -- I
4 didn't do anything else in it until it was coming up to
5 trial, and I spent a lot of time talking with Alex about
6 evidentiary issues, witnesses, how they were trying the
7 case and the posture of it, that type of thing. So, yeah,
8 I was familiar with it.

9 Q Okay. Did you ultimately get involved where you were
10 one of the lawyers representing the Farises?

11 A No, I did not help him try it.

12 Q All right. Did he have an outside lawyer associated
13 with that, or were there other lawyers associated with
14 that?

15 A Well, as I referenced earlier, sometimes there's more
16 than just two law firms. There was a lawyer friend of ours
17 in Columbia that got -- named Mr. Ridgeway, got Mr. Chris
18 Wilson involved, and then in turn Chris Wilson asked Alex
19 to get involved, which Alex and Chris had worked together a
20 good bit over the years. So, there's three law firms.

21 Q At some point in May of 2021, did you ever have a
22 conversation with Jeannie Seckinger about the -- well, let
23 me back up. So, ultimately did Alex and these other
24 lawyers try the *Faris* case?

25 A They did.

1 Q And did they get a recovery in that case?

2 A They did.

3 Q And do you know how much Alex Murdaugh's share of the
4 recovery was supposed to be?

5 A I mean, the verdict was several million dollars. I
6 believe that would have been in February of 2021. I
7 believe the share that was supposed to go to PMPED was
8 792,000 as our portion of the fees.

9 Q And you corrected me that that was the amount that was
10 supposed to go to the firm, correct?

11 A That's correct.

12 Q \$792,000. Did you ever -- in May of 2021, did you
13 ever have a conversation with Jeannie Seckinger about those
14 fees?

15 A I did.

16 Q And tell me what that conversation was, please.

17 A It was some time in close relation to Alex asking me
18 about structuring attorney's fees. I walked in Lee Cope's
19 office. Lee and Jenny were having a conversation about
20 that issue and her efforts to get all of the paperwork on
21 the Faris matter, and she was frustrated. She thought she
22 was getting a run around both from Chris Wilson and Alex.
23 And then she mentioned something to me about that he had
24 suggested to her that he was trying to hide fees from the
25 boating case.

1 Q All right, and what was your reaction to that when you
2 heard that?

3 A Do you want me to say what I said?

4 Q You can say the sanitized version or you can say the
5 real version, either way.

6 A I said oh fuck no. We are not.

7 Q And why was that your reaction?

8 A Well, because to do that under any circumstance was
9 illegal, unethical, and he would be putting us at risk, and
10 we absolutely were not going to participate in anything
11 that -- that was illegal, unethical, or subjected us to
12 liability or, you know, created issues with the South
13 Carolina Bar.

14 Q Was it the discussion of the firm leadership that that
15 needed to be gotten to the bottom of to make sure that
16 didn't happen?

17 A Well, it was Lee, I, and Jeannie, and we put it in her
18 hands because if -- she told us that she was being told it
19 was in trust at Chris Wilson's office and, you know, I had
20 no reason to doubt that. I thought he was just trying to
21 take it out in some other way so it didn't go through our
22 system or something, which would have also been tax fraud
23 on our part not to have that accounted for because we would
24 have gotten a 1099 at some point in time. And it was a
25 myriad of reasons why that wasn't going to ever happen.

1 But I thought if they're saying it was there, Jeannie,
2 just take care of it. Get the money. And I didn't think
3 any more about it, to be honest with you. I didn't think
4 it was any stealing going on or anything. I thought that,
5 okay, he's got pressure on him from this boating case and
6 maybe thinks if he did an annuity out of Chris's trust
7 account, that it wouldn't be accounted for. But it
8 ultimately had to be accounted for, and I knew that. I do
9 it -- involved a lot of our overseeing, you know, a lot of
10 the accounting and understand it, and there's just no damn
11 way we were going to do that.

12 Q At that point in time, you just said you didn't think
13 there was any stealing going on at that point, not yet at
14 least.

15 A No. That never came up during that period, and we're
16 talking late May of 2021.

17 Q Let me ask you this. You've known the defendant since
18 the 90's?

19 A I have.

20 Q Did you get to know his family?

21 A Yes, I did.

22 Q Did you get to know Maggie?

23 A I knew Maggie.

24 Q Did you know her fairly well?

25 A I felt like I did, yes. She was a very nice person.

1 Q Did you know Paul?

2 A Yes.

3 Q Tell me a little bit how you knew Paul.

4 A I apologize. I knew Paul since he was born. Both he
5 and Buster had always referred to me as Uncle Ronnie. We
6 lived just across the way from each other, so I got to know
7 him. I don't know, he used to -- when he got into hunting,
8 he hunted a lot on my property, he and Buster. I have a
9 farm right here in Colleton County where I grew up, and so
10 I got to know him, you know, that way. And then Paul
11 was -- I didn't think this would be that hard.

12 Q Take your time.

13 A Paul was really good with kids, and he took a liking
14 to my son, who's younger, but he spent a lot of time with
15 him. He would take him hunting, fishing. They would do a
16 lot of hog hunting together. Paul had some hog dogs and,
17 you know, just was around him a lot. He had a great
18 personality. Just really, you know, somebody -- a kid I
19 really loved, you know.

20 Q Paul would come over to your property a good bit?

21 A Yes, and then, you know, as -- and then sometimes as
22 my son got older, he would go over to Moselle and hunt with
23 Parker -- or hunt with Paul.

24 Q Do you remember June 7th of 2021?

25 A I do.

1 Q Did you see Alex earlier that day?

2 A Can you ask that again? I'm sorry.

3 Q Did you see the defendant at any point that day?

4 A You know, I don't recall whether I saw him at the
5 office. I was -- I had been in a trial in Columbia that
6 settled. It was a couple of week trial and it settled on
7 Friday afternoon. And I probably -- I know I came to the
8 office to dig out some stuff, but it was fishing season and
9 I promised my son as soon as I got out of trial we would go
10 offshore fishing. So, I would have left work early that
11 day to go get the boat prepared to go fishing. So, I don't
12 remember seeing Alex that morning or the office. I could
13 have, but it would have been -- I had saw him later that
14 night, yes, sometime around 11:00 p.m.

15 Q Before we get there, were you at home at that time?

16 A Yeah, I was at home. We had just got finished getting
17 the boat ready. You know, as a matter of fact and by way
18 of example, we had invited Paul to go fishing with us the
19 next day, and he had to work and couldn't go. My son had
20 called him about it, you know. It was -- I think we had
21 just eaten supper and, you know, sitting there looking at
22 the weather and looking at all of the things you do before
23 you go offshore kind of.

24 Q Did you get a phone call or did you get a text?

25 A My wife got a phone call, I believe, from Randy's wife

1 wanting my partner Mark Ball's wife, Lisa's, phone number.
2 She's a registered nurse. And it was sort of a quick phone
3 call. She gave it to her. I don't know if Christy just
4 couldn't get it at the time. And at some point after that,
5 I called Randy and asked him, you know, what was going on,
6 and I don't remember his exact words but he -- it was
7 something about Maggie and Paul being shot.

8 Q When you heard that, what was your reaction?

9 A I guess the best to describe it is shock, alarm. I
10 immediately told my wife I had to go, and I got in my
11 vehicle and started -- headed to Moselle.

12 Q Did you get there? About what time do you think you
13 got there?

14 A I did get there, and I arrived at -- I'm going to say
15 somewhere on one side or the other of 11:00.

16 Q Did you get to the residence or did you go to the
17 kennels?

18 A Well, when I got there I could see the lights. I
19 didn't know where to go, but when I got there, I could see
20 the lights at the kennels. And I was familiar with
21 Moselle, having been there many times, and so I went to the
22 lights. You could see there was law enforcement lights,
23 maybe a -- it could have been Colleton Fire and Rescue, but
24 it was obvious that's where you needed to go. So, I came
25 in the main gate and turned right on what used to be a

1 runway and went straight to the kennels.

2 Q Did you get out of your car?

3 A I did.

4 Q Did you talk to anyone at that point?

5 A I'm confident that my partner Mark Ball was already
6 there, Alex was there, and I know I spoke with both of
7 them.

8 Q Were Maggie and Paul still there?

9 A Yeah, Maggie and Paul were there.

10 Q Did you talk to the defendant at any point that night?

11 A I did.

12 Q How late -- how long did you stay at Moselle after
13 that first time you arrived?

14 A Well, we stayed outside, and then at some point -- I'm
15 going to say we stayed -- I stayed until about 3:30.
16 But -- it just seems that we were standing around back in
17 the house, and the -- it just was like we didn't know what
18 to do or what to say, and I knew that Alex was going to
19 have a long few days -- several days coming up, and I was,
20 like, guys, we're not doing any good here. Let's -- we
21 need to all go get some sleep and -- you know, so we can
22 deal with tomorrow. And I think I was the first one to
23 leave, and I almost feel like everybody else pretty much
24 left in the period of time after that. But I -- you know,
25 but I know I was the first to leave and I think it was

1 around 3:30.

2 Q Did you return to Moselle the next day?

3 A I did.

4 Q Did you have conversation with the defendant the next
5 day?

6 A Yes.

7 Q Over the course of those -- the night of and the next
8 day when you had conversations with the defendant, did he
9 either tell you or were you present when he related to you
10 his activities the night of June 7, 2021?

11 A Yes. I gained an understanding of the events of that
12 night over multiple conversations and sometimes perhaps
13 just questions because, I mean, without being a lawyer, you
14 would want to figure that out. And being a lawyer and just
15 having something so horrific, we wanted to contribute
16 anything we could to help figure out who did this, who did
17 it.

18 Q And what did Alex tell you about his activities that
19 night?

20 A He told me -- and when I say me, there may have been
21 multiple people in these conversations. I mean, we were
22 all back at the house at Moselle providing support for, you
23 know, our friend who had just lost his family, and that he
24 worked and somewhere, 5:30 to 6:00 had left work. That he
25 went to Moselle. That Paul had come home from work and

1 that they rode around, and then at some point they went
2 back to the house and had dinner, and Maggie was there, my
3 understanding. And then after dinner, that Maggie and Paul
4 went to -- went outside and -- to the dog kennels, and that
5 he sat on the couch and fell asleep, and that would have
6 been around 8:00 that he sat on the couch and ultimately
7 fell asleep.

8 Q He said between 8:00 and 9:00 he was asleep on the
9 couch, or he was at the house?

10 A He said -- I took it that he laid down on the couch
11 maybe watching TV and fell asleep, and then around 9:00 he
12 woke up, and then somewhere around 9:00 he went to -- back
13 to Varnville to Almeda to check on his mother.

14 Q And what did he say after that -- he did after that?

15 A Well, he said he laid on the bed with her. He didn't
16 give a time but that he laid there. I took it it was just
17 sort of laying there to comfort her because I understood
18 her condition. And then he said that he came back to
19 Moselle, and that he went to the house, and that when he
20 got to the house he discovered that Maggie and Paul were
21 not there, and that he then got back in his car, or his
22 Suburban, which was an office-issued vehicle, and he drove
23 down to the kennels. And there's more than just kennels
24 there. I think y'all have seen maybe the sheds there, and
25 he discovered Maggie and Paul's bodies.

1 Q Did he say whether or not he had gone down to the
2 kennels with Maggie and Paul before he left to go to Alameda
3 after 9:00 p.m.?

4 A That came up in one of the conversations, and he
5 specifically said that he did not.

6 Q Did not?

7 A He did not.

8 Q I'm going to play for you what's been admitted into
9 evidence as State's 297. I want you to listen to it and
10 tell me if you recognize any voices on this.

11 (STATE'S 297, A SNAPCHAT VIDEO, WAS PLAYED BUT NOT
12 TRANSCRIBED.)

13 Q Did you recognize any voices on that video?

14 A The three voices on that video are the voices of Paul
15 Murdaugh, Maggie Murdaugh, and Alex Murdaugh.

16 Q And how sure are you? How sure are you?

17 A I'm 100 percent sure that's whose voices are on the
18 audio there.

19 Q Is this law firm pretty close knit?

20 A Yeah, we're a very close knit group of lawyers. I
21 think we have a very family-like environment with our
22 staff, as well as the lawyers are all very close. A lot of
23 us do, and still do, you know, a lot of activities
24 together. Our families grew up together, you know, and a
25 great experience working with these guys.

1 Q Did these murders of Maggie and Paul, did it send a
2 shockwave through the law firm greater family?

3 A Well, yes, it did. Just beyond the horror and
4 disbelief, we -- we didn't have an understanding. I mean,
5 the staff had a general sense of insecurity and fear. We
6 had to take a lot of security measures because we did not
7 have an understanding of what the possibilities out there
8 could be. And then this horrific loss of, you know -- I
9 think Paul had, you know -- the kids, Maggie would come up
10 to the law firm regularly, you know, maybe needed to use
11 the computer or just to see Alex or whatever. So -- and it
12 as much of a shock as you could imagine.

13 Q In the wake of this tragedy, did the law firm family
14 rally to the defendant's aid?

15 A We did. We were there every day for the rest of the
16 week, and as y'all already know, Mr. Randolph passed away
17 in the wake of this. So, it was a really bad week where
18 the Murdaugh family in particular -- but all of us --
19 needed to be together to support each other.

20 Q With all of this tragedy and the support and the
21 outpouring and everything going on, did you have any
22 discussion about what to do about the Faris fees, or was
23 there a discussion to -- that this can't be the time to
24 bring this up?

25 A The only discussion that I recall was Alex told you

1 they were in trust. Let's don't -- there's no way we're
2 going to talk about money in this -- in -- and we had no
3 reason to not believe that. I wasn't aware of some of
4 Jeannie's conversations, you know. I was aware that Alex
5 told her they were in trust. I trusted him and I said
6 let's just leave it be. You know, I don't know -- I
7 would -- it's just not something that you would talk about
8 is money in the wake of such tragedy that had gone on the
9 week of June 7th, including the loss of Mr. Randolph.

10 Q At some point in July of 2021, did it come to your
11 understanding that at least the firm had heard from Chris
12 Wilson's firm that supposedly those missing fees were in
13 his trust account?

14 A That was reported to me. I did not look at the email,
15 but it was reported, and that was even further confirmation
16 that we didn't have an issue because we had worked on many
17 cases with Mr. Wilson's law firm. And if he said it --
18 another lawyer who is a friend and colleague said I've got
19 the money, then, you know, it wasn't something to be
20 concerned about.

21 Q Before I forget to ask you this, you said that you had
22 built a relationship with Paul. Is that right?

23 A Yes.

24 Q Did you eulogize Paul at his funeral?

25 A I did.

1 Q And you and your son liked to hunt and fish and do
2 outdoor things with Paul?

3 A We did.

4 Q And that's how you got to know him well?

5 A Well, you've got to understand that even like when we
6 go to legal conventions, a lot of time we take our kids
7 with us. I was just around Paul a lot. It wasn't just
8 hunting and fishing, but he pretty much had free reign of
9 my property, but he would always tell me. Paul was a very
10 polite young man and he wouldn't just go, even though he
11 could. He would always let me know. And, you know, he
12 killed a lot of his first deer on our property, and, you
13 know, just got to see him grow up.

14 Q Did Paul have a shotgun he favored, to your knowledge?

15 A I would see Paul with a, like, a 12 gauge Benelli
16 Super Black Eagle. Yeah, I've seen him with that a number
17 of times.

18 Q Did Paul occasionally like to hunt hogs?

19 A There was a period of time where he was obsessed with
20 it. He had dogs and then those 300 Blackout with a thermal
21 scope, and, you know, he would do it. And I loved for him
22 to come to my property to do it because anybody who has
23 ever seen what hogs do to property, they're a nuisance, and
24 so I was happy for him to come and shoot them.

25 Q And he used one gun for that?

1 A Well, you know, in the early years he used a 300 a
2 lot, and then they got where they were catching them and
3 killing them with knives and stuff like that, so they --
4 you know, hog hunters do it in different ways. But the 300
5 Blackout, I think, was -- usually accompanied him.

6 Q In the aftermath of the murders, did you have any
7 conversation, or were you privy to any conversations in
8 which Alex talked about the family 300 Blackouts?

9 A Well, the day after -- I saw the casings that night
10 and thought that they were 223s and I -- when I found out
11 the next day from somebody with Colleton County, one of the
12 guys I knew who was there, that they were actually 300
13 Blackouts, you know, we started inquiring of where Paul's
14 and Buster's 300 Blackouts were located. And I remember
15 asking Alex about it, and he said that one of them was in
16 the room and that he didn't know where the other one was.

17 Q Did he mention a third one at that time?

18 A At some point he did. There was a --

19 Q Go ahead.

20 A He said that one of them had gotten stolen or
21 misplaced, which if it was misplaced, that would not seem
22 odd to me because Paul was pretty good about -- he would
23 sometimes leave his guns at my place, just -- and that he
24 had bought a replacement at some point in time. I don't
25 recall the dates on any of that.

1 Q Did he tell you what happened to the replacement?

2 A No. I assumed that the replacement was -- that they
3 still had the replacement. I never heard anything about
4 anything with a replacement, just that they had a total of
5 three. And I remembered that Mr. Bedingfield had built
6 those rifles.

7 Q You testified that after moving into July and August
8 you had gotten an email, or at least been informed that
9 there had been some representation that Chris Wilson had
10 those fees, correct?

11 A That's correct.

12 Q Moving into September of 2021, did you have any trial
13 or anything going on that you were actually involved in at
14 the time?

15 A At the end of August, early September, I was getting
16 ready for a products liability trial over in Dorchester
17 County that was going to last several weeks.

18 Q Did you receive any communications from your firm
19 about any issues regarding the defendant?

20 A We were doing pretrial motions, things that you do
21 before a trial starts. There's a lot that gets done by the
22 Court, and so we were taking care of a lot of things that
23 would keep the jury from waiting around during the trial
24 beforehand, and September the 2nd we were over arguing
25 motions and taking care of pretrial matters. And so I --

1 when I got out of court, I saw that I had missed
2 communications from one of my partners, Mark Ball, and I
3 called him, and he said we have a problem. And I was,
4 like, what? And he said you have to come now. And I said
5 I'm just walking out of court, I need to go home and eat
6 supper and it's not on my way. And he wouldn't -- he
7 didn't ever tell me what it was, but he said you have to
8 come now, and I could tell an urgency. And so he told me
9 where to meet them, and that would have been in Cummings,
10 South Carolina, at my partner, Danny Henderson's, place
11 and -- which was not on my way home, but he was so
12 insistent that I went there and met -- when I got there,
13 Danny and Mark were there waiting on me.

14 Q All right, and ultimately what was your discussion?

15 A I was given a folder that had paperwork in it, and
16 that paperwork consisted of checks, both front and back,
17 and I was asked to review them.

18 Q And were those the -- what's been called the fake
19 Forge checks?

20 A I believe the fake Forge checks, it was not all of
21 them that Ms. Seckinger went over, but I believe there
22 was -- I could probably call the names of most of them that
23 were there. I know it was Anderson, Bush, Moore, there was
24 probably about five or six of them, and I believe they had
25 a copy of the Faris check there, too.

1 Q The Faris check?

2 A Yes, and I had sat for a minute and reviewed it. I
3 think Danny said you're going to need a drink, and so --

4 Q Did you have a drink?

5 A Yes, ultimately more than one.

6 Q What happened after that?

7 A Well, they didn't tell me what was in it. They let me
8 review it on my own, and I immediately said this is bad.
9 And my words then were that we have to terminate Alex. He
10 cannot -- no longer practice with us. And that was within
11 I don't know how many minutes, but it was not a long period
12 of time because the way Jeannie had it laid it out, it was
13 clear what had happened and that this money had been
14 stolen.

15 Q Did any of the partners go to confront Alex with this
16 information that had been uncovered?

17 A Yes. There was a meeting the following morning at
18 Lee's house. I did not attend. I did not need to attend.
19 I was still getting ready for trial. I had already decided
20 where this was going. And they met and then we -- Danny
21 and Randy, Alex's brother, went and met with Alex.

22 Q And what was your understanding of what the defendant
23 said as a result of that?

24 A That he admitted and, and said that he was -- knew he
25 was going to get caught at some point in time, and admitted

1 to them that he did it.

2 Q Ultimately did the firm engage in a very extensive
3 investigation to determine the extent of any alleged
4 misrepresentations that the defendant had done with --
5 relating to client fees -- or excuse me, firm fees or
6 client money?

7 A We did. We initially turned over what we had to State
8 Law Enforcement and then decided to -- well, we immediately
9 decided to hire an outside auditor, a forensic auditor to
10 come in and look at our books to see if there was anything
11 else, but parallel with that we were doing our own internal
12 investigation into his files.

13 Q And was Jeannie Seckinger as your CFO, was she heavily
14 involved in that review?

15 A She was a point person of doing that with whatever
16 support staff she needed under the -- my supervision and
17 Mark and Lee's supervision.

18 Q Have you seen spreadsheets that she's made and other
19 documentation that's been put together and gathered by
20 others in the firm as that investigation went forward?

21 A I'm very familiar with all of it.

22 Q And are the results of those accurate as you've been
23 able to review firm records and gather information?

24 A The documents that were entered into evidence earlier
25 today through Ms. Seckinger are accurate.

1 Q At any point in time, whether June of 2021 or going
2 back years, if you as a partner in PMPED had found out that
3 the defendant was allegedly diverting money to an account
4 in the name of a business, an account that he actually
5 controlled and then converting that to personal use, client
6 money, what would you have done?

7 A If I had become aware of it, he would have been asked
8 to resign, or I would have forced a vote and he would have
9 been terminated under our contract.

10 Q What else, if anything, would you have done?

11 A I would have done the same thing we did. Would have
12 turned it over to law enforcement and would have reported
13 to the South Carolina Bar because of -- it affected our
14 business and our trust account.

15 Q If at any point over the years you had found out that
16 the defendant had been diverting fees that were properly
17 due the firm and spending those for personal use and never
18 accounting for them and not being truthful with firm
19 members, what, if anything, would you have done?

20 A He would have been asked to resign, or a vote would
21 have been called and he would have been terminated.

22 Q All right. What else would you have done, if
23 anything?

24 A Because that conduct would have been illegal, it would
25 have been reported to law enforcement, as well as the South

1 Carolina Bar.

2 Q If at any point in time you had uncovered or had
3 discovered information that the defendant was having checks
4 issued from the firm trust account in the name of Palmetto
5 State Bank, and that having someone at the bank convert
6 those into checks that he could use for personal use, what,
7 if anything, would you have done?

8 A I would have asked for his immediate resignation
9 and/or forced a vote, and he would have been terminated.
10 His activities would have been reported to law enforcement,
11 as well as any activities of anyone at the bank who was
12 complicit in this, what I would call a money laundering
13 scheme.

14 Q And in each one of those instances, would the firm
15 have also engaged in a detailed review to determine the
16 extent of any alleged misappropriation?

17 A Well, absolutely. And I can only wish that one of
18 those clients early on had brought that -- something to our
19 attention so we could have dealt with it years ago.

20 MR. WATERS: Thank you, Mr. Crosby. Nothing further
21 at this time.

22 THE COURT: Cross-examination. As you prepare to
23 come, let's all stand for a moment.

24 (Break in proceedings.)

25 THE COURT: Okay. Let's come to order.

1 Mr. Griffin?

2 MR. GRIFFIN: Thank you, Your Honor.

3 CROSS-EXAMINATION

4 BY MR. GRIFFIN:

5 Q Good afternoon, Mr. Crosby.

6 A Good afternoon, Mr. Griffin.

7 MR. GRIFFIN: Can we get this photo taken down? Can
8 we just kill it? That was the computer. There it went.
9 Good. Good. Good. Thank you.

10 Q Mr. Crosby, I was struck by a comment you made and I
11 just want to confirm it. You were informed by folks at the
12 meeting when Alex was confronted about financial misdeeds.
13 According to the reports you received, that Alex's response
14 was he knew he was going to get caught at some point in
15 time. Is that what was reported to you?

16 A That's what I recall.

17 Q And he did -- he asked you to speak at -- eulogize
18 Paul at Paul's funeral, right?

19 A He did, and I did.

20 Q And you were very close to Paul, and Paul was a super
21 guy, wasn't he?

22 A Yes to both of those questions.

23 Q You said that Paul carried around a 300 Blackout and
24 a 12 gauge shotgun, a Benelli Super Eagle I believe you
25 said?

1 A That's my memory, and obviously they had numerous
2 guns, but I had seen Paul with those on multiple occasions.

3 Q If I showed you a Benelli Super Eagle that's in the
4 courtroom, would you be able to recognize it as Paul's or
5 not or --

6 A I don't know at this juncture. I may. I believe it
7 was camouflaged.

8 Q A camouflage Super Eagle?

9 A And, I mean, all camouflage Super Eagles, I mean --

10 Q I'm trying to not point it at anybody, but does this
11 look like Paul's gun?

12 A I'll say it looked like it. Will I say it was? I
13 can't say that.

14 Q I understand.

15 MR. GRIFFIN: And, Your Honor, I'm holding up for the
16 record State's Exhibit Number 4.

17 And I put my papers down.

18 Q Also you testified that when you got to Moselle the
19 night of the 7th that you were -- you went through the main
20 entrance, and that's the entrance with the -- I guess the
21 brick facade or whatever, the brick gates opening up.

22 That's the main entrance you went in?

23 A Yes. There's a brick facade and then I think the
24 metal iron gates, but they were open.

25 Q And then you -- if you go up -- and you would have

1 gone straight to the house if you would have gone straight
2 but you turned right, and you said, you know -- and there
3 was the little roadway there, an old runway, and you were
4 able to get back up to where the kennels were from that
5 direction, correct?

6 A That's correct. It's not far when you turn right, you
7 know. It's a few -- a couple hundreds yards maybe.

8 Q And then -- but you said you were able to see shell
9 casings, what you thought would be 223. Where were they?

10 A The one out -- I don't think I saw every one that was
11 there. I remember seeing one it seems like in the driveway
12 closer to the road from Paul and Maggie's bodies.

13 Q So, were you able to get inside the crime scene tape?

14 A I don't know if there was crime scene tape up at that
15 point in time.

16 Q So you were able, as you recall, just to walk up.
17 Were Maggie and Paul's bodies covered at the time you got
18 there?

19 A Yes.

20 Q But you were able to get into the crime scene close
21 enough where you could tell what you thought the caliber of
22 the shell casing?

23 A Right, and I didn't walk from where I was parked
24 there. I walked completely around the hangar and went over
25 to talk to people I knew that were there, the fire and

1 rescue people, just to get what their assessment was, and I
2 could see from where they were positioned. I could see --
3 I wasn't like -- I didn't get over it, but I could see from
4 a distance, and I'm very familiar with firearms --

5 Q Sure.

6 A -- and I saw what I thought was a 223 casing.

7 Q Okay, and you later learned, I guess, the next day on
8 the 8th that it wasn't a 223 but a 300 Blackout. Is that
9 right?

10 A Yes, and I can't for the life of me tell you there
11 was -- at that point in time there was some law enforcement
12 out in the hangar and around, and I just asked a question.
13 They corrected me.

14 Q And then -- and you started to assist any way you
15 could with trying to find out who could have done this.
16 Isn't that right?

17 A Well, Jim, I didn't that night. I was trying, you
18 know, trying to get -- and we were starting to -- I don't
19 know. It was shock, man, you know? But in the days
20 following we had a lot of conversation amongst my partners
21 and I about who could have done this, and obviously we were
22 theorizing on stuff, you know, with very little information
23 obviously. But we were trying to find out things, whether
24 Paul had been in an argument with anyone or, you know, if
25 anybody had -- I don't know. It's just what you would

1 naturally do is ask questions.

2 Q One of the things -- you went down to Jimmy Butler's.
3 Do you remember that?

4 A I did.

5 Q And what's Jimmy Butler's?

6 A Jimmy Butler is a business in Varnville that does
7 mechanic work. He sells trailers, he sells portable
8 buildings, used to sell cars, but I had learned that Paul
9 had taken his truck there the Friday before the murders.

10 Q Right, and so the Friday before the murders, Paul's
11 truck -- and what was his normal truck? Was it F --

12 A It was a F150.

13 Q A white F150.

14 A A white F150.

15 Q And you had understood that his white F150 was put in
16 the shop at Jimmy Butler's.

17 A Yes, and I specifically was going to see if Paul's
18 guns were in his truck.

19 Q Okay, and did you check the truck?

20 A I did. I looked inside of it, and I also got -- I had
21 learned that the -- a Mr. Rowe was working for Alex at the
22 time and had taken him over to pick him up for when he took
23 his truck to drop off for repairs, and I asked Mr. Butler
24 to pull surveillance tape so I could see if Paul got his
25 guns out of his truck while he was getting out of one

1 vehicle into a another.

2 Q And because you knew it was Paul's habit to carry the
3 guns in his truck, right?

4 A Right, and I believe actually when I looked in there,
5 there was still a pistol and some shotgun shells, that type
6 of stuff in there, but I didn't see any long guns. I
7 didn't get inside of his truck and rummage around. I just
8 looked.

9 Q And so you didn't observe any 300 Blackout or any
10 shotgun in Paul's truck at Jimmy Butler's. Is that right?

11 A I did not.

12 Q And I think you also looked at videotape to see if
13 Paul took guns out of his truck when he got back in -- I
14 guess Mr. Rowe picked him up. Is that right?

15 A That's correct, in other one of -- another pickup that
16 Alex had on the farm.

17 Q And you didn't see Paul removing any guns from his
18 truck when he got in the truck with Mr. Rowe?

19 A That was not evident on the video that I saw.

20 Q Okay.

21 A And I could see him getting out of one vehicle into
22 the other.

23 Q And you were down there on the morning of the 8th, and
24 after SLED had released the crime scene -- and when I say
25 there, I'm talking about down at the kennels -- were you

1 not?

2 A Yes. I was asked to go there by Randy's brother Alex.

3 Q And, I mean, I don't want to be too grotesque at all,
4 but just -- I mean, were there still blood and biological
5 material there at the scene?

6 A Yes.

7 Q And did you notice that there were some still birdshot
8 pellets in the feed room that had not been collected by the
9 SLED agent?

10 A Yes. There were what appeared to me to be -- you
11 know, we could pretty much tell what they were, yeah, from
12 looking at them, and I believe they would have been a TSS
13 type load.

14 Q And did you gather those up, to your knowledge?

15 A Did I?

16 Q You or anybody, you know, with you.

17 A Jim -- I mean, Mr. Griffin, I apologize. We know each
18 other, so I apologize.

19 Q Call me Jim.

20 A It's -- that area in that room -- well, we could see
21 them. It was so bad, we thought we were going to at some
22 point clean it up, but it overwhelmed both my partner Mark
23 and I. Well, we could see that, and we could see
24 everything, all of the other aftermath. We -- you -- I
25 mean, we were getting biological material on -- I mean, we

1 just couldn't be there, it was bad, you know, and it was
2 overwhelming us. So, no, I did not try to collect
3 evidence.

4 Q And the scene inside of that feed room, I take it, is
5 something that still was etched in your mind's eye and
6 memory?

7 A Yes.

8 Q When you were down there with -- when you were down
9 there the first time, I think you -- I believe you went up
10 with -- to Mark Ball and he was there? He got there before
11 you?

12 A Maybe a few minutes. We had already talked about, you
13 know, that.

14 Q Did it look to you and Mark like the crime scene was
15 being preserved and carefully keeping people off of areas
16 that maybe they shouldn't be trampling on?

17 A Well, it was my understanding that the crime scene had
18 been released, so that --

19 Q I'm talking about at 11:00 at -- I'm sorry, I jumped
20 back. At 11:00, when you got there around 11:00 on the
21 night of the 7th, when you pulled up, as I understand, you
22 walked around the shed, the workshop, and went to the back
23 and maybe Mr. Ball is back there. I could have that wrong,
24 but is that what happened?

25 A Well, we were there. I saw people working through the

1 crime scene. And -- and you're kind are asking me for an
2 opinion that I don't feel qualified to give because I
3 assumed that whatever was going on was being done, you
4 know, whatever procedures, but there were people in that --
5 you know, in the crime scene doing various things.

6 Q And I'm not asking you to give an opinion. I was just
7 asking you if anyone expressed an opinion in your presence
8 about they shouldn't be doing this or shouldn't be doing
9 that.

10 A I don't specifically recall.

11 Q Okay. Did at some point in time you and Mark and
12 whoever else, were y'all directed to go to the main
13 residence?

14 A We were, and for the life of me I can't tell you who
15 told us to go. I can tell you it was at the time that
16 they -- the -- whoever is the photographer for the crime
17 scene, they were getting ready to start, you know, taking
18 photographs, and it was stated that we're going to
19 photograph the scene. Y'all go to the house. We don't --
20 you know, you don't need to be in these photographs.

21 Q Okay. So, who all went to the house as best as you
22 can remember?

23 A I'm going to -- I know I did. I know Mark did.
24 Austin Crosby, who's one of my partners, did. Danny
25 Henderson did. Randy Murdaugh did. John Marvin did. Alex

1 at some point did, and he may have been -- I believe he was
2 accompanied by some officers when he came. I think maybe
3 Chris Wilson may have. The others I'm positive of, but
4 there could have been a couple of other people, you know.

5 Q And had it looked to you like anybody from law
6 enforcement had searched the residence, inspected the
7 residence before you guys went in?

8 A I don't know that I would know what it would look like
9 if it had been searched. It was my perception that it had
10 not been searched yet.

11 Q And then you mentioned at some point in time Alex came
12 up and maybe law enforcement were with him?

13 A Mr. Griffin, my memory is that Alex came in at or
14 about the same time two agents came, and I remember them
15 collecting his clothes is what stands out to me. One stood
16 in the doorway or the foyer to the house. We were kind of
17 in the living room and maybe the kitchen area. And then
18 another agent -- and I'm assuming it was SLED but, you
19 know, it's kind of blurry, and it happened pretty quickly
20 -- went maybe to the door of the bedroom while with Alex
21 was changing clothes, and then he brought his clothes out
22 and gave them to the agent who stood in the edge of the
23 living room or foyer, whatever you want to call it.

24 Q And did the agent just open up a bag and Alex dumped
25 his clothes in the bag? Is that how you remember, a paper

1 bag?

2 A I do not know what the composition of the bag was. It
3 was a bag, and it seemed to me the agent was holding the
4 bag out, like open, and that Alex kind of had his clothes
5 in his fingers and just dropped them in is what my memory
6 was, and what that was. I only recall there being one bag
7 and he dropped them in, and it was, like, a pretty quick
8 transaction.

9 Q His clothes were not put on a hanger for sure. Is
10 that right?

11 A No. Alex had them in his hands when he came out of
12 the bedroom. He was in there long enough to take those
13 off, and I think he put back on another pair of shorts or
14 something and shirt.

15 Q I know -- I'm sorry, I'm jumping around a little bit.

16 A It's okay. I've been right where you are, and that
17 happens.

18 Q I think you mentioned in one of your interviews with
19 SLED that Alex had some annoying quirks, and one of them is
20 he would just take phone calls in the middle of a
21 deposition?

22 A He would.

23 Q Would he take -- would he get phone calls from his
24 family -- Buster, Maggie, and Paul -- and drop everything
25 and take the calls?

1 A I've witnessed that.

2 Q And was that frequent?

3 A Yes. He would do it in depositions, he would do it in
4 the middle of a conversation, and, and, and not them but
5 definitely with them. And even in partner meetings and
6 stuff he would take a call and walk out of the room.

7 Q Sure. Sure. You had mentioned in your testimony that
8 when you were asked by Ms. Seckinger about this Faris fee
9 issue that really your concern was not that Alex was
10 diverting fees, but he was trying to shelter fees for
11 being disclosed in a civil case. Is that an accurate
12 statement?

13 A Well, let's make sure definitionally we're talking
14 about the same thing. My concern was not that he was
15 stealing, because I trusted him. I had no reason to
16 believe that he was stealing. It was the latter, that what
17 she conveyed to me was he was wanting to hide some fees or
18 hide money somehow. I don't remember it being said that it
19 was like I heard earlier, in Maggie's name. It was just
20 that he was going to take the fees from Chris Wilson's
21 account so there wouldn't be any record, is the way I
22 understood it, in our trust account.

23 Q Right, and you said F no, we're not doing that.

24 A Those were my words.

25 Q What was Alex's -- scratch that. After the murders of

1 Maggie and Paul, did you -- the immediate aftermath going
2 forward a few months, did Alex come to the office much?

3 A It was sporadic, but, you know, I knew that he was
4 having a lot of trouble sleeping. And, you know, he'd just
5 lost his family and his father, and him and his father were
6 very close.

7 We were aware that -- or had an understanding that he
8 was taking, like, medicine to try to help him sleep and
9 maybe for anxiety, and just, you know, the normal things
10 that you would expect there. So even when he came, I would
11 walk in his office and he would be falling asleep in his
12 chair. He would be sitting in there, you know, which was
13 evident to me that he wasn't sleeping well. And so I know
14 Ms. Seckinger mentioned pills earlier that he was taking.
15 That's what we knew he was taking because he couldn't sleep
16 at night. He would be up at all hours of the night.

17 Q And you noticed changes in his physical appearance,
18 correct?

19 A Yes, he was losing weight. I don't think he was
20 eating very well by all reports.

21 Q And I guess -- let's sort of go back. The night of
22 June 7th, the morning of June 8th, was -- I mean, what was
23 his demeanor?

24 A Well, his demeanor is that he was upset, I could tell
25 that, and he, you know --

1 Q Did you see him cry?

2 A Yeah, we cried together. I mean, he kept telling me,
3 especially to me, he kept telling me how much Paul loved
4 me, and, you know, every time he would say that we would --
5 it would be emotional. And he told me that several times
6 over the next few days. It was just -- almost be how he
7 would start a conversation with me when he would talk about
8 Paul.

9 Q And then did he spend a lot of time with Buster down
10 at Maggie's parents in Summerville? Do you know?

11 A I knew -- can you give me the timeframe?

12 Q So, starting in June.

13 A Okay. So, yeah, I know he and Maggie's parents had a
14 good relationship. I recall because in some of this, I
15 remember seeing some texts between he and I that he was
16 down there. I don't remember -- well, they're dated. I'm
17 sure you have them, and he told me he was down with
18 Maggie's parents. It was one of the days in that time
19 immediately following the murders.

20 Q Right, and then at one point in time around -- or if
21 this is the 4th of July, did he come to your place by boat?
22 Do you remember that? And --

23 A I can't say that it was on the 4th of July, but I
24 remember his brother Randy and his wife, I had invited them
25 to my house, you know, for the 4th, you know, for

1 spending -- and they had -- something that -- those of us
2 in the law firm do a lot to spend time on the weekends
3 together, and they were there, and I had asked Alex to come
4 over, and he and Buster came by boat from Edisto.

5 Q And Alex was carrying a gun with him on the boat, was
6 he not?

7 A Yeah. Yes. He had a gun in a -- what I want to call
8 a shopping bag, like a cloth type, you know, shopping bag,
9 not one of those plastic ones.

10 Q Had you ever seen Alex carrying a gun around before
11 for protection before the murders?

12 A No.

13 Q At some point in time, Alex and Buster and the family
14 put out a reward, did they not, for the capture of -- or
15 tips for whoever would lead to the arrest of whoever killed
16 Maggie and Paul. Do you remember that?

17 A I do remember that, and who all was involved in the
18 funding of it I don't know. But there was a reward, I
19 believe, it was a -- I know a reward was put out.

20 Q And the firm agreed to administer it if there was --
21 anyone stepped forward.

22 A We did.

23 MR. GRIFFIN: One second, Your Honor.

24 (Break in proceedings.)

25 MR. GRIFFIN: That's all I have, Your Honor.

1 THE COURT: Redirect?

2 REDIRECT EXAMINATION

3 BY MR. WATERS:

4 Q Did the firm ever have to pay anybody for that reward?

5 A No.

6 Q You were asked a lot of questions about your
7 interactions and relationship with Alex Murdaugh. You've
8 known Alex Murdaugh how long?

9 A Well, I guess a total of twenty-five years or so.

10 Q Did you really know Alex Murdaugh?

11 MR. GRIFFIN: Objection, Your Honor. Character
12 evidence.

13 THE COURT: What is the question?

14 MR. WATERS: Did he really know Alex Murdaugh.

15 MR. GRIFFIN: Purely a character question.

16 THE COURT: Did he know Alex Murdaugh. Did he really
17 know Alex Murdaugh.

18 MR. WATERS: Yes, sir.

19 THE COURT: I sustain the objection.

20 MR. WATERS: Thank you. Nothing further.

21 THE COURT: Anything further?

22 MR. GRIFFIN: No, Your Honor.

23 THE COURT: You may step down.

24 (The witness exited the stand.)

25 THE COURT: If you'll go to the jury room for a break.

1 (The jury left the courtroom.)

2 THE COURT: All right. What's coming up next, Mr.
3 Waters?

4 MR. WATERS: Your Honor, we have the GSR expert and
5 that's the next thing. You know, we can -- I think we can
6 get that witness done before the end of the day.

7 THE COURT: All right. We'll --

8 MR. WATERS: Your Honor, I was just asking
9 Mr. Griffin. He's the cross on this, and he's been talking
10 nothing but GSR for two days. I'm worried about the
11 timetable.

12 THE COURT: All right. Well, we'll take about 7
13 minutes.

14 (A break was taken.)

15 THE COURT: You may bring the jury.

16 (The jury returned to the courtroom.)

17 THE BAILIFF: The jury is present, sir.

18 THE COURT: Thank you.

19 Next witness.

20 MR. MEADORS: May it please the Court?

21 THE COURT: Yes, sir.

22 MR. MEADORS: The State of South Carolina would now
23 call forensic scientist Megan M. Fletcher.

24 The witness, MEGAN FLETCHER, was first duly sworn and
25 testified as follows:

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

3 THE WITNESS: My name is Megan Fletcher,
4 F-l-e-t-c-h-e-r.

5 VOIR DIRE EXAMINATION

6 BY MR. MEADORS:

7 Q Good afternoon, Ms. Fletcher.

8 A Good afternoon.

9 Q With the Court's permission, we're going to end day
10 twelve, okay?

11 A Yes, sir.

12 Q Would you please tell the ladies and gentlemen of the
13 jury about yourself, but also your background, your
14 training, and your training in the field of expertise I'll
15 ask you to testify about here today, please.

16 A Yes, sir. So, I grew up in Ohio; I was born and
17 raised there. After I graduated from high school I
18 attended Chatham College in Pittsburgh, Pennsylvania. I
19 graduated from there in 2005 with my Bachelor's Degree in
20 biochemistry and English. After that I went to Marshall
21 University where I obtained my Master's in forensic
22 science, emphasizing in computer forensics, and forensic
23 chemistry in 2007. I then started my career at SLED in
24 2007 as well where I started my training to become a trace
25 evidence analyst in the Forensic Services Laboratory. And

1 the first thing that I started training in was gunshot
2 primer residue analysis.

3 Q Why did you come to South Carolina?

4 A For the job.

5 Q Did you have any relatives here or family?

6 A I do, but it was really for the job. Trace evidence
7 was always kind of my dream job.

8 Q Okay. So, tell us some more about trace evidence and
9 your training and your background and what you love about
10 it.

11 A So, trace evidence is a type of evidence that you
12 can't typically see with the naked eye, so you need a
13 microscope or other types of instrumentation to be able to
14 detect it. For trace evidence in the Forensics Services
15 Laboratory at SLED, we consider explosives, fire debris,
16 fibers, glass, gunshot primer residue, paint, fibers,
17 physical fit analysis, pressure sensitive tape, and general
18 physical and chemical unknowns, all different types of
19 trace evidence.

20 Q Specifically in the field of gunshot primer residence
21 (sic), tell us about your training, your experience, and
22 what has led you to this point where I'm going to offer you
23 for an expert in just a minute.

24 A So, in 2007 I started my career. I started my
25 training at that point. I began an eleven month training

1 program for gunshot primer residue analysis; it's an
2 in-house training program that consists of practical,
3 written, and oral examinations in the theory of gunshot
4 primer residue, as well as the instrumentation used to
5 analyze that type of evidence.

6 Q So, what is it?

7 A Gunshot primer residue -- well, let's start with
8 gunshot residue. Gunshot residue is everything that comes
9 out of a gun when it's fired. That's the smoke, the soot,
10 the flame, burned and unburned gunpowder particles, but
11 also something called gunshot primer residue, and that's
12 what we're looking for at the Trace Evidence Lab. Gunshot
13 primer residue particles are microscopic molten particles
14 that contain the elements lead, barium and antimony. They
15 come from the primer component of the cartridge.

16 Q And can you explain some more? How do you examine it?
17 What do you do to determine if there's gunshot primer
18 residue?

19 A So, I believe that you've already heard about how
20 gunshot primer residue is collected. It's collected using
21 those particle lifts with the sticky surfaces. Once I get
22 those particle lifts in the lab, I will then examine them
23 on a scanning electron microscope with an energy dispersive
24 -- I'm sorry, dispersive X-ray detector. So, an SEM EDX.

25 Q And what's the second thing you said, SAM (sic) and

1 what did you say after that?

2 A Energy dispersive X-ray detector.

3 Q And what is that?

4 A Well, the scanning electro microscope is a super
5 powerful microscope. You might be used to a light
6 microscope that you might have used in school, and that
7 might magnify something around 400 times. The scanning
8 electron microscope uses electrons instead, and so we can
9 magnify things 30,000, 50,000 times. The energy dispersive
10 X-ray detector allows us to analyze a sample for which
11 elements are actually present in the sample. So, the SEM
12 component, the microscope component, allows us to see a
13 sample and analyze the shape and the morphology of a given
14 sample. But the EDX component allows us to see what
15 elements are actually present in that individual sample.

16 Q Now, when I first started years ago, we were just
17 looking for the three elements. How has that changed over
18 the years in your specific field?

19 A So, currently we are looking for characteristic
20 particles of gunshot primer residue. It's a singular
21 particle that contains all three elements of lead, barium,
22 and antimony. It can't be a particle that contains one or
23 two of those elements; it has to contain all three of
24 those.

25 Q And that didn't used to be the case, did it?

1 A No, sir, it did not.

2 Q So, it's got to contain all three of them.

3 A Yes, sir.

4 Q Before you'll clarify that it's -- what -- or you'll
5 determine it's what?

6 A I'm sorry?

7 Q Before you will determine it is, what -- just clarify,
8 kind of clarify it's got to contain all three of them. Go
9 ahead.

10 A It has to -- it has to be microscopic, it has to be
11 molten, and it has to contain lead, barium, and antimony,
12 in order for me to report it as characteristic of gunshot
13 primer residue.

14 Q And I know everybody knows except me, but what's
15 molten?

16 A Molten appears to be rounded in shape. It looks like
17 it underwent high heat and pressure. Lots of times they're
18 spherical, so like a ball, but sometimes they might look
19 like a football. You just have to have, like, a rounded
20 shape to the edges.

21 Q And how does evidence get to you, forensic scientist
22 Megan Fletcher? How does it actually come to you?

23 A There's different circumstances, but typically
24 evidence is submitted from a local agency, local agency, or
25 SLED, and it's submitted through the Evidence Control

1 Department. The Evidence Control Department assigns it a
2 unique lab number, and each item of evidence is assigned an
3 item at that time. It then is brought up to the trace lab
4 by either myself or another analyst or a technician, and
5 then it goes through the process of inventory and then
6 analysis.

7 Q How long have you been doing this?

8 A Over fifteen years.

9 Q Okay. Do you love your job?

10 A I do.

11 Q And how many analyses have you performed?

12 A I --

13 Q In the field -- well, in trace evidence to start with.

14 A Over 1,500 cases. Samples, well over 3,000.

15 Q And have you been offered in courts of record of this
16 state, and other states perhaps, as an expert in the field
17 of trace evidence and gunshot primer and residue, and have
18 you been so accepted in courts of record in the state as an
19 expert in trace evidence and gunshot primer residue?

20 A Yes, sir, forty-nine times.

21 MR. MEADORS: Your Honor, at this time the State of
22 South Carolina would offer forensic scientist Megan M.
23 Fletcher as an expert in the field of trace evidence to
24 include gunshot primer residue.

25 THE COURT: What says the defense?

1 MR. GRIFFIN: We have no objection to her making it
2 fifty times, Your Honor.

3 MR. MEADORS: And we thank you.

4 THE COURT: Ladies and gentlemen, she is so qualified
5 in the field of trace evidence and gunshot primer residue.

6 DIRECT EXAMINATION

7 BY MR. MEADORS:

8 Q Why do you love your job?

9 A I just find it really interesting. With trace
10 evidence I get to analyze different types of evidence. My
11 daily job duties can change depending on what needs to be
12 done that day.

13 Q Let's go over some just -- I don't know if the right
14 word is basic, but on a live person, a human being --

15 A Yes, sir.

16 Q -- blood flowing.

17 A Yes, sir.

18 Q Is there a period of time after which SLED's
19 guidelines say we won't to try to determine if there's
20 gunshot primer residue on somebody?

21 A Yes, sir.

22 Q What is that?

23 A Beyond 6 hours we will not analyze a GSR kit from a
24 living individual. And the reason that we will not analyze
25 that is because in-house studies as well as peer reviewed

1 published studies have shown that gunshot residue so
2 readily transfers and so readily -- is so readily removed
3 around 4 to 6 hours, that beyond 6 hours it couldn't be
4 tied back to initials -- to an initial incident.

5 Q And what's the common sense answer why that's -- you
6 won't do it after 6 hours?

7 A So if you shoot a gun, as soon as you put that gun
8 down, you essentially start to remove those gunshot primer
9 residue particles. They aren't destroyed, but you're
10 simply transferring them to other objects. You might be
11 putting your hands in your pocket. You might touch a
12 steering wheel. You might wash your hands and that would
13 remove most, if not all, of the particles. So, beyond that
14 4 hours, you're really looking at the total removal of
15 those particles.

16 Q So, if you didn't wash your hands, just everyday
17 living or touching, could after over 4 hours you wouldn't
18 want to -- or 6 hours I think you said it is now.

19 A 6 hours is our policy, but an in-house study with
20 controlled participants where we informed them that they
21 weren't allowed to wash their hands and told them to
22 basically stick to clerical work, we really saw that drop
23 off around 4 hours.

24 Q If you did wash your hands, and you know somebody
25 washed their hands, they told you, hey, I washed my hands,

1 would you test it?

2 A We would.

3 Q But would you expect most of it to be gone at that
4 point from washing your hands?

5 A It depends on how well you wash your hands. We expect
6 most of it to be gone, but we've seen it to still be
7 present even after somebody has washed their hands.

8 Q And you did a little bit but if you can do a little
9 bit more for me, gunshot primer residue, is there a
10 certain -- I mean, how do you determine -- is there a
11 certain distance, vicinity shooting? I mean, what are you
12 looking for in determining whether gunshot residue is
13 present and whether someone is in the vicinity to get it?

14 A So, really what we're trying to determine when we're
15 looking for gunshot primer residue is, one, were they in
16 the vicinity to the discharge of a firearm. Were they
17 shooting a firearm, or is it simply transfer. And in most
18 cases we can't determine whether it's vicinity, which
19 includes shooting, or it's simply transfer.

20 Q Discharge vicinity would just mean are you close to
21 it?

22 A Yeah. So, vicinity can be 2 to 3 feet to either side
23 of the shooter and outwards of about 60 feet in front of
24 the shooter.

25 Q Discharge vicinity and transfer, what do you mean by

1 transfer?

2 A So, you can get -- you can get gunshot residue on your
3 hands from an object that already has gunshot residue on
4 it, or from a person who has gunshot residue on them. So,
5 if somebody else shoots a gun and you shake their hands,
6 you could get gunshot residue on your hand that way. You
7 could also touch a recently fired or a dirty weapon and get
8 gunshot residue on your hands that way.

9 Q So, if I was -- if you had just fired a firearm and I
10 came up to shake your hand, could I get it from that?

11 A That is possible.

12 Q Okay. If I reached under to grab you to turn you,
13 could I get it if you had been shot with gunshot residue?

14 A So, gunshot residue does travel with the path of the
15 bullet, so we do expect to find it on victims who have
16 sustained gunshot wounds, and around that gunshot wound
17 specifically we do expect to find gunshot primer residue
18 particles. So, if you touched that area, there is the
19 possibility of transfer.

20 Q Okay, and again, if you don't mind me touching you on
21 the arm, if you had gunshot residue on your arm and I did
22 that, could I get it?

23 A That is a possibility as well.

24 Q And what's that called?

25 A So, in that case that would be a secondary or tertiary

1 transfer.

2 Q Transfer.

3 A Yes.

4 Q From one item to me.

5 A Yes, sir.

6 Q And the other way is if I fired a firearm.

7 A Yes, sir.

8 Q And if I fired a firearm, where would you -- or where
9 do you look for to see if somebody has fired a firearm
10 based on what they're wearing? Like if I was wearing this
11 right now and fired something in here and you had this
12 jacket, where would you look for potential gunshot residue?

13 A So, if I knew that that was what you were wearing at
14 the time of the shooting, we would sample from the right
15 sleeve of the jacket, the right chest area of the jacket,
16 the left sleeve of the jacket, and the left chest area of
17 the jacket. We may also want to sample the tie because
18 it's center on your chest, and then the right side of your
19 pants and the left side of your pants. And then your shoes
20 are also a possibility.

21 Q Why is that?

22 A Because your shoes are also in the vicinity to the
23 discharge of a firearm. Sometimes we get results off of
24 them; sometimes we don't.

25 Q And would you test my hands?

1 A That would be the best evidence is the hands because
2 the hands will allow us to link it to a specific incident
3 within 6 hours, whereas clothing, we can't tell you when it
4 got there. And that's because on an inanimate object such
5 as clothing, that gunshot primer residue is going to stay
6 until it's actively removed. So, you would have to brush
7 it off; you would have to wash it off. You would have to
8 do some activity to actually remove it from the clothing.

9 Q And that was the next thing I was going to get into
10 but you beat me to it. So -- but if I had just shot and
11 washed my hands off, eventually I could have washed it all,
12 gunshot primer -- gunshot primer residue off, correct?

13 A Correct.

14 Q All right, but on inanimate objects, and you just said
15 it, and I apologize. How long can gunshot residue stay on
16 it?

17 A Indefinitely if it just -- if you don't touch it, if
18 you're not actively moving it around or washing it, it can
19 stay until it's removed.

20 Q Now, let's just say I'm dead. Okay?

21 A Okay.

22 Q And I got shot just a few feet -- you shot me from
23 right here. Okay?

24 A Okay.

25 Q I fall down. Would you expect to have gunshot residue

1 on me?

2 A It depends on the firearm, but in general, yes.

3 Q And why is that?

4 A So, the gunshot primer residue comes out. A large
5 majority of the gunshot primer residue comes out the muzzle
6 of the firearm, and not only does it come out the muzzle of
7 the firearm, but it also follows the path of the bullet.
8 And so wherever that bullet is going, it's going to follow
9 behind it.

10 Q All right, and the follow up to that is do -- is it
11 SLED's recommendation -- now if, you know, like me, I've
12 been shot, do y'all test for gunshot, or will you test for
13 gunshot residue on a deceased person who you know has been
14 killed with a firearm?

15 A SLED will not test on victims who have sustained
16 gunshot wounds, and we have not been testing on those
17 victims since January of 2022.

18 Q And prior to that, was it your policy not to do that,
19 or recommend to local law enforcement agencies not to do
20 that?

21 A We didn't have an official policy, but we were
22 recommending it due to the lack of probative information
23 that you can gain from it.

24 Q And just say that one more time. What do you mean by
25 the lack of probative information?

1 A So like I said before, gunshot residue can only put
2 somebody in the vicinity to the discharge of a firearm, or
3 it could say that they transferred gunshot residue on them,
4 so it's just putting gunshot primer residue on them. A
5 victim is already -- of a gunshot wound has already been
6 established to be in the vicinity to the discharge of a
7 firearm, so it doesn't add any additional information to
8 the case.

9 Q Now, there's still other items like stippling, which
10 you're not -- do you know about stippling based on your
11 field of expertise?

12 A That's not in my field of expertise.

13 Q Okay. Now, let's get to this case, forensic scientist
14 Megan Fletcher. Did you have an occasion to examine some
15 items for potential gunshot primer residue?

16 A Yes, sir, I did.

17 Q And I'm thinking we have these marked so I can find
18 them. And I'm going to try to take these on the date, the
19 order that you -- chronological order of when you examined
20 them.

21 A Okay.

22 Q Do you follow me?

23 A I do.

24 Q And I'm going to show you what's marked as State's
25 418. Do you want -- do you like gloves?

1 A I have some with me.

2 Q Okay, and I think we also have some here. I thought
3 we have a whole box here.

4 A I think they're on the floor.

5 (Break in proceedings.)

6 Q And why are you using gloves?

7 A I use gloves to protect myself and to protect the
8 evidence. It's -- I don't want to put any of my DNA or
9 any -- anything that might be on myself onto the evidence,
10 and I don't want anything that might be on the evidence on
11 me.

12 Q And not just gloves in your laboratory. And I
13 apologize -- I didn't bring one -- but do you wear a lab
14 coat?

15 A When we process clothing, we do wear lab coats and
16 that helps protect us from -- our regular clothes from
17 transferring over any evidence onto -- or not evidence, but
18 any materials over onto the evidence.

19 Q And that's to protect -- that's to protect the
20 evidence really as much as you, isn't it?

21 A Yes, sir.

22 Q Okay. So, you have a lab coat and gloves before you
23 start looking at these items.

24 A Well, this also has a DNA request on it. Usually the
25 requests are also on the outside of the box.

1 Q So, the answer is yes, you have your white coat and
2 gloves on when you are in the lab looking at these.

3 A Yes, but because it has a DNA request, we also have a
4 mask on.

5 Q Okay. You have a mask in addition to that.

6 A Yes.

7 Q Okay. Please open 418 and tell the jury what it is.

8 (Break in proceedings.)

9 A This is lab L21-09074, Item 19. I recognize it with
10 our yellow bar code sticker. And this is SLED Lab Number
11 L21-09074, Item Number 20, again, with our yellow bar code
12 sticker.

13 Q And what date did you examine these?

14 A I didn't physically examine these items. Jamie Hall
15 would have taken the particle lifts off of these items, so
16 her initials and date would be on everything. But the date
17 that she did that would have been June 8th.

18 Q Okay, and when did you actually look at them?

19 A I looked at the -- she did call me in while she was
20 processing them, but I didn't physically take chain -- or
21 custody of these items.

22 Q And I understand that. Maybe I was jumping ahead in
23 my mind. Did you have an occasion when Jamie Hall was
24 processing -- you say she call you in there?

25 A She did.

1 Q Okay. Why?

2 A She smelled something rather unusual for our evidence.
3 Our evidence is usually pretty musky smelling, and when she
4 opened up Item 19, which is the white t-shirt, she did
5 smell a strong odor of laundry detergent, and I did confirm
6 that with her.

7 Q So, she smelled that, said, hey, come in here. I want
8 you to see this or whatever. Did you have -- could you
9 smell it?

10 A I could smell the laundry detergent as well.

11 Q Smelled like laundry detergent.

12 A Yes, sir.

13 Q Did you also -- she took a sample from there, a lift
14 if you will, so you were examining the lifts off the shirt,
15 correct?

16 A Correct.

17 Q And the pants.

18 A Correct.

19 Q Did you also get to look at the pants that day on
20 June 8th when Ms. Hall looked at them?

21 A I don't remember if I was in there when she processed
22 the shorts, but I have seen pictures of -- that she took of
23 the shorts.

24 Q Okay, and can you describe the shirt and the shorts
25 when you saw them, pictures of them?

1 A The shirt is a white t-shirt. There is some staining
2 on the lower left hand side, but relatively clean. The
3 green cargo shorts are clean.

4 Q Now, what did you do -- and while we're here, did you
5 also receive the --

6 (Break in proceedings.)

7 Q Forensic scientist, let's start with the shirt.

8 A Okay.

9 Q Tell the jury specifically -- and we got all of that.
10 Tell them specifically. What did you do when you examined
11 the particle lifts from that shirt?

12 A The particle lifts were analyzed on the scanning
13 electron microscope. And how we do that in our lab, and
14 how most laboratories throughout the world actually do it,
15 is use a software program to help us out, and that's
16 because the particles that we're looking at are so small.
17 If you can imagine two football fields, we're actually
18 looking for particles the size of a pea on those two
19 particle -- on football fields. So, we use a software that
20 does a little bit of an automated analysis, and that
21 automated analysis uses brightness in contrast that's
22 associated with known particles of gunshot primer residue,
23 and it does that automated analysis overnight for us. And
24 in the next day or over the weekend, whatever it is, we
25 come in, and then it provides us a list of candidate

1 features. It tells us what features that it thinks contain
2 the elements lead, barium, and antimony.

3 As the analyst, I then look at those features. I
4 relocate to them on the SEM. So, I physically drive the
5 SEM back to that -- to the location that it saved. I look
6 at the particle and make sure that it's molten in nature,
7 and then I use the energy dispersive X-ray detector to scan
8 the particle to determine whether lead, barium, and
9 antimony are present.

10 Q And I think Ms. Hall described where she took the
11 particle lifts from. And did you determine whether any
12 gunshot residue -- what did you find on the shirt?

13 A Particles characteristic of gunshot primer residue
14 were found. Particles characteristic of gunshot primer
15 residue are microscopic molten particles that contain the
16 elements lead, barium, and antimony.

17 Q And it can come from --

18 A It can come from being in the vicinity to the
19 discharge of a firearm, or being transferred from an object
20 that has gunshot primer residue on it. No timeframe can be
21 provided as to when these particles were tran -- deposited.

22 Q And as far as 418 in evidence, the shirt, can you tell
23 where the particle lifts were? Like from the right sleeve,
24 right chest side?

25 A Can I refer to my notes, please?

1 Q Please. I think His Honor will let you.

2 (Break in proceedings.)

3 A So, for the white t-shirt from the particle lift that
4 was collected from the right sleeve, right chest area, two
5 particles characteristic of gunshot primer residue were
6 found. And from the left sleeve, left chest area, the
7 particle lift collected from there, one particle
8 characteristic of gunshot primer residue were -- was found.
9 Those particle lifts are combined into one result for a
10 result of multiple particles.

11 Q What does that mean there, two particle lifts? I
12 mean, as far as the amount of particles you found, what
13 does that mean in your field of expertise?

14 A My opinion is that that object, this t-shirt, was
15 either in the vicinity to the discharge of a firearm, or
16 came into contact with something that had gunshot primer
17 residue on it. I can't tell you the likelihood which one
18 is more likely to have happened.

19 Q And that's, that's, that's, that's your opinion,
20 correct?

21 A That's my opinion.

22 Q Now, also in 418 -- and again, these were the
23 defendant's shirts, pants, clothes, I mean, and shoes that
24 we're going to get to in a minute that you were examining,
25 correct?

1 A That's my understanding, yes.

2 Q That's what the chain showed.

3 A That's what the submission showed, yes.

4 Q Submission, thank you. Now, let's go to the pants.

5 Did you have on occasion to examine the particle lifts that
6 Ms. Hall did?

7 A Yes, sir, I did.

8 Q Okay, and again, and we may not go through this every
9 time, but can you tell the jury what you did again when you
10 were examining the particle lifts, please?

11 A So, the particle lifts from the shorts were analyzed
12 the same way as the particle lifts from the shirt, the same
13 way that we analyze every particle lift that's submitted
14 for gunshot primer residue, or collected for gunshot primer
15 residue. It goes through the automated process. I go in,
16 I confirm that there are particles present or that there
17 aren't particles present.

18 Q Can you tell me, did you locate any particles and
19 where they were on the shorts, please?

20 A Yes, sir. On the right side, right groin area there
21 were two particles located and confirmed. And then on the
22 left groin area there was one particle located and
23 confirmed.

24 Q And you issued a report. What's your -- what are your
25 findings as a result of finding these particle lifts on the

1 shorts that the submission slip says belonged to the
2 defendant on State's 418? What was your opinion?

3 A Particles characteristic of gunshot primer residue
4 were found. Again, my opinion is that they were --
5 these -- this pair of shorts were either in the vicinity to
6 the discharge of a firearm, or it came in contact with
7 something that had gunshot primer residue on it. Again, I
8 can't tell you which is more likely, and I can't tell you
9 when those particles were deposited.

10 Q So, they could have come from a transfer, holding a
11 gun and then putting it on your pants?

12 A That's correct.

13 Q Could have come from being in the vicinity of the
14 shot?

15 A That's correct.

16 Q Could it have come from discharging it?

17 A Well, the shorts themselves can't discharge, so on an
18 inanimate object we just say that they're in the vicinity
19 to the discharge.

20 Q That's what I meant to say, the vicinity of a
21 discharge.

22 A Yes, sir.

23 Q Obviously they can't discharge it, respectfully. Now,
24 did you have an occasion to examine the lifts from Alex,
25 Mr. Murdaugh's, hands that were listed by Varnadoe, I

1 believe?

2 A Yes, sir, I did.

3 Q And they're already in evidence. And you basically,
4 after Jamie Hall says, hey, these were all done, right,
5 they then go to you, right?

6 A Yes, sir.

7 Q These are already in evidence.

8 A That's not the GSR kits.

9 Q Anyway, I don't think we need this in evidence. Did
10 you have an occasion to examine the GSR kit?

11 A I did.

12 Q That was taken from Alex Murdaugh?

13 A Yes, sir, I did.

14 Q And did you know -- you talked about that four hour,
15 six hour period. Again was that checked, or did you make
16 sure that that was collected in the time period or you
17 wouldn't have performed your examination?

18 A That's correct. Not only is it checked by the person
19 inventorying -- in this case Jamie Hall -- before I will
20 sign off on the inventory sheet, I also doublecheck the GSR
21 information form. That GSR information form that is
22 included in the kit is also scanned, so we retain a record
23 of it so that I can go back and doublecheck that it was
24 within the 6 hours.

25 Q So, you did check.

1 A I did.

2 Q What was your -- did your examination conclude as far
3 as the particle lift that was taken from the defendant,
4 Alex Murdaugh?

5 A So, one particle lift was collected from his right
6 hand and one from his left hand. One particle
7 characteristic of gunshot primer residue was found. In
8 general, particles characteristic of gunshot primer residue
9 are microscopic molten particles that contain the elements
10 lead, barium, and antimony. Gunshot primer residue can
11 come from the discharging of a firearm, being in the
12 vicinity to the discharge a firearm, or coming into contact
13 with a surface that has gunshot primer residue on it.

14 Q And y'all are going to say that conclusion if it's got
15 just a few particle lifts or a bunch of them, right?

16 A I'm sorry. What --

17 Q Just general conclusion, that's what you're going to
18 find, that there were particle lifts and it can come from
19 one of those three ways, right?

20 A Yes, sir.

21 Q Discharge vicinity --

22 A For hands, we have one of those three ways. For
23 clothing, we only have the vicinity and the transfer.

24 Q Right. So, was that consistent -- if I grabbed one of
25 these firearms and handed it to an officer, would that be

1 consistent with the -- your findings? You can get it from
2 a transfer of the firearm?

3 A You could get one particle from transferring from a
4 firearm, yes.

5 Q If you fired a firearm and washed your hands and then
6 grabbed a firearm and handed it to a police officer, would
7 that be consistent with that also?

8 A You still had that transfer from the firearm. It
9 didn't really matter what you did prior to that. You still
10 could have had that one particle on your hands from that
11 transfer from the firearm.

12 Q Did you have an occasion to examine the shoes --

13 A I did.

14 Q -- the particle lifts from the shoes?

15 A Yes, sir.

16 Q State's 419. Have you still got your gloves on?

17 A No, but I can put another pair on.

18 (Break in proceedings.)

19 Q And what were you provided regarding these shoes?

20 A We were provided that these were the shoes collected
21 from Richard A. Murdaugh.

22 Q And did you -- were you able to -- were you able --
23 well, tell me what your examination from the particle lifts
24 revealed, if anything.

25 A No particles characteristic of gunshot primer residue

1 were detected.

2 Q How many?

3 A None.

4 Q None.

5 A No, none.

6 Q You know, the thing about the lab, did you really know
7 about the -- do you know anything about the cases that you
8 are -- I mean, at that point you're examining something,
9 you don't know anything about who's wearing what or what
10 you're examining, do you, or whose you're examining other
11 than the submission slips?

12 A No. I know who it is based on the submission sheet,
13 which is important because it has to come from somebody who
14 didn't sustain a gunshot wound.

15 Q Okay, and I got that. That was a bad question. Other
16 than that, you don't know about the case or what
17 evidence -- potential evidence, right?

18 A I just know that it's a -- it was a priority request.

19 Q And you don't know what shoes the potential suspect
20 was wearing during the day, or how many shoes they were
21 wearing, if they were even wearing shoes then.

22 A No, sir.

23 Q So, your results after finding no gunshot primer
24 residue were what on your report? Will you read it like
25 you recorded it?

1 A Yes, sir:

2 No particles characteristic of gunshot primer
3 residue detected. The absence of primer residue
4 on the item is consistent with but not limited to
5 the following scenarios: the item not being in
6 the vicinity to the discharge of a firearm;
7 cleaning of the item; excessive blood or debris
8 on the item; environmental factors, including
9 wind and rain. The ammunition discharged
10 lead-free nontoxic, or some .22 caliber rimfire
11 ammunition not producing particles characteristic
12 of the conventional primer residue, or the
13 primer -- or the firearm not producing primer
14 residue on the item when discharged.

15 Q So, at this point we've examined the shirt?

16 A Yes, sir.

17 Q Shorts?

18 A Yes.

19 Q Pants. Pants?

20 A Yes, sir.

21 Q Okay, and shoes.

22 A Yes.

23 Q And the dates you examined all of those again was
24 what?

25 A The date that they were placed on the scanning --

1 Q The particles lifts that you examined.

2 A Yes. The date they were placed on the Scanning
3 electron microscope was June 8, 2021.

4 Q June 8th.

5 A Yes, sir.

6 Q And that's the same day that Jamie Hall smelled it,
7 smelled the shirt.

8 A Yes, sir.

9 Q The same day you smelled the shirt.

10 A Yes, sir.

11 Q Did you receive any other items in this investigation
12 where you were requested to determine whether or not there
13 was any gunshot primer residue?

14 A Yes, sir.

15 Q Okay, and I want to show you now what's I believe,
16 with everybody's help, State's Number 100, the seatbelt.

17 MR. MEADORS: Thank you very much.

18 Q And you said a priority was placed on this case,
19 right?

20 A Yes, sir.

21 Q I apologize. Do you sometimes -- or have you been
22 present when Jamie Hall was doing the particle lifts, and
23 have you actually assisted?

24 A Yes, sir. Especially if there is an abnormal item
25 submitted for analysis.

1 Q All right, and abnormal has got a lot of definitions,
2 but in your world what does that abnormal mean?

3 A So, typical items that we receive are obviously
4 gunshot residue kits, but clothing items like t-shirts or
5 hooded sweatshirts or pants or shorts or shoes, things that
6 we can have a standard operating procedure for, those
7 things we can say that we're going to collect from the same
8 areas every single time. Other items are not so typical
9 and then require a little bit more analysis on them.

10 Q State's 100, is that an example of one of those?

11 A Yes. A seatbelt would be an abnormal item.

12 Q Do you know when you examined this?

13 A The seatbelt was examined on September 1, 2021.

14 Q And it's brought to your lab?

15 A Correct.

16 Q The director's lab, excuse me. And is this what you
17 examined?

18 A Yes, sir.

19 Q And did you actually assist Ms. Hall in attempting to
20 get particle lifts off this?

21 A Yes, sir, I did.

22 Q Okay. So, you were both in the room.

23 A Correct.

24 Q Gloves on?

25 A Yes.

1 Q Jacket on?

2 A Yes.

3 Q Mask on?

4 A Yes.

5 Q Okay, and can you tell these folks, can you help me
6 tell them what this is and where you attempted to get
7 particle lifts?

8 A Yes. So, this is -- I had to Google this because I'm
9 not super familiar with a seatbelt assembly. This is
10 considered the buckle. This is the part that everybody
11 sees in their vehicle. This bottom portion is what is in
12 between the center console and the seat and not exposed
13 when a person is sitting in the vehicle.

14 Q So if I'm driving, is this going to be on my right
15 side?

16 A It should be on your right side, yes.

17 Q And what is this?

18 A So, I start here. The next part that everybody is
19 familiar with is the latch plate, which goes into the
20 buckle. And then there's an entire belt that goes into the
21 retractor wheel.

22 Q Can you pull it -- let's pull it. Don't let it go.

23 A I got it.

24 Q Where did y'all attempt -- you and Ms. Hall attempt to
25 get particle lifts?

1 A We -- so, we stretched it out as far as it would go
2 and we took samples, three samples from the belt front --
3 or both sides, and we just divided it into three sections
4 and took samples from those three sections.

5 Q And this was an abnormal item that you assisted Ms.
6 Hall with.

7 A Yes, sir.

8 Q Will you please tell the ladies and gentlemen of this
9 jury the results of your examination, if any?

10 A Yes, sir. One particle characteristic of gunshot
11 primer residue was found, and general particles
12 characteristic of gunshot primer residue or microscopic
13 molten particles that contain the elements lead, barium,
14 and antimony. Gunshot primer residue can come from being
15 in the vicinity to the discharge of a firearm or coming
16 into contact with a surface that has gunshot primer residue
17 on it. However, no information can be provided as to the
18 timeframe in which this particle was deposited.

19 Q So, in common sense terms, how could that get on the
20 seatbelt? Where did you actually find the particle?

21 A The particle was located on the particle lift
22 collected from the buckle, so that piece with the red
23 button.

24 Q Just in common sense in your expert opinion, how could
25 a -- that particle get on that buckle?

1 A It could be from touching something that has gunshot
2 primer residue on it, or possibly being in the vicinity to
3 the discharge of a firearm.

4 Q So, it could be a transfer.

5 A It's probably most likely a transfer, yes, sir.

6 Q Okay, and say why is it probably most likely a
7 transfer?

8 A It's just usually not exposed to the vicinity. If
9 there isn't a gunshot out of that vehicle, then transfer is
10 the most likely scenario.

11 Q It just makes sense, right?

12 A Yes, sir.

13 Q Were you submitted another potential piece of evidence
14 in this case --

15 A Yes, sir.

16 Q -- Forensic scientist Megan Fletcher?

17 A Yes, sir, I was.

18 Q And what was that?

19 A This was a blue rain jacket, kind of poncho type
20 jacket.

21 Q Do you know when you -- I guess, when that came in
22 your custody, when you looked at it the first time?

23 A October 5, 2021.

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

25 (Break in proceedings.)

1 MR. MEADORS: All right, Your Honor, at this time the
2 State's 430 through State's 439 without objection.

3 MR. GRIFFIN: Excuse me, Your Honor. We renew our
4 earlier objection to this evidence under 403, but we don't
5 have any additional objections.

6 MR. MEADORS: I apologize.

7 THE COURT: Yes, sir, it's admitted.

8 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 430 WAS
9 RECEIVED INTO EVIDENCE.)

10 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 431 WAS
11 RECEIVED INTO EVIDENCE.)

12 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 432 WAS
13 RECEIVED INTO EVIDENCE.)

14 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 433 WAS
15 RECEIVED INTO EVIDENCE.)

16 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 434 WAS
17 RECEIVED INTO EVIDENCE.)

18 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 435 WAS
19 RECEIVED INTO EVIDENCE.)

20 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 436 WAS
21 RECEIVED INTO EVIDENCE.)

22 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 437 WAS
23 RECEIVED INTO EVIDENCE.)

24 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 438 WAS
25 RECEIVED INTO EVIDENCE.)

1 (PHOTO MARKED AS STATE'S EXHIBIT NUMBER 439 WAS
2 RECEIVED INTO EVIDENCE.)

3 Q I first want to show you -- I don't know if I'm going
4 to use that ELMO or not yet, but just showing what's 430
5 right now. Is that what you examined?

6 A Those are images of what I examined, yes.

7 Q Images of what you examined.

8 A Yes, sir.

9 Q And, and, and, tell the folks where you conducted this
10 examination specifically.

11 A I conducted this examination in the Trace Evidence
12 Laboratory.

13 MR. MEADORS: I may need them. I'm sorry.

14 Q In the trace laboratory.

15 A Yes, sir.

16 Q And I first noticed there's a -- well, State's 430, it
17 appears that --

18 MR. MEADORS: Well, let me put this on here. I'm
19 sorry.

20 (Break in proceedings.)

21 Q It looks like it's on the table or something.

22 A It's actually on two tables. It was large enough --
23 in order for us to be able to lay it out, we had to put two
24 tables together.

25 Q Large enough you had to put two tables together.

1 A Yes, sir.

2 Q And then why is it on this -- what's it on? What's
3 underneath it?

4 A Underneath it is butcher paper, and that's used to
5 protect the item of evidence, but also used to collect any
6 trace evidence that may need to be examined.

7 Q And it looks like on the right there may be a ruler or
8 a measurement.

9 A Yes. That's -- it was just a sicker with ruler on it
10 just to help guide us with the size, general size of it.
11 We didn't take any specific measurements of anything.

12 Q But is it fair to say that that's how it looked when
13 you saw it in October?

14 A Yes, sir, it is.

15 Q October 8th?

16 A October 5th.

17 Q 5th, excuse me, of '21. This report was dated
18 October 8th, I apologize. You were with Ms. Hall. You had
19 your jacket on, your gloves on, and your mask on?

20 A Yes, sir.

21 Q And tell the ladies and gentlemen of the jury, did it
22 take two of you to do this?

23 A Yes, sir, it did.

24 Q Well, why?

25 A So, I gave Jamie Hall direct instructions on where to

1 collect from and while she was doing that, I was taking the
2 notes.

3 Q Double-teaming it.

4 A Yes, sir.

5 Q And I'm going to try not to get too close to you and
6 apologize if I do. 226.

7 (Break in proceedings.)

8 Q Is that what's depicted?

9 A I can look at them.

10 (Break in proceedings.)

11 A This jacket is the jacket I examined. My lab number,
12 the Item Number 173, my initials, and the date in which we
13 examined it is on there.

14 Q And is this the same picture of what we just showed
15 430, I think?

16 A It's the same image that you just -- or this is the
17 jacket that was in the image you just showed.

18 Q Okay, and I'm going to get this way. I don't want to
19 bother any of the jurors, so I'll get this way here. So,
20 you and Ms. Hall laid this out to examine it, correct?

21 A Yes, sir.

22 Q And how did you determine specifically where you were
23 going to check to see if there were any particles?

24 A So, typically when we're looking for gunshot primer
25 residue, we're looking for somebody who was in the vicinity

1 to the discharge of a firearm. For this particular case,
2 we were provided information that something might have been
3 transferred in this item that had gunshot primer residue on
4 it; therefore, we treated it like an item that needed to be
5 checked for transfer. Therefore, we had to collect
6 particle lifts from the entirety of the item, including the
7 interior.

8 Q You can either do it from up there or down here? How
9 did you do it? How did you determine -- what did you start
10 with collecting potential particle lifts or particle lifts?

11 A So, in total we collected twenty-five particle lifts
12 from the jacket. When I say we covered everything, we
13 covered everything. We collected from the exterior of the
14 hood, the right sleeve, the left sleeve, the right chest,
15 the left chest. There is a middle pocket on that -- on the
16 jacket, so we collected the whole middle section, including
17 the pocket. The pocket also has, like, a hand warmer
18 section; it's got a little bit of fleece inside. We
19 collected from inside of that. And then we split the
20 bottom half in two, collected one particle lift from the
21 right side and one from the left. We then flipped the
22 jacket over and took one particle lift from the right
23 sleeve into the right back on the top of the jacket, the
24 left sleeve in the back on the top of the jacket, the --
25 let me check this real quick. The back sample, the lower

1 half was, again, split in half, and the right side was
2 collected as well as the left side.

3 Q All right. I'm going to ask you to look -- you said
4 twenty-five. Were there a total of fifty-two particle
5 lifts?

6 A There were a total of twenty-five particle lifts.

7 Q How many on the outside?

8 A How many --

9 Q Particle lifts.

10 A -- particle lifts?

11 Q Yes. Specifically, please.

12 (Break in proceedings.)

13 A Thirteen.

14 Q And will you tell us now where they were?

15 A Where the --

16 Q The particle lifts? Yes. Where did you swab
17 specifically?

18 A The outside of the hood.

19 Q Lifts, not swab, I'm sorry.

20 A That's okay. The outside of the hood, the front right
21 sleeve, the front right chest, the front left sleeve. The
22 front left chest, the middle pocket area, the interior of
23 pocket area, like a hand warmer section. The bottom half
24 of the coat was split into two, so the bottom right side
25 and the bottom left side. The coat was flipped over and

1 the sleeve and top half of the jacket on the right side was
2 collected, the sleeve and top half of the jacket on the
3 left side was collected, and then the bottom half the right
4 side was collected, and the left side was collected.

5 Q So, you mentioned the pockets in here. Did you find
6 anything inside these pocket warmers or where you put your
7 hands, if you will?

8 A As far as particles of gunshot primer residue?

9 Q Yes.

10 A No particles were detected inside that pocket there.

11 Q None?

12 A None.

13 Q But you checked.

14 A We did check.

15 Q And the particle lifts on the outside of the jacket
16 were how many?

17 A A total of particle lifts?

18 Q Yes.

19 A Thirteen, I believe.

20 Q And what does that tell you as a -- in your opinion as
21 an expert in the field of gunshot residue?

22 A Are you asking the number of particles of gunshot
23 primer residue or particle lifts?

24 Q Particle lifts and then your findings.

25 A Okay. There were thirteen particle lifts collected

1 from the exterior of the jacket, and I did find particles
2 characteristic of gunshot primer residue on it.

3 Q And what does that mean?

4 A That that jacket could have been in the vicinity to
5 the discharge of a firearm, or something that had gunshot
6 residue on it could have transferred to that object. I
7 can't tell you when that happened or how it happened.

8 Q And how many -- again, inside the pockets you found no
9 gunshot residue.

10 A That's correct.

11 Q Why -- you said it. You flipped it over and checked
12 the inside.

13 A Yes. We turned it inside out and also collected
14 samples from the inside.

15 Q Had you done that before?

16 A I don't believe I've done interior unless it was
17 explicitly stated that somebody was wearing a shirt or a
18 coat inside out.

19 Q So, you actually turned it inside out.

20 A Correct.

21 Q And tell them, me what -- tell them what you and Ms.
22 Hall did.

23 A So, once we turned it inside out, we collected
24 particle lifts from the front and the back again. So, the
25 inside of the hood, the right sleeve to -- you can see seam

1 tape on this. It's that clear stuff that's kind of falling
2 apart off of the jacket --

3 Q Yes, ma'am.

4 A -- so we use that as kind of a guide for us. So, we
5 use the front right sleeve to the center section of the
6 coat, the left front sleeve to the center section of the
7 coat, the middle area directly behind the pocket, the
8 right, and the left side on the bottom half of the jacket.
9 We turned it over again and did the right sleeve to the
10 center point on the top of the jacket, the left sleeve to
11 the center point on the top of the jacket. Split the
12 bottom in half again, did the right bottom half of the
13 jacket, and the left bottom half of the jacket.

14 Q And what -- after your examination, what were your
15 results?

16 A Particles characteristic of gunshot primer residue
17 were also found on the interior of this jacket.

18 Q Is there a certain number, or could you have kept
19 checking and checking? Was there a lot of gunshot primer
20 residue inside the inside of the jacket?

21 A I would say there were significant number -- a
22 significant number of particles characteristic of gunshot
23 primer residue on the inside of this jacket, yes.

24 Q How many did you determine?

25 A I confirmed thirty-eight particles characteristic.

1 Q And I'm saying confirmed, you confirmed how many?

2 A Thirty-eight.

3 Q Thirty-eight.

4 A Yes, sir.

5 Q From the inside of the rain jacket poncho --

6 A Yes, sir.

7 Q -- whatever this is, correct?

8 A Yes, sir.

9 Q Could you -- and you've taught me a word, too. Is
10 there something that kind of led you there could have been
11 more but you just basically stopped checking?

12 A So if we go back, so when I talked about the automated
13 analysis, it gives me a list of candidate features that may
14 contain lead, barium, and antimony. There were a
15 significantly more -- significantly more particles were
16 listed as candidate features containing the elements lead,
17 barium, and antimony. I had to make an analyst decision
18 based on my experience to stop at the number that I did.

19 Q Candidate features.

20 A Yes, sir.

21 Q Which meant if you went on, you would expect to find
22 more gunshot primer residue, correct?

23 A It could. I would have to still check the morphology.
24 I would have to make sure that they were molten and round.
25 I also had -- would have had to check that they didn't

1 contain exclusionary elements like high amounts of iron and
2 magnesium, but there was a possibility that there would
3 have been more on it.

4 Q But you found thirty-eight.

5 A I confirmed thirty-eight, yes, sir.

6 Q And twenty-three candidate features if you had gone
7 further, correct?

8 A More than twenty-three.

9 Q More than twenty-three?

10 A Yes, sir.

11 Q Did there come a point -- if you had to finish that
12 examination, how long would it have taken you if you would
13 have checked everything?

14 A If I had checked every single particle, it probably
15 would have taken me a week.

16 Q So, is there a percentage that you determined, hey,
17 I'm going to stop at this point and say here are my
18 results? There are some other candidate features. Is
19 there a guideline out there?

20 A We don't have a specific guideline. It really is
21 based on our experience. And for this particular case, I
22 stopped anywhere between 10 and 20 percent. Some areas I
23 was able to do a full percent because -- or full
24 100 percent because there weren't that many to go look at,
25 but other areas I did have to make a determination.

1 Q Of when to stop?

2 A Of when to stop, yes, sir.

3 Q Can you look at the ladies and gentlemen of this jury
4 and tell them in your opinion, your expert opinion, how
5 that number of particles from gunshot residue primer, what
6 is that consistent with?

7 A If somebody was wearing this coat inside out, I would
8 say that is consistent with being in the vicinity to the
9 discharge of a shooting. Given that it's on the inside, in
10 order for it to be consistent with transfer, an object or
11 objects with a high amount of gunshot primer residue on it
12 would have had to transfer to it. So, they would have had
13 to have more gunshot primer residue particles on them to
14 begin with in order to transfer the amount of gunshot
15 primer residue I found on this coat.

16 Q And as far as a recently fired firearm, would your --
17 would your findings be consistent with that item containing
18 a recently fired firearm?

19 A It is possible, yes.

20 Q With that number of particles.

21 A With that number it is possible.

22 Q Is there any other possibility?

23 A If --

24 Q You stated one. Were there any more?

25 A If the jacket was inside out and simply in the

1 vicinity to the discharge of a firearm, it could have also
2 had that number of particles on it.

3 Q In your opinion in just life and the job you love,
4 that's a large number of particles, isn't it?

5 A It was a significant amount of particles, yes, sir.

6 Q On the inside of the jacket.

7 A Yes, sir.

8 Q I'm not doing this for just -- but to just show, I'm
9 almost 6 feet -- I am 6 feet, a little over 6 feet, I want
10 the record to reflect. But anyway, does this look like a
11 full length garment to you?

12 A I would say that it would fit most people down to
13 their knees or so.

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

15 (Break in proceedings.)

16 Q And just the conclusion again, as far as the hood, you
17 said there was one particle outside the hood?

18 A Yes, sir. I was able to confirm one particle on the
19 exterior of the hood.

20 Q And how many particles on the inside of the hood did
21 you determine there were?

22 A Three particles were confirmed on the inside.

23 Q Inside of the hood.

24 A Yes, sir.

25 Q And finally, since this is an inanimate object, how

1 long would you expect that gunshot primer residue to stay
2 on there?

3 A Until it's actively removed.

4 Q Say that again, until it was what?

5 A Until it's actively removed.

6 Q And that means washed, cleaned, whatever?

7 A Yeah. Brushing it, like aggressively brushing it off,
8 washing it in a washing machine, cleaned, hosed off,
9 something like that.

10 Q If a recently fired firearm was wrapped up inside that
11 jacket, would that be consistent with your findings?

12 A There is a possibility of that, yes, sir.

13 MR. MEADORS: Thank you very much. That's all we
14 have. Thank you.

15 THE COURT: Ladies and gentlemen, we're going to
16 adjourn for the day and resume at 9:30 tomorrow morning.
17 Please do not discuss the case. Have a good evening.

18 (The jury left the courtroom.)

19 THE COURT: All right, ma'am, you are -- will be
20 cross-examined tomorrow. You're not allowed to discuss
21 your testimony with anyone between now and then.

22 THE WITNESS: Yes, sir.

23 THE COURT: Okay. All right. We'll be in recess
24 until tomorrow morning.

25 (Whereupon, the case was at ease.)

1 WEDNESDAY, FEBRUARY 8, 2023

2 (Court resumed at 9:34 a.m.)

3 THE COURT: Good morning.

4 (Audience responded good morning.)

5 THE COURT: Are we ready for the jury?

6 MR. WATERS: State is ready.

7 MR. HARPOOTLIAN: Defense is ready.

8 THE COURT: Bring the jury.

9 THE BAILIFF: The jury is present, sir.

10 THE COURT: Thank you.

11 Good morning.

12 (The jury responded good morning.)

13 THE COURT: Day number thirteen.

14 Cross-examination.

15 MR. GRIFFIN: Thank you, Your Honor.

16 THE COURT: Yes, sir.

17 The witness, DAVID BRITTON DOVE, remained under oath
18 and continued testifying as follows:

19 CROSS-EXAMINATION

20 BY MR. GRIFFIN:

21 Q Good morning.

22 A Good morning.

23 Q Is it Agent Fletcher or Ms. Fletcher or --

24 A Ms. Fletcher is fine.

25 Q Are you an agent?

1 A Technically I am commissioned; however, I'm a forensic
2 scientist.

3 Q Okay. Well, okay. Well, Ms. Fletcher, I just want to
4 go over a little bit of what you testified about yesterday
5 and hit some smaller points. But, I mean, you pretty much
6 -- you said this yesterday, but gunshot primer residue is
7 not biodegradable, correct?

8 A No, sir. They are composed of heavy metals of lead,
9 barium, and antimony. So, they are individual particles of
10 those metals; they're not biodegradable.

11 Q So, if it's -- if gunshot primer residue is on a
12 surface, it will stay on that surface and will not degrade
13 for hundreds of years.

14 A Potentially. There's not studies that go out that
15 far, but potentially.

16 Q Right, but the only way that current science knows to
17 get primer gunshot residue off of anything is through
18 cleaning: wiping it off, scrubbing it off, and spraying it
19 off. Is that right?

20 A That's correct.

21 Q Okay, and it comes out when a gun is shot, right?

22 A Yes. That's how gunshot primer residue is formed. It
23 comes out through the muzzle, and then a semiautomatic
24 through the ejector port, or through a revolver through the
25 muzzle gap. So, any opening within the gun it will come

1 out.

2 Q Yeah. So, the gunshot -- primer -- gunshot primer
3 residue will follow the projectile, whether it's pellets or
4 a bullet, out the barrel of the gun, rifle, or pistol, will
5 it not?

6 A Yes, sir, it will.

7 Q And then if you have a semiautomatic rifle or shotgun,
8 gunshot primer residue will go follow the discharge
9 cartridge or shell shot as it opens up, right?

10 A Yes, sir. Studies have shown as far as about 60 feet.
11 Beyond that, they haven't been studied.

12 Q Okay. So, within 60 feet of a gun being shot, there
13 will be gunshot primer residue on whatever is around there.
14 Fair enough?

15 A Whatever is around the bullet per se. When it gets
16 out that far, it's more in the immediate vicinity of the
17 bullet.

18 Q But for sure gunshot primer residue will accumulate on
19 the firearm that's being used, will it not?

20 A Yes, sir, it will.

21 Q And if it's not properly cleaned and maintained, I
22 mean, it will stay there until it gets wiped off by
23 someone's hand or it's left out in the rain or sprayed off,
24 right?

25 A Yes, sir, it will.

1 Q Okay, and when you were referring to transferring GSR,
2 is that one of the things you were referring to?

3 A Yes, sir. If you touched a gun that had been fired at
4 any point, then you have the potential to transfer it to
5 your hands.

6 Q Now, this jury has seen throughout the course of the
7 trial a number of folks holding up some firearms that are
8 in evidence -- a couple of shotguns, a 300 Blackout -- and
9 they've seen the jury -- excuse me, they've seen witnesses
10 hold up -- Mr. Meadors held up yesterday this blue rain
11 jacket which you have identified having 38 particles or
12 more on it. My question to you is, is it very possible
13 that where you're sitting right now, there's gunshot primer
14 residue?

15 A That is a possibility, yes, sir.

16 Q Now, you did some -- you work in the Forensic Services
17 Laboratory at SLED, correct?

18 A Correct.

19 Q And there's a Trace Evidence Operation Manual
20 pertaining to gunshot primer residue analysis, correct?

21 A Yes, sir, there is.

22 Q And that governs your -- you follow that manual, do
23 you not?

24 A Yes, I do.

25 Q And do you agree with the statement that:

1 Gunshot primer residence evidence is most
2 probative in the following situations: from
3 subjects who have not sustained a gunshot wound;
4 from subjects who have not been in the proximity
5 to the discharging of a firearm, or admitted to
6 discharging a firearm; and from subjects who were
7 not found in the possession of a firearm.

8 A I do agree with that, yes, sir.

9 Q And that's a statement of the -- your operations
10 manual.

11 A Yes, sir, it is.

12 Q And you obtained clothing, which we know is from
13 Richard Alexander Murdaugh -- shirt, shorts, and shoes --
14 and did someone under your supervision did lifts from those
15 clothing items so that you can analyze the particles,
16 correct?

17 A Yes, sir. Jamie Hall collected the particle lifts off
18 of those items.

19 Q And those -- and that collection was done on June the
20 8th, I believe, was it not?

21 A Yes, sir, it was.

22 Q And are you aware that those clothes were collected on
23 June the 8th?

24 A Yes, sir, I was.

25 Q And were you aware that when the clothes were

1 collected, they were wet?

2 A I didn't know that they were wet until Jamie opened up
3 the evidence and it was evident that the shirt was a little
4 damp, and the shoes were definitely damp.

5 Q So, it's just been a few hours that they had been
6 placed in some sort of bag, and you open it up and they're
7 wet, and you smell laundry detergent.

8 A That's correct.

9 Q Were you aware that it had been raining that evening
10 at Moselle?

11 A I was not aware of that, no, sir.

12 Q The -- in any event, you tested after Ms. Hall. Is
13 that it, Jamie Hall?

14 A Yes, sir.

15 Q She did the lifts, and you located three particles
16 from the white shirt.

17 A Yes.

18 Q You lift three particles from the shorts.

19 A Yes.

20 Q No particles from the shoes.

21 A Yes.

22 Q And there was no particles on Mr. Murdaugh's hands.

23 A There was one particle on his right hand.

24 Q I'm sorry, there was one particle on his hand. And
25 you would agree that that amount of primer residue, gunshot

1 primer residue found on the individual who you have been
2 informed had had a firearm in his hand when the police
3 arrived, that it was consistent with the transfer from a
4 firearm.

5 A When I analyzed the evidence, I did not know that he
6 had a firearm in his hand, but that would be consistent
7 with somebody who had a firearm in his hand prior to
8 collection.

9 Q Well, you learned that at least by June the 9th at
10 11:03 a.m. when you had the telephone call with Agent Owen,
11 correct?

12 A Yes, sir.

13 Q And you told him that that amount of gunshot residue
14 would be consistent with the transfer from a firearm.

15 A Yes, sir.

16 Q And you stand by that here today.

17 A I do.

18 Q Now, the seatbelt assembly, let's talk about that for
19 a minute. The -- you test -- well, you did lifts, you and
20 Ms. Hall, or Agent Hall, did lifts of the buckle. Is that
21 right?

22 A Yes, sir.

23 Q The latch plate. Is that right?

24 A Yes.

25 Q And then three spots along the belt, the webbing.

1 A Yes, sir, three areas along the belt. We divided the
2 belt into three sections and did both sides of it, and
3 those were the five areas that we collected from.

4 Q I see. I see. So, did you take lifts from the entire
5 webbing?

6 A Yes, sir. We retracted it as far as it would go and
7 divided it into three sections --

8 Q I see.

9 A -- and collected them.

10 Q I see. And the results of the lifts -- and you did
11 analyses. Was there one particle on the buckle, right?

12 A That's correct.

13 Q Zero on the latch plate.

14 A Correct.

15 Q Zero on the belt -- on any of the sections of the
16 belt.

17 A That's correct.

18 Q So, the whole belt was zero. And so they found one
19 particle.

20 A I confirmed one particle on the buckle, yes, sir.

21 Q And you can't say how or when the particle was
22 deposited on the belt, can you?

23 A I cannot.

24 Q And I think you told this to Agent Owen, that if Alex
25 Murdaugh was shooting earlier in the day or any time, any

1 time at some point in time while he had that vehicle and he
2 got -- after shooting he got in the vehicle, it has the
3 ability to transfer any gunshot residue primer to that
4 vehicle, right?

5 A Yes, sir. I cannot tell you when that particle was
6 deposited.

7 Q So, if he had had that vehicle for two years and he'd
8 been out shooting and got in it, he could have deposited
9 one particle on the buckle, and it would stay there unless
10 it got knocked off, correct?

11 A Yeah. Unless it was cleaned, it could have stayed
12 there, yes, sir.

13 Q And if he went and got a gun and then put it in the
14 car and then got back in the car and he got -- transferred
15 GSR on him and he could hit the buckle and that could put
16 it on there, right?

17 A Yes, sir, that could have happened.

18 Q It's just very, very small. You can't see it with a
19 naked eye, but it stays there forever unless it's moved.

20 A That's correct, sir, yes, sir.

21 Q Now, you were also asked to do an analysis of a blue
22 rain jacket. Do you remember that?

23 A Yes, sir, I do.

24 Q And once again, just like the seatbelt, there's no way
25 for you to know when the gunshot primer residue was

1 deposited on the blue rain jacket.

2 A That's correct.

3 Q It could be at any point in time from the day that
4 blue rain jacket was manufactured, correct?

5 A Well, probably not on the manufacturer date unless
6 they were firing guns in the manufacturing plant, but any
7 time after a consumer takes possession probably.

8 Q So, if a consumer took possession of that garment four
9 years ago and some -- and we're going to talk about how you
10 can get gunshot primer residue on it, but unless it's
11 cleaned off or washed off, it'll stay for years.

12 A It could, yes.

13 Q And you have no idea how gunshot primer residue ended
14 up on that garment, correct?

15 A I cannot tell you how it got there.

16 Q Or when it got there.

17 A Or when it got there.

18 Q Or whether it was being worn when it got there,
19 whether it was being worn inside/out when it was deposited
20 on there, or whether it was laid on top of a gun, for
21 example.

22 A I cannot tell you any of those scenarios.

23 Q Okay. So, if Mr. Randolph Murdaugh, who -- are you
24 aware that this rain jacket was found in a closet in
25 September of 2021 at Mr. Randolph Murdaugh's home?

1 A That was the information that was on the submission,
2 yes.

3 Q And he died, I think, on June 10th of 2021. Were you
4 aware of that?

5 A I remember hearing news about it.

6 Q But if he, before he got into his truck, had taken off
7 this poncho and flipped it over and threw it on the back
8 seat of his truck where he his shotgun Bowhoop and laid on
9 top of this dirty old shotgun, it could have deposited 38
10 particles of gunshot primer residue, right?

11 A If the shotgun was not cleaned, there's a potential
12 for the transfer off of that shotgun, yes.

13 Q And if the -- if Bowhoop hadn't been cleaned in years,
14 there would be --

15 MR. MEADORS: Your Honor, objection. What's he
16 saying?

17 MR. GRIFFIN: Bowhoop.

18 MR. MEADORS: Bowoop?

19 MR. GRIFFIN: B-o-w-h-o-o-p, the name of Mr. Randolph
20 Murdaugh's shotgun.

21 Q If that shotgun hadn't been cleaned in years, it would
22 be more likely you would get gunshot residue deposited on
23 anything that came on top of it, right?

24 A The transfer would be more likely, yes, sir.

25 Q Now, you also testified that 38 particles of gunshot

1 primer residue was a significant amount.

2 A Yes, sir.

3 Q Do you remember saying that?

4 A Yes, sir.

5 Q So, I guess then you would agree with me that one
6 particle on the hand is an insignificant amount.

7 A I can just say that it was present. I can't tell you
8 that it's insignificant. It's just there.

9 Q Yet you can say 38 is significant.

10 A Because it's much more than you would expect on an
11 item that wasn't in the vicinity or didn't come into
12 contact with a -- an object with gunshot primer residue on
13 it. One particle, I can't tell you when or how or -- it
14 got there.

15 Q Well, would you agree that three particles on a shirt
16 is an insignificant amount?

17 A I -- it's just three particles on a shirt, and it can
18 be one of the two ways, or a combination of the two ways of
19 being in the vicinity or transfer.

20 Q Yet you're comfortable saying 38 is significant, but
21 you're not comfortable saying one is insignificant.

22 A Insignificant implies that the evidence itself is
23 insignificant. It's a particle of gunshot primer residue.
24 I'm not going to say that it's insignificant evidence.

25 Q Well, should you say 38 is significant, or are you

1 saying that 38 particles are insignificant?

2 A Significant implying that it's a large amount. Not
3 that it's a small amount, but a large amount.

4 Q So, is three a small amount?

5 A Not in the -- not in how many that we get normally.
6 It's about average.

7 Q Okay. Now, in addition to the rain jacket -- and I
8 think that is Item 173 in your lab -- you were also
9 provided a blue tarp, Item 174. Do you remember receiving
10 a blue tarp?

11 A Yes, sir.

12 Q And after discussing the scenario presented by the
13 witness with Captain Ryan Neill, you and he decided that
14 there was no need to process the blue tarp seized from
15 Almeda, correct?

16 A Correct.

17 Q Now, are you aware that this witness is -- was Shelley
18 Smith?

19 A I am now. I was not aware who the witness was at the
20 time.

21 Q So, in your conversation with Agent Ryan Neill, he
22 says don't worry about the tarp --

23 MR. MEADORS: Objection to hearsay.

24 THE COURT: The objection is sustained.

25 Q After your conversation with Ryan Neill about what a

1 witness had related to him, you, in consultation with Agent
2 Neill, decided not to test the tarp.

3 A That's correct. That was based on the -- that the
4 raincoat was balled up in a closet versus the tarp being
5 folded in a container and in place in a location.

6 Q When you say balled up, what do you mean?

7 A I wasn't there so I don't know, but that was the
8 information. It was haphazardly placed in the bottom of
9 the closet.

10 Q Okay. If it had been folded and placed on top of some
11 other items in the closet, would that have made a
12 difference to you?

13 A I'm not sure. That would have had to have been a
14 discussion between the agents and my management.

15 Q Have you seen all of the photos of the search warrant,
16 where it was found and how it was folded or not folded,
17 balled or not balled?

18 A I've seen one photo.

19 Q The one that's in evidence here?

20 A I'm not sure.

21 Q You were informed from Agent Neill that -- or you
22 concluded that the supposition was that the firearm was in
23 contact with the rain jacket, correct?

24 A I'm sorry?

25 Q You documented that the supposition was that the

1 firearm was in contact with the rain jacket.

2 A They were trying to determine, I think, whether a
3 firearm was in contact with the rain jacket, and that was a
4 possibility, given my results.

5 Q Now, you -- do you remember what you did with the blue
6 tarp, put it in storage and it's never been taken out
7 again, to your knowledge?

8 A To my knowledge, I don't know what happened to the
9 blue tarp.

10 Q Did you ever have any involvement with the blue tarp
11 after it was presented to your evidence lab?

12 A No, I did not.

13 Q The rain jacket, did -- or do you know if fingerprints
14 were taken off the rain jacket?

15 A I don't know of any other analysis performed on the
16 rain jacket.

17 Q Would you have been able to tell if there had been
18 lifts for fingerprints when it came to you?

19 A For gunshot primer residue evidence, the trace lab
20 always gets it first because any other processes might
21 remove the gunshot primer residue. So, no other analyses
22 would have taken place prior to ours.

23 Q The rain jacket was slated, I believe you testified,
24 for further DNA analysis.

25 A That was what was on the outside of the box, yes, sir.

1 Q And because of that, you and Agent Jamie Hall wore
2 gloves and a gown and masks, right?

3 A We always wear gloves and the lab jacket, but the mask
4 was added because of the DNA request.

5 Q Do you know the results of the DNA analysis?

6 A I do not.

7 Q You were shown photos that were introduced into
8 evidence and -- of the rain jacket, and I just wanted to
9 publish two more that were introduced into evidence.

10 438 --

11 MR. GRIFFIN: Doug, can you put 438 on the screen,
12 please?

13 (Break in proceedings.)

14 MR. GRIFFIN: There we go.

15 Q Agent Fletcher, can you see this?

16 A I can.

17 Q What's that?

18 A This is a page out of my case file that I prepared for
19 my technical reviewer and as part of my information to keep
20 with me. It's a picture of the packaging, the paper bag
21 that the rain jacket was included in with the documentation
22 on it, as well as the tag from the rain jacket labeling the
23 brand of it, the size of it, and it also has our lab
24 information, and the initials and date in which it was
25 analyzed by the trace department.

1 Q Okay. Now, the bottom of this, I don't know if you
2 can see it, but there's a date of 10/8/2021. Is that when
3 you took the photo?

4 A No, sir. That's when I prepared the PowerPoint for
5 inclusion in my case file.

6 MR. GRIFFIN: So, Doug, if you will go to the next
7 exhibit, 439, please.

8 Q And there you've labeled manufacturer's tags. Do you
9 see that?

10 A Yes, sir.

11 Q And tell the jury what size this rain jacket is.

12 A It's a large.

13 Q Okay, and do you know this brand name, Tough Duck?

14 A I had to look it up. I wasn't familiar with it prior
15 to this case.

16 MR. GRIFFIN: Thank you, Doug. You can take that
17 down, please.

18 One second, Your Honor, please.

19 (Break in proceedings.)

20 MR. GRIFFIN: Nothing further, Your Honor.

21 THE COURT: Redirect?

22 MR. MEADORS: Please the Court?

23 REDIRECT EXAMINATION

24 BY MR. MEADORS:

25 Q Good morning.

1 A Good morning.

2 Q Mr. Griffin asked you about 38 particles on the parka,
3 poncho, rain jacket, the blue garment.

4 A Yes, sir.

5 MR. GRIFFIN: I'm sorry, I didn't hear Mr. Meadors.

6 MR. MEADORS: I said you asked about the 38 particles
7 on the -- that's what I'm responding to.

8 MR. GRIFFIN: Yeah. We just can't hear you over here.

9 MR. MEADORS: Okay. I'll talk louder.

10 Q Actually, how many particles were on the garment?

11 A In total there were 52 particles. There were 14 that
12 I confirmed on the outside of the rain jacket, and there
13 were 38 on the interior of the rain jacket.

14 Q And I confused myself yesterday. There were 13
15 particle lifts and 12 particle lifts, correct? And then
16 out of that you found the 52 particle characteristics of
17 gunshot primer residue, correct?

18 A That's correct.

19 Q And 38 of those were on the inside?

20 A Yes, sir.

21 Q That's what he asked you about. 14 were on the
22 outside.

23 A Yes, sir.

24 Q And when you wear that garment, do you typically
25 wear -- inside is inside. Is that what it means?

1 A I would think so.

2 Q Okay, and he asked you was it a possibility that a
3 firearm had come in contact with the rain jacket, and you
4 said it's possible. It's really possible, isn't it? I
5 mean, those numbers are unusual, aren't they, 38.

6 A For the interior of a garment, I would think that they
7 were unusual, yes.

8 Q And that's common sense, isn't it?

9 A Well --

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

11 MR. MEADORS: What is it? I'm sorry.

12 THE COURT: The objection is sustained.

13 Q How do you describe that in your world, everyday
14 living, and in your examining it? How do you describe
15 those particles inside of a garment that you're supposed to
16 wear with the outside outside?

17 A Typically people wear their clothing right side out,
18 and so if they're in the vicinity to the discharge of a
19 shooting, that's where the particles are going to land.

20 Q On the outside?

21 A Yes, sir.

22 Q And Mr. Griffin asked you about, I think, a
23 hypothetical of, for instance, his father's gun had laid on
24 it if it was in a truck, would the 38 particles inside of
25 the rain jacket be consistent with a recently fired firearm

1 being contained inside.

2 A It could be, yes.

3 Q With a recently side firearm being carried inside of
4 that rain jacket.

5 A Just inside the rain jacket. I don't know that it
6 matters if you're carrying it.

7 Q Okay, but you're very technical and precise. Okay,
8 but if you were carrying it and you had a gun inside that
9 rain jacket that had recently fired, and you were taking it
10 somewhere to hide it or transport it, would the 38
11 particles inside, inside the rain jacket, be consistent
12 with transfer from a recently fired firearm?

13 A That is a possibility, yes, sir.

14 Q And, again, how did you describe those 38 particles in
15 your world?

16 A They're unusual because they're only interior of a
17 garment, and it --

18 Q Unusual -- go ahead.

19 A And it is a large number.

20 Q Unusual because they're on the interior of the garment
21 and an unusual number.

22 A Well, a large number.

23 MR. GRIFFIN: Your Honor, he's just repeating her
24 answers. I object.

25 MR. MEADORS: Her last answer, for the record, was a

1 large number.

2 A Yes, sir.

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

4 THE COURT: Further examination?

5 RECROSS-EXAMINATION

6 BY MR. GRIFFIN:

7 Q Very briefly. Agent Fletcher, what I gathered,
8 there's just a whole lot of possibilities of what could
9 have happened, right?

10 A That's correct.

11 Q And the only thing you can tell us is what you saw
12 under a microscope.

13 A Yes, sir.

14 Q You can't tell this jury how it got there, right?

15 A That's correct.

16 Q Or when it got there?

17 A That's correct.

18 Q And -- okay, and I forgot to ask one further question.

19 A rim fire gun, does it produce gunshot primer residue?

20 A Rim fire ammunition does produce gunshot primer
21 residue. Some don't produce the traditional lead, barium,
22 and antimony. Others do. It just depends on what type of
23 ammunition is used.

24 MR. GRIFFIN: All right. Thank you.

25 THE COURT: You may step down.

1 THE WITNESS: Thank you.

2 (The witness exited the stand.)

3 THE COURT: You can call your next witness.

4 MR. WATERS: Your Honor, the State calls Annette
5 Griswold.

6 The witness, ANNETTE GRISWOLD, was first duly sworn
7 and testified as follows:

8 THE CLERK: If you would repeat your name, please, and
9 spell your last name.

10 THE WITNESS: My name is Annette Griswold,
11 G-r-i-s-w-o-l-d.

12 DIRECT EXAMINATION

13 BY MR. WATERS:

14 Q Ms. Griswold, how are you doing today?

15 A I'm doing okay, thank you.

16 Q Okay. If you would, just tell the jury a little bit
17 about yourself, where you grew up, and what you do for a
18 living, please.

19 A Okay. I grew up in Hampton, South Carolina, and lived
20 there for the first eighteen years of my life. Graduated
21 from Wade Hampton High School. Went away for college at
22 eighteen. Ended up falling in love with the Charlotte,
23 North Carolina, area. Over the next two decades spent most
24 of that time in Charlotte. That's where I got married.
25 And with the exception of a few years coming back to

1 Hampton and a few years on Columbia for my husband to get
2 his degree, that time was spent in Charlotte until 2012.

3 My dad took ill and he wanted us to move closer to be
4 near him, and my mom needed help taking care of him, so I
5 moved home in 2012. After my father passed away a few
6 months after, I went back on the job search and -- I had
7 been out for work for two months helping my mom. So, I was
8 looking for a job and ran into my friend's father, and he
9 told me I should probably check the law firm. I found out
10 that I had a school friend that worked there, so I reached
11 out to her, sent her my resume, and she forwarded it to the
12 right people, and three interviews later I was working for
13 the firm. And I worked as a paralegal, and was hired to
14 work for Alex Murdaugh.

15 Q All right, and which firm are we talking about?

16 A What everybody refers to as PMPED.

17 Q Okay, and when did you start working there?

18 A July of 2012.

19 Q And when you started working there, who were you
20 working for?

21 A Alex Murdaugh.

22 Q And the entirety of the time that you were there up
23 until the time that he was no longer a partner in that
24 firm, is that who you worked for?

25 A That's correct.

1 Q So, how long was that?

2 A That was a little over nine years.

3 Q Were you the only staff member that he had that was
4 assigned to him?

5 A No. We have -- there's two of us that worked for
6 Alex. I have been with him, like I said, the nine years,
7 and then the other secretary, Kristi Jarrell, and she had
8 been with him almost double of what I had been there.

9 Q Quickly describe for me sort of the division of labor
10 between you and Kristi Jarrell, please.

11 A I was hired to handle more of the larger cases that
12 Alex had where it's litigation law, and so it's personal
13 injury for the most part, workers' comp, medical
14 malpractice, premises liability, product liability,
15 wrongful death, trucking cases. And so he wanted me to
16 take over those bigger cases and handle those, and then
17 Kristi did more of the day-to-day stuff and the smaller
18 files. Still just as important, but just smaller files
19 than the larger ones.

20 Q You had the more complex stuff?

21 A I did.

22 Q The bigger cases?

23 A Yes, sir.

24 Q Just quickly, how was the defendant as a boss and a
25 lawyer? Just what were his typical work habits, and what

1 was he like in the office?

2 A Extremely intelligent when it comes to the law; I
3 respected and admired that in him greatly. He didn't keep
4 normal hours. He liked to float in later in the late
5 morning time or early afternoon. We always had a running
6 joke. We never knew -- we knew that he might not be there
7 all day, but he would always show up right before 5:00 when
8 we were ready to leave. So, just, you know, kept unset
9 hours pretty -- I sometimes called -- referred to Alex as a
10 Tasmanian Devil because when he walked in, no matter what
11 you were doing, you started spinning because he was just
12 coming through and, you know, shouting everybody's name and
13 ready to get work done when he was walking in the door.
14 So, it was like -- it was kind of confusing.

15 Q Let me ask you just a little bit. The jury has heard
16 some testimony about disbursement sheets and how they work.
17 Can you just remind them very quickly how that works? Who
18 prepares the disbursement sheets, and how does that go
19 about taking place?

20 A After I find out that a case has settled, I go ahead
21 and start getting my disbursement sheet ready where I can
22 kind of go ahead and expect what the deductions are that
23 are going to come out of it, you know, the attorney's fees,
24 the expenses. Any time you have Medicare or any health
25 insurance, there's typically a lien on that money and we

1 are required by law to pay it back. So, I go ahead and
2 start looking into all of that, draft the sheet, and get
3 everything on it that I know that I'm aware of, and then it
4 goes to Alex and he has to -- he makes any changes he needs
5 to, and then he would sign -- once he signs off on it, I
6 send it across to our accounts payable department, and they
7 cut the checks.

8 Q Are you familiar with what is generally referred to as
9 the boat case?

10 A I am.

11 Q And that is the boat wreck that occurred around
12 February of 2019?

13 A Yes, sir.

14 Q Are you aware that the defendant was sued civilly in
15 that particular case?

16 A Yes, sir.

17 Q After the boat case happened, did you notice any
18 change in the defendant's demeanor around the office and
19 about his work habits?

20 A I did. He was more distant. Even when he was in the
21 office he was absent. It was hard to -- he's always been
22 hard to sit still and get answers from and to sign our
23 documents and anything that we had put in his office to
24 sign, but it got extremely worse after the boat accident.
25 He was rarely there, and when he was the door was closed,

1 and it was almost impossible for us to reach him. Like
2 even -- he was always on his phone. He was always dealing
3 with bigger than what we had, what we had going on.

4 Q As time moved on in the early part of 2021, did that
5 even get worse?

6 A It did. He would come in lots of times and he was
7 just not his normal self, or what his normal self used to
8 be. It was just very tense, and I don't know how to
9 describe it. It's just -- you can tell some -- that it
10 was -- the boat crash was weighing heavy on him, and he
11 was -- it was consuming his life almost, it seemed like,
12 and he was -- he was just harder to reach. And there was a
13 couple of instances where I referred to him as having his
14 ass on his shoulders because that's how I felt. It was
15 disrespectful of me to, you know, to feel that way and to
16 say that out loud, but that's how I felt because he just
17 wasn't himself with us anymore. He came in, and it was
18 just, like, yelled our names and just didn't treat us the
19 same way he did prior to the boat accident.

20 Q Was the defendant very protective about anyone going
21 into his office?

22 A He was. There was often times where he would come in
23 on Monday and say who's been in my office? And we would
24 be, like, I don't know. Probably the cleaning ladies. You
25 know, we have no idea. He was -- you know, it was very

1 cluttered, very unorganized, but he said he knew where his
2 stuff was. It was organized in his way.

3 Q The jury has heard a lot of testimony about this, and
4 just in the interest of time I'm going to ask it this way.
5 Over the years in various cases, did the defendant ask you
6 to put disbursements to Forge on various disbursement
7 sheets so that settlement checks would be prepared from the
8 trust account made out that way?

9 A Yes, sir, he did. I can't remember when it started,
10 but he told me, you know, to put it on Forge. And I -- me
11 knowing Forge Consulting was a legitimate company, I
12 would -- on the disbursement sheet I would put Forge
13 Consulting. And he would say no, it's not Forge
14 Consulting. If I wanted it to be Forge Consulting, I would
15 have told you Forge Consulting. I want it to be Forge.
16 And I was, like, well, I don't understand. Isn't the name
17 of the company Forge Consulting? And he told me that -- he
18 described it to me. He said think of it like Forge
19 Consulting is the large company, and Forge is a -- kind of
20 under that umbrella of it. So, he said Forge Consulting is
21 the big name, and then you have different things they do,
22 including Forge, which is more like a savings account than
23 a trust.

24 Q So, he would actually get you to change it from Forge
25 Consulting to just Forge?

1 A Correct. Even when the -- across the street at the
2 accounts payable department they would write the check out
3 to Forge Consulting, I would -- lots of time I would have
4 to reach out to them and say hey, you wrote this to Forge
5 Consulting. He says it needs to be Forge. And so lots of
6 times they would have to change that.

7 Q Those checks that he would have on disbursement sheets
8 to get cut made out to Forge, would he often talk to you
9 about picking those up personally?

10 A Yes. I would ask him if I could go ahead and mail it
11 to Michael Gunn at Forge Consulting, because he was our
12 contact, and he would say no, you know what? I'm seeing
13 Gunn this weekend. We're -- he's coming out to the farm,
14 or we're going to meet halfway tonight and have dinner. He
15 always said that he was going to hand deliver it. So, I
16 even got to where I would make file notes in my files,
17 Alex took check to hand deliver, because I was so worried
18 that he was going to lose these checks because, he was, you
19 know, a little loose sometimes and, you know, would leave
20 keys in his vehicle, would lose -- misplace a few things,
21 and so I was so worried that these checks were going to get
22 lost and then we would have to do a stop payment and
23 reissue the check. So, I started making notes where I
24 would remember that I didn't mail it, that it was actually
25 hand delivered.

1 Q Or hand delivered at least. He was telling you it was
2 going to be hand delivered?

3 A That's correct, yes.

4 Q Who was saying that?

5 A Alex was.

6 Q All right. When you're talking about the defendant or
7 Alex Murdaugh, do you see him here in the courtroom today?

8 A I do.

9 Q Can you point him out for the jury, please?

10 A Yes. He's over in the -- it looks like a navy blue
11 jacket.

12 MR. WATERS: Your Honor, can the record reflect that
13 she's identified the defendant?

14 THE COURT: Yes.

15 Q You mentioned he would say that, oh, I'm going to see
16 Gunn, I'm meeting him halfway, or we're going hunting,
17 things like that. Will you tell the jury again who's
18 Michael Gunn?

19 A Michael Gunn is -- he's our contact. He's the person
20 we would talk to when it comes to trust annuities with
21 charge -- with Forge Consulting.

22 Q And that's the real Forge, correct?

23 A That's correct.

24 Q Not the fake Forge.

25 A Not the fake Forge.

1 Q Moving into the latter part of 2020, did you have a
2 particular issue arise with the disbursement to Forge that
3 caught your attention?

4 A I did.

5 Q Tell me about that, if you would, please.

6 A I was currently working from home. I had had surgery
7 on Halloween of 2020, and I was working from home, hadn't
8 come back yet. I was planning to come back to the office
9 the following Monday. And on that day, I believe it was
10 December 15th of 2020, I got a phone call from the accounts
11 payable department. Nicole called me, and she's one of
12 ladies that cuts the checks and works for Jeannie
13 Seckinger, and she told me that she had just got a
14 disbursement sheet over, that Kristi had sent over a
15 disbursement sheet in one of my files. It made no sense;
16 she didn't understand it. And I was like -- I was
17 confused, too, because I was, like, why didn't he contact
18 me to do my disbursement? Because I'm kind of protective
19 over my files. If I've worked that file the whole time, I
20 want to finish that file; I want to work the whole process
21 of it. And actually the disbursement part is my favorite
22 part of the file because I want to be able to have that --
23 be there when that client gets their money and gets that
24 closure that they deserve. So, I thought it was very odd
25 that Kristi was drafting the disbursement in one of my

1 files and --

2 Q This was a day that you were off work?

3 A That's correct. I was working from home. And I could
4 have still been reached, but it wasn't until Nicole reached
5 out to me and told me.

6 Q Keep going.

7 A She told me -- so I looked -- she sends it to me by
8 email or text, I can't remember, and I reviewed it, and it
9 didn't make sense to me either. There was a line on it
10 that said the attorney fees were going -- or amount of it
11 was going to Forge, and I didn't understand how that was
12 happening, and I never seen him send attorney fees to Forge
13 before, and so I didn't know that that was even a
14 possibility. And so I called the office, and Kristi
15 transferred me to Alex and I spoke to him and asked him
16 about it, and he said why did Nicole call you? And I said,
17 well, she doesn't know how to write these checks out
18 because it doesn't make sense to her. She hasn't ever seen
19 a disbursement like this. And he said I'll take care of
20 it. And so he said I'll call Nicole. I'll take care of
21 it.

22 And so I remember talking to Nicole later and saying,
23 so, what did he say? What was the reason behind it? And
24 she said he said that they structured -- they had
25 structured their attorney fees and that's what that check

1 was for.

2 Q Did you have a subsequent discussion with the
3 defendant about that?

4 A I did, and he told me the same thing. He said it was
5 something that they had been able to do forever. He just
6 never took advantage of it before, and so now he decided
7 that he was going to start structuring those attorney fees
8 where it would make interest, or have interest drawn. And
9 so it made sense because why not? Why not, instead of
10 having that money sit somewhere, put it somewhere where
11 it's going to draw more money?

12 Q His explanation to you made sense.

13 A Yes, it did.

14 Q On its face.

15 A Yes.

16 Q Do you remember the name of that case?

17 A That was the *Hershberger* case.

18 Q I'm going to show you -- I'm going to show you what's
19 already been admitted into evidence as State's 429 and see
20 if you recognize this document.

21 A Yes, I do. This is the disbursement that was on -- in
22 December of 2020 that I was talking about.

23 Q Okay. All right. All right. At that point in time,
24 we're in December of 2020. Is that right?

25 A That's correct.

1 Q After the defendant gave you that explanation that
2 seemed valid to you on your face. Did you -- did that
3 matter just kind of go away at that point in time?

4 A It did. It was kind of, you know, always at the back
5 of my mind because I still felt like there should have been
6 some kind of paper trail. But, yeah, you know, the
7 explanation worked that he gave me, and so I was trying to
8 just go along with it because I thought it was valid.

9 Q As we move on into January of 22, 2021, did another
10 incident happen that came to your attention that related to
11 disbursements?

12 A Yes. The end of January. It was a Friday afternoon.
13 I left early that day to take my mom to the eye doctor, and
14 kind of the same scenario of -- kind of an exact repeat of
15 December happened again. Nicole from accounts payable
16 called me, and she -- and I said what's going on? And she
17 said, well, I've got another one. And so Kristi had
18 drafted a disbursement in a case referred to as *Moore*, and
19 she had sent it over, and once again it had the same
20 wording and kind of confusion that the one -- that
21 *Hershberger* one had a month previous. So, she didn't
22 really understand it again. Still, you know, still -- she
23 was still trying to say, you know, I feel like we need more
24 information on this, and I said I do, too.

25 And so kind of the same scenario as before, I reached

1 out to Alex, he reached out to Nicole, and ultimately the
2 checks got written, but it was the same scenario. As you
3 can see on here, the \$91,867.50 was attorney fees that were
4 structured that went straight to Forge, to the fake -- what
5 we now know was the fake Forge.

6 Q All right, and is that still the *Hershberger* matter
7 we're talking about?

8 A That's the *Hershberger* one, and on the Thomas Moore
9 one it was --

10 Q We'll get there in a second. But when you got back
11 home, do you remember where you were the second call?

12 A Yeah. The Thomas Moore, I was at the eye doctor with
13 my mom.

14 Q I'm still on *Hershberger*. Do you remember where you
15 were?

16 A I was home. I had had surgery and I was home
17 recovering.

18 Q And I'm going to show you -- and we're still on the
19 same exhibit, and that being 429. Do you recognize that at
20 all? Let me hand this exhibit to you, probably easier that
21 way. Just take a look at that, if you would, please.

22 A Absolutely. Yeah. This is what we referred to now as
23 the second *Hershberger* disbursement. It was on the UIM
24 portion of the case and liability portion. So, once again,
25 the PMP attorney's fees were routed to Forge in the amount

1 of \$83,333.33.

2 Q All right. Thank you. All right. You had started
3 talking about Thomas Moore. Is that another incident that
4 came to your attention as we're moving into early 2021?

5 A Yes, sir. That one, like I said, was at the end of
6 January. Once again, I was out of the office; I was at an
7 eye doctor appointment with my mom. I got the call from
8 Nicole. She said it's the same scenario the -- but this
9 time it was all the funds that was in trust -- client's
10 trust, which was \$125,000, I believe, and all of those
11 funds were being routed. That was attorney fees and client
12 money that was being routed to the fake Forge.

13 Q And this was another one of your cases. Is that
14 right?

15 A It was. So, another situation to where I'm out of the
16 office. It's almost 5:00 in the afternoon on a Friday.
17 Kristi drafts the disbursement. Alex signs it. They send
18 it over in my absence.

19 Q When these instances are happening that you're
20 describing to the jury where you happened to be out of the
21 office -- and these are your cases, right?

22 A That's correct.

23 Q And all the sudden you're getting communications that
24 the defendant is having Kristi draft some disbursements.

25 In any of these cases, were -- was there anything going on

1 that something happened that had to be done that very day
2 that you just happened to be out of the office?

3 A I didn't think so because in particular, the Thomas
4 Moore case, it was -- we were working on the third party
5 portion of the case, but there was also a workers' comp
6 portion that another attorney was working on. And when
7 you're working on a workers' comp case, if you settle the
8 third party first, you can't disburse it until the workers'
9 comp portion is taken care of because workers' comp always
10 has a huge lien that you have to negotiate for the client.

11 So, the money was supposed to sit there. It was my
12 understanding it would probably be sitting there another
13 year until the workers' comp portion case -- portion of the
14 case was settled, so those funds didn't need to go anywhere.
15 So, it was very odd that all of the sudden they're all sent
16 to Forge because they were supposed to remain in the
17 account is my understanding.

18 Q Do you take pride in the work that you do on these
19 complex cases?

20 A I do.

21 Q Do you know your cases very well?

22 A I would say I do.

23 Q And was there any reason in which you were aware that
24 these things had to be happening the day that they were
25 supposedly?

1 A No. I was -- it definitely put up another yellow
2 flag, and it made me think about the previous one that
3 happened in *Hershberger* in December because both of them
4 from kind of same scenarios: me out of office, someone else
5 drafting it. And not that we're -- we can't work in each
6 other's files, we can, but it's easy to miss something if
7 it's not your file. If I had to go in somebody else's file
8 and draft a disbursement, I may not know that there's a
9 lien or a certain promised medical bill or anything else
10 that needs to be paid. So, it's -- that's why to me it's
11 easier if somebody that's worked the case actually drafts
12 the disbursement: because they know all the deductions that
13 have to come out.

14 Q Was the defendant using the opportunity of you being
15 out of the office to push these things through?

16 A Yes. In hindsight it was easy to see that they -- the
17 chaos, the sending it over at 10 minutes before 5:00 p.m.
18 was kind of, you know, kind of a way of -- part of that old
19 hurricane -- little tornado portion, you know, just sending
20 it over when most people are gone, and it's just going to
21 get done quickly and no questions asked.

22 Q You said that the Thomas Moore one was particularly
23 unusual because it was workers' comp and those funds
24 couldn't be disbursed yet, correct, to your understanding?

25 A Correct, yes, sir.

1 Q Did you ever have a conversation with the defendant
2 about why these funds were disbursed?

3 A I did, and he explained to me that he had gotten
4 permission, that since the money was going to be sitting
5 there another year, that they were going to send it to
6 Forge and let it draw interest, and then that would be
7 money that would draw interest on -- for the client, as
8 well as the firm, because it was both portions of the
9 money.

10 Q I'm going to show you what's marked in a minute into
11 evidence as State's 328 and see if you recognize this
12 document.

13 A Yes. This is the Thomas Moore disbursement that I'm
14 referring to that -- where the entire client trust amount
15 of \$125,000.

16 Q Do you recognize the signature down at the bottom of
17 the page?

18 A I do. Alex signed it where it says R. Alexander
19 Murdaugh, and then where the client's signature is, that is
20 not the client's signature. It's Alex's handwriting.

21 Q Do you recognize this handwriting from working for him
22 for nine years?

23 A I do.

24 Q Did the defendant have a case going on around this
25 time involving Mack Truck?

1 A He did, what we refer to as the *Faris* case. We
2 actually went to Columbia and had a bench trial in that
3 case in January of '21.

4 Q All right, and did you work on that case to some
5 extent?

6 A I did.

7 Q Was that one of the ones assigned to you?

8 A Yes.

9 Q Did -- was the defendant the only lawyer on that case
10 or were there other lawyers?

11 A No. There was two cocounsels that had brought us in.
12 Wayne Ridgeway was the first attorney that received that
13 case. He reached out to Chris Wilson's office, and Chris
14 joined the case as well, and then Chris reached out to our
15 firm. And so now there's a third attorney, which was Alex,
16 involved in it.

17 Q Ultimately was that case tried before a judge?

18 A It was. A bench trial, like I said, in January of
19 2021.

20 Q And did the judge issue a verdict in favor of the
21 firms' clients?

22 A Did, yes, sir. In the next month, I think sometime in
23 February, we got a very nice verdict for the clients.

24 Q Who was going to be disbursing the fees in that once
25 the money came in? Was that going to be PMPED or was it

1 going to be the other attorneys?

2 A Chris Wilson's office.

3 Q Had the firm, PMPED, had it accrued costs during the
4 course of that litigation?

5 A Yes.

6 Q Expenses?

7 A Yes.

8 Q And did you prepare those and send those to Chris
9 Wilson's office, or how did that work?

10 A I did. I put the totals in an email and sent them
11 to -- Alex wanted me to send him the totals by email, and
12 so that's what I did, and then he -- I guess he sent them
13 to Chris after that.

14 Q And then after that happened, do you remember what
15 month the money came in roughly?

16 A In May.

17 Q Well, let me slow you down. Once you've done that,
18 when the money comes in, you said Chris Wilson's office is
19 going to be handling that disbursement, correct?

20 A Correct.

21 Q What are you expecting to happen next?

22 A I'm expecting copies of the settlement paperwork, and
23 copies of the disbursement sheets signed by the client, and
24 I'm expecting two fee checks and two expense reimbursement
25 checks because there's two cases. It's the -- it was a

1 case for the deceased and a case for his wife, so I'm
2 expecting four checks total.

3 Q All right, and you were about to say, and I cut you
4 off. You said something happened in May. Did something
5 happen relating to the *Faris* case in May?

6 A Yes. I received by mail the settlement package from
7 Chris Wilson's office, but all it contained was a cover
8 letter and the two expense reimbursement checks. So, I
9 emailed Vicki Lyman, which is Chris Wilson's secretary, and
10 said something on the -- something like hey, girl, I've got
11 these expense checks in. When can I expect the attorney
12 fee checks? And she replied to my email telling me that --
13 excuse me -- hey, friend. You know, our -- the attorneys
14 got that money at disbursement. And I was really shocked
15 because I didn't even know when the disbursement took
16 place. I was never supplied copies of it or anything.

17 Q What's your thought when you -- when Vicki says that?
18 What did you think may have happened?

19 A Well, I called her and I said, you know, you already
20 gave the checks? I was, like, I don't think we received
21 them. And she was, like, yeah. They were done at
22 disbursement in March. So, I asked her first to send me
23 over copies of the disbursement sheets and -- where I could
24 look at those. And then I reached out across to our
25 accounts payable just to make sure that checks somehow

1 bypassed me and went straight to their -- into the client
2 trust to their defendant, and they told me, no, that they
3 didn't have any such checks on the books either. And I
4 was, like, okay. So, I assumed that they gave Alex the
5 checks and he has lost them, they're misplaced, they're
6 somewhere in his truck, they're somewhere in a file folder
7 stuck and just kind of hid away, and he's forgotten to give
8 them to me.

9 Q Would you say that to Vicki, like, come on, why did
10 you give it to my boss?

11 A Yeah. I said why? I said why would you do that? I
12 was, like, why would you give checks to the attorney? Why
13 wouldn't you send them straight to me where I can get them
14 in -- get them deposited?

15 Q I'm going to put up State's 312 that's already in
16 evidence. This is page marked Bates stamped 2371 for the
17 record up on the screen. Can you see that on your little
18 screen or do I need to --

19 A I can, I can see it.

20 Q And will you tell the jury what that is?

21 A That is the email where I was talking about -- I just
22 told her that I had just got the expenses but where is the
23 fee, and she says:

24 It's because your boss and mine and Liz's got
25 their fees once they were signed, duh.

1 Q Did you have a conversation with Alex at this point,
2 or what did you do next?

3 A I did.

4 Q So, you called the finance in your own firm and said
5 hey, did we get this check? And they said no?

6 A Correct, they said no. And so I verified that. And I
7 told -- I asked Vicki, I said are you positive? And she
8 said yes. And I was, like, okay. I'll go see if he
9 remembers where they're at.

10 So, he happened to be in the office by that time. His
11 door was closed. I went in. He was on the phone, and I
12 kind of kept checking and going back. Eventually I got to
13 speak to him, and he was still kind of on the phone but he
14 was, like, no, I didn't get those checks. And I was, like,
15 are you sure? And he said yeah.

16 And I was kind of back and forth. I'm, like, he said
17 he didn't get them. Are you sure? And this kind of went
18 back and forth for a few minutes and over the course of
19 that -- the rest of the day. And I said hey, he just told
20 me that Chris was still holding those funds in trust. I
21 was, like, I don't understand, you know. You say that
22 they've been cut. I was, like, can you send me copies of
23 stuff because I don't see anything, and he's telling me
24 they're -- the funds will be in trust. And she was, like,
25 Annette, I know for a fact that the checks are cut. There

1 is no money in trust, and the reason I know that is because
2 when the checks were written to Alex, I knew it was a bit
3 odd because they were written to Richard Ale -- Richard.
4 they were written out to him personally instead of the
5 firm. And I said --

6 Q Let me stop you there. They were written out to him
7 personally instead of the firm?

8 A Correct.

9 Q Why did that stick out in her mind, or why did that
10 stick out in your mind?

11 A Because common sense tells me that the attorney fees
12 belong to the firm where the firm -- I don't know. I
13 didn't understand the complete breakdown until Jeannie went
14 over it in her testimony. But I knew by common sense that
15 the funds belonged to the firm, and then once they do
16 whatever percentages and everything they need to do, then
17 the attorney gets his portion later. So, I knew it wasn't
18 right, that it shouldn't have never gone to an individual
19 attorney. It should go to the firm as a whole.

20 Q When you asked the defendant and said hey, Vicki said
21 you already got those, and he tells you what?

22 A He told me that Chris was holding that money in trust,
23 that it had not been disbursed yet.

24 Q Did he tell you Vicki was wrong?

25 A Yeah, he told me that Vicki is wrong. I don't care

1 what she's telling you. She's wrong.

2 Q What was his demeanor when you were inquiring, you
3 know --

4 A Just kind of like, just, you know, just shooing me out
5 of his office, like I don't have time for this.

6 Q After Vicki tells you that it was odd because the
7 checks had been made out to the defendant personally
8 instead of the law firm, what did you do next?

9 A I asked her, I said are you sure? And she said yes,
10 and she said yeah, it was written out to him. Well, at
11 first I was, like, I'm sorry, what did you say? And I made
12 her repeat it to make sure I heard correctly. And she was,
13 like -- and then kind of while she was saying it out loud,
14 I think it kind of registered to her. Oh, wait, that
15 probably wasn't the right thing to do because she kind of
16 hushed after that and didn't want to talk and kind of
17 wanted to get off the phone with me.

18 And so I still kind of tried to question Alex over the
19 next couple of days and tried to get a reasonable
20 explanation of what was going on because in my mind, you
21 know, I'm still hoping this -- he just lost the checks and
22 this was all just a misunderstanding, but at the back of my
23 mind, you know, there's this huge, huge red flag telling me
24 this is not right, you know, what is going on.

25 Q Okay. Did you eventually take this issue to anyone

1 else since you couldn't get an answer provided?

2 A Yes. I eventually -- I don't know the exact date, but
3 I eventually emailed Jeannie Seckinger and asked her if she
4 was in the office because I really needed to speak to her,
5 and she said she would be back later that day. And so
6 we -- I went into her office, and I had everything printed
7 out and kind of showed her and told her my concerns, and
8 she was instantly on -- excuse me -- on high alert as well
9 because, you know, it wasn't -- it didn't look good. We
10 were hoping -- we were still both hoping that it was a
11 misunderstanding, just this one off, something silly that
12 happened, but we both had that nagging feeling of this is
13 not good. Something is definitely wrong.

14 Q Did Jeannie instruct you to do anything?

15 A She did not. She said that she would talk to him
16 about it, and she kept the paperwork that I gave her.

17 Q Were you ever asked to send another email to Vicki
18 asking her for particular documents?

19 A Yeah. Actually it was kind of my idea. I kind of
20 told Jeannie. I was, like, hey, you know, why don't we do
21 this? Why don't you send me an email telling me what we're
22 need -- what we need, and then I'll forward that email for
23 myself and -- you know, to see if we can get copies of
24 everything where we can figure all of this out and
25 eliminate it because, you know, at this point we want to

1 prove that that suspicion we had was wrong and that
2 everything is really okay, and so she did. She forwarded
3 me the email and --

4 Q Let me slow you down. I'm still on State's 312,
5 what's been Bates stamped as 2374. Is this the email that
6 you just described as being forwarded to you requesting the
7 documentation for the *Faris* fees?

8 A It is. Underneath where, you know -- yeah, Jeannie
9 texts there, or emails there, tells me exactly what she
10 needs and kind of is very specific.

11 Q And what time and what date was that actually on?

12 A That was May 27th at 11:40 a.m.

13 Q All right, and then going over to the 2373 of the same
14 exhibit, is this the email right here that you then
15 forwarded to Vicki Lyman at Chris Wilson's office?

16 A Yes. It was -- I emailed -- forwarded that email that
17 Jeannie sent me that same day, May 27th. And I knew she
18 was on vacation, but I went ahead and sent this to her, and
19 then when she -- when I knew she had time to get back from
20 vacation, I sent this follow up on this strand on June 2nd
21 and requested it again.

22 Q All right, and did you get a response email from Vicki
23 Lyman in Chris Wilson's office?

24 A Yeah. She said she didn't -- you know, this doesn't
25 involve her and forwarded -- she said she would forward it

1 to Chris. And we were basically just asking for copies of
2 everything where we could clear this matter up, and, you
3 know, like I said, we wanted our suspicion to be wrong.

4 (Break in proceedings.)

5 THE COURT: Is that item already in evidence?

6 MR. WATERS: No, sir.

7 (Break in proceedings.)

8 (TEXT MESSAGES MARKED AS STATE'S EXHIBIT NUMBER 140
9 FOR IDENTIFICATION.)

10 Q I'm going to show you what's been marked as
11 Exhibit 440 to your testimony. And, again, just tell me
12 first of all, just without going into any content, whether
13 or not you recognize that particular document.

14 A I do. It's a text strand between myself and Vicki
15 Lyman.

16 Q And is this -- what is the date on that particular
17 text strand?

18 A June 2nd and then it runs into June 3rd.

19 Q And is that 2021?

20 A Yes, I'm sorry, 2021.

21 Q And is this is text strand where y'all were discussing
22 the things that you described here today?

23 A Yeah. I told her, I just, you know -- don't mention
24 anything --

25 Q Hold on just quick. Y'all are describing what we're

1 talking about here today?

2 A That's correct.

3 Q All right.

4 MR. WATERS: Your Honor, at this time I would move
5 State's 440 into evidence.

6 MR. GRIFFIN: Your Honor, I object on hearsay grounds.
7 It doesn't fall within the exception to hearsay.

8 THE COURT: Can I see the document?

9 MR. WATERS: Yes, sir.

10 (Break in proceedings.)

11 THE COURT: I sustain the objection.

12 Q Did you ultimately text Vicki on that particular day?

13 A I did. I had told her that -- I gave her time to get
14 back from vacation, and just basically text her with my
15 concerns and told her how stressed out I had been over this
16 situation, and how I was hoping my suspicion was wrong, but
17 I was really stressed out. And unfortunately my daughter,
18 we had -- me and Vicki had talked on the phone. Vicki had
19 called me as well, and unfortunately my daughter had
20 overheard me, too. So, she instantly got, like, really
21 worried for me, and my daughter said Mom, you need to go
22 ahead and get your resume because once you turn all of this
23 in, they may fire you.

24 Q All right --

25 A So, she was very concerned for me.

1 Q And this latest email on the screen, that was June 2,
2 2021. Is that correct?

3 A That's correct.

4 Q Do you recall June 7, 2021?

5 A I do.

6 Q Was that a Monday?

7 A It was.

8 Q Were you at work that day?

9 A I was.

10 Q Had the defendant come to work that day?

11 A He did. He came in probably around lunchtime; I can't
12 remember if he came in before lunch or after, but somewhere
13 in that timeframe.

14 Q Okay. Did you see Jeannie Seckinger that day?

15 A I did. Jeannie had already told me that she needed --
16 she was going to talk to Alex about the *Faris* fee checks
17 that were missing. She was going to go and talk to him
18 about them that day, and so she asked me to let her know
19 when he got into the office. So, when he got into the
20 office, I reached out to her to let her know.

21 Q And did she come up to your area?

22 A She did. And we have open style offices, no doors on
23 the secretary door -- secretary offices, so she had to pass
24 by me to get to Alex's office, so I saw her when she was
25 walking past.

1 Q Did she give you any look when she walked up?

2 A She did. It was kind of just like that, just whew,
3 you know? Just kind of a raised eyebrow, like wish me
4 luck, here goes nothing kind of look like -- you know,
5 because we were both just, like I said, wanting to get
6 answers and --

7 Q Get answers about what?

8 A About those missing checks and figure out what was
9 going on.

10 Q Where did she go after she headed that way?

11 A I heard Alex's door close, so I assumed in his office
12 to talk to him.

13 Q This is what day?

14 A This is June 7, 2021.

15 Q Did she come out after --

16 A She did, and she didn't stop. She just hurried by my
17 desk and she went on about her business.

18 Q Did you have any conversation yourself about the *Faris*
19 fees with the defendant that day?

20 A I don't recall having any discussion with him on that
21 day. At that point I had turned -- you know, Jeannie had
22 everything and it was kind of in her hands.

23 Q What time do you think you left work that day?

24 A I left at 5:15 that day.

25 Q Is that your normal time?

1 A It's not. I typically work later. Alex always tend
2 to work nights, and me and Kristi tend to kind of adapt to
3 his schedule a little bit and work a little later than
4 5:00. But most of the time we were there until 5:30, 6:00.

5 Q When you left the office on June 7, 2021, at 5:15, was
6 the defendant still there?

7 A He was.

8 Q Did you go home eventually? You eventually went home?

9 A Yes.

10 Q Just a normal night?

11 A Yeah. I went straight home that night.

12 Q Did that change at some point?

13 A Yes, definitely. My phone was on silence and I was --
14 I slept through a bunch of text messages and calls. I woke
15 up in the middle of the night and my phone was just full,
16 and I was, like, what is going on? And so I'm looking
17 through the text messages. They don't make a lot of sense.
18 I see I have a voicemail message from Randy Murdaugh, and
19 so I checked the voicemail, and I could tell he was upset,
20 crying. And he said Annette, please call me when you can.
21 It doesn't matter what time.

22 And so I don't remember what time it was, but it was
23 some time in the middle of the night and I called him, and
24 he told me -- well, when I -- when he answered the phone,
25 he was upset obviously. And I said Randy, what's wrong?

1 And he said it's bad, Annette, it's real bad. And I said
2 oh no. Mr. Randolph passed? And he said no, it's not Dad.
3 It's Maggie and Paul. And I said what? And he said
4 they've been shot and murdered. And I said what? And it
5 was just -- it was very overwhelming.

6 We both cried on the phone with each other, and, you
7 know, obviously the first thing I did was say oh my God,
8 how is Alex, you know? How is he? Is he okay? Where is
9 Buster? Is Buster okay? I was very concerned. You know,
10 I had a million thoughts running in my head. I was, like,
11 are you guys safe? You know, is this something aimed at
12 the entire family? You know. And I was very, very worried
13 about Alex, and Buster, and Randy, and his family, and the
14 entire Murdaugh family. So, it was very overwhelming.

15 Q Over the nine years of being -- working closely for
16 the defendant, did you also get to know his family, Maggie
17 and Paul and Buster?

18 A I did.

19 Q Is this firm pretty tightknit?

20 A Yes.

21 Q What was the reaction of the people in the firm to
22 this terrible news?

23 A There was two reactions. First was scared. We were,
24 like, Please lock our doors. You know, we're scared. Who
25 is this aimed at? Is it a client retaliating? Is it, you

1 know, aimed at Alex? Is it aimed at the firm? We didn't
2 know. We just had so many questions, no answers, a million
3 thoughts running through our heads. We were just there,
4 you know, supporting each other and helping one another
5 through this grieving process.

6 And at the same time, we were very protective over
7 Alex and Randy. We wouldn't let them leave the office if
8 strange cars were driving around. We would say don't walk
9 out yet. There's a white car that's went around three
10 times. I mean, we were in complete mama bear mode. We
11 were just -- we didn't want them to go out and have to talk
12 to reporters. We didn't want them to have to run out and
13 run into anybody, and we were scared for them. We were
14 very protective. I mean, we -- anything suspicious out the
15 window, we were on high alert.

16 Q You said what kind of mode?

17 A Mama bear mode.

18 Q Mama bear protecting who?

19 A Protecting Alex and Randy.

20 Q Did that -- did the law firm community rally to the
21 aide of the defendant?

22 A They did.

23 Q Was that the primary focus on everyone's mind in the
24 aftermath?

25 A Oh, absolutely.

1 Q Were you at all concerned about finding out what
2 happened to these *Faris* fees after that happened?

3 A What *Faris* fees?

4 Q What *Faris* fees?

5 A Yeah, what *Faris* fees. That was the furthest thing on
6 my mind.

7 Q In fact, was that the last time you really thought
8 about it in any aspect until September of 2021?

9 A It is, yes, sir.

10 Q And you were more focused on helping this defendant
11 and his family in the aftermath of this tragedy that
12 happened.

13 A Yes, and everybody was so supportive. I mean, some of
14 our -- the associate attorneys stepped up. They came up to
15 my and Kristi and said hey, you know, if you need anything
16 over the next few weeks, you need us to review a file for
17 you, get something else, sign it and get it out the door,
18 we're here for you guys 100 percent. So, it wasn't -- you
19 know, we were supportive, and then we had other folks in
20 the office that were coming up to us supporting us as well
21 because they knew we were in stand-still. What do we do,
22 you know, because we knew, obviously, he was not going to
23 be the same and not be himself for quite awhile.

24 Q I asked you earlier about the boat case. Before the
25 murders when the boat case happened, had there been some

1 reaction and backlash in the community against the
2 defendant and his family after the boat case?

3 A Yes. It was very difficult because Hampton, being a
4 small town, we all know each other and we're all -- we all
5 know both sides for the most part.

6 For instance, Mallory Beach, her father is my first
7 cousin, so Mallory Beach -- I was kind of felt like I was
8 in between a rock and a hard place because, you know, her
9 family is, you know, beyond heartbroken over the loss of
10 her. And then -- and I know some of them didn't like the
11 idea that I was still working at the firm, but I was
12 still -- to me it was two separate entities. This is my
13 job, this was my family, and I had to keep them separate.
14 I didn't want any part of the boat wreck case. I didn't
15 want to know any details or anything because, like I said,
16 I was keeping my family life and my work life separate.

17 Q After the murders, you said the law firm community,
18 though, rallied to Alex's aid, correct?

19 A Absolutely, everybody.

20 Q Did the larger community do as well?

21 A Yes, they did.

22 Q After the murders?

23 A Yes, sir.

24 Q You mentioned that after those murders happened, what
25 *Faris* fees. They were the farthest thing from your mind,

1 correct?

2 A Yes, sir.

3 Q When did they come back to your attention?

4 A September 2nd. It was a Thursday in the afternoon,
5 and I was looking for a file in the file cabinet and I was
6 unable to locate it. And lots of times if, you know, Alex
7 is talking to a client on the phone, he'll yell for a file
8 and we'll take it to him. So, I was, like, oh, it's
9 probably in his office. So, I went to his office to look
10 for the file, and when I found it, I picked it up and when
11 I did, a check kind of floated like a feather to the
12 ground. And when I bent over to pick it up, I saw the
13 check and what it said and had on it, and I instantly
14 became very upset because it happened to be one of the
15 checks from the *Faris* case that didn't exist.

16 Q And what did you see on the check that let you know
17 that stuck out in your mind?

18 A It was from Chris Wilson's office that was written to
19 Richard Alexander Murdaugh, and at the bottom it said *Faris*
20 fees. And it was dated March.

21 Q And so what did you realize at that point?

22 A I said -- I said he's been lying this whole time. He
23 had these funds. He lied to me, oh my. That feeling in
24 the back of my mind was correct. Unfortunately he did take
25 these funds. Because when I flipped the check over, I also

1 saw that he had deposited it by mobile deposit, and I can't
2 remember if he signed the back of the check or if it just
3 said mobile deposit only.

4 Q Let me show you State's 313 and see if you recognize
5 that. That's already in evidence.

6 A Yes, sir. That's the check that I found on September
7 2nd.

8 Q And if you would, flip up one side.

9 A Yeah. It's got his signature -- his signature, Bank
10 of America, deposit only.

11 Q Do you recognize that writing as the defendant's?

12 A Yes, it is.

13 Q When that check floated down, you picked it up --

14 A I did.

15 Q -- and you saw that, where did you take it? Did you
16 take it anywhere?

17 A Yeah. I went back to my desk, and you can imagine I
18 was -- all of the emotions that I was feeling at this
19 point. You know, I was hurt, I was angry, I just was
20 beside myself, and I was -- I was a bit enraged, too,
21 because I asked him so many times over, so many times that
22 I felt like we could have clarified this and got it taken
23 care of, but here it is from March to September and I find
24 this check that supposedly did not exist.

25 And so I went to my desk, I called Jeannie and I was,

1 like, I just found something. And she said oh, shit, what
2 did you find? And I said are you busy? And she said come
3 on over. And I went over and closed her door and threw the
4 check at her and I said -- and she is, like, is this one?
5 And I said yeah. That's one of the Faris checks that
6 doesn't exist.

7 Q Was Jeannie doing anything else or start doing
8 anything else when you came down with that check?

9 A I didn't know until I took her the check, but when I
10 took her the check, she was, like, yeah, I just ran a
11 report yesterday. And she said we're going to -- one of
12 the attorneys is going to call Michael Gunn later today.
13 And I said, well, what do you mean? And that's when she
14 told me that she thinks there's some more stuff, too.

15 Back to my suspicion with Hershberger and Thomas
16 Moore, she pulled a report and she found out that we may
17 have other issues of stolen funds. But I was not aware of
18 any of that. I didn't know that she was looking into it
19 again. I didn't know any of that until I took her the
20 check, and she said she had just started doing stuff within
21 the last few days.

22 Q Within a few days of this happening, what happened to
23 the defendant's employment at the law firm?

24 A He was fired the next day.

25 Q And did the law firm engage in a review process to

1 determine the extent of any of the alleged --

2 A Yes. We've had months, months upon months of going
3 through all of the files and finding -- you know, just
4 following the numbers and making notes on everything. And
5 lots of hours, lots of manpower involved in this process of
6 putting everything together, and just in awe of how much
7 was happening and we had no idea about it.

8 Q And without going through all of the exhibits that
9 we've gone through with Jeannie Seckinger -- but she was
10 the one, or one of the central ones doing that review. Is
11 that correct?

12 A Of course, yes.

13 Q And without going through each one, was one of those
14 disbursements for the fake Forge account, those were
15 disbursements that the defendant told you to put on there?

16 A That's correct.

17 Q Are those -- a lot of those disbursements one where he
18 corrected you and said no, don't put Forge Consulting, put
19 Forge?

20 A Yes, they were.

21 Q Are a lot of those checks ones where he said no, I'll
22 see Michael Gunn later, I'll take the check myself?

23 A Yeah, they were all for him.

24 (Break in proceedings.)

25 Q I'm going to show you what's been marked as

1 Exhibit 441. Again, without going through the contents,
2 tell me if you recognize that document.

3 A Yes. It's a text message that Alex sent to me and
4 Kristi on September 26th when he -- of 2021 when he was in
5 rehab, is my understanding.

6 Q All right.

7 MR. WATERS: Your Honor, at this time I would offer
8 State's 441 into evidence, I believe without objection.

9 MR. GRIFFIN: No objection.

10 THE COURT: It's admitted without objection.

11 MR. GRIFFIN: No additional objection, Your Honor, I
12 apologize. We do have the 403 objection subject to your
13 prior ruling on this.

14 THE COURT: Well, I haven't seen the exhibit. I
15 don't --

16 MR. GRIFFIN: Yes, sir.

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

19 (The jury left the courtroom.)

20 THE COURT: Everybody be seated.

21 Yes, sir, Mr. Griffin?

22 MR. GRIFFIN: Yes, Your Honor. I was just preserving
23 our prior objections on 404B evidence, under 404B, and 403.
24 It's nothing new. I just forgot to say no additional
25 objections than what we've already had to this line of

1 testimony. This is the same line of testimony of financial
2 misconduct, that's all.

3 THE COURT: Mr. Waters?

4 MR. WATERS: And I just clarified, I think, with
5 defense counsel that he was not adding a specific 403
6 objection to that. It's just the prior objection.
7 However, this is a text from the defendant to this witness
8 in this particular instance, and certainly it can be read
9 and makes -- there's no hearsay issue because obviously
10 it's a statement of a party opponent. And it certainly
11 also is relevant because it can certainly be read in the
12 nature of an admission to the various things that are at
13 issue in these particular proceedings. And for that
14 reason, there's certainly -- the probative value of an
15 admission is certainly, I would argue, is -- the probative
16 value of that is substantially -- is not substantially
17 outweighed by the danger of any unfair prejudice.

18 THE COURT: It introduces another issue, the issue of
19 drug use, and I think the witness testified that he was in
20 rehab. Is that what you said? That he was in rehab and
21 sent an email and --

22 (Break in the proceedings.)

23 THE COURT: And I just want to be clear from the
24 defense that the part of the testimony that establishes
25 through this witness that he was in rehab, that's not a

1 basis for your objection.

2 MR. GRIFFIN: We do have -- yes, we do object to
3 evidence of his drug use to be included in this, and we
4 would ask that that document be redacted to the extent it
5 references drug rehab at this time.

6 THE COURT: Well, it doesn't specifically mention drug
7 use.

8 MR. GRIFFIN: Yes, sir.

9 THE COURT: If you all review the exhibit and can tell
10 me if you just -- if you have no objection based on the
11 fact that he sent it while in rehab, then it's admissible
12 as far as your prior --

13 MR. GRIFFIN: Yes, sir.

14 THE COURT: -- bad acts objection.

15 (Break in proceedings.)

16 THE COURT: Yes, sir?

17 MR. GRIFFIN: We don't have any additional objections,
18 Your Honor. We would, because this does raise an
19 additional character issue, ask that the Court -- we ask
20 that the Court give, you know, an additional limiting
21 instruction at some point in time, Your Honor.

22 THE COURT: How does -- the character in that he's
23 saying he is getting better or -- what part addresses
24 character?

25 MR. GRIFFIN: Well, certainly he says I'm getting

1 better every day and, I mean, it's clear from that that
2 he's in rehab. I mean, that's all.

3 THE COURT: All right. Mr. Waters?

4 MR. WATERS: Your Honor, I mean, he doesn't expressly
5 say that. I would point out that the issue of pills has
6 already come up a few times in this trial. I'm not trying
7 to go there, but it is when we talk about 404 and *res*
8 *gestae*, it is kind of part and parcel of a lot of things.

9 I mean, even the defense has examined, I believe, Ms.
10 Seckinger on the issue of pills. And on top of that, you
11 know, we had Chris Wilson who testified *in camera* who will
12 also testify here today, you know, and one of the things he
13 says when he had that confrontation with the defendant on
14 the morning -- or excuse me, the afternoon, I believe, it
15 was September 4th, that the defendant said yeah, I've been
16 stealing money, and I've been hooked on pills for awhile.
17 So, this is a bridge I think we have to cross at some
18 point. The State is not trying to gild the lily with that,
19 but at least, you know, with these various witnesses it is
20 part of what they're -- being said.

21 As far as that specific exhibit, though, Your Honor,
22 there's no expressed reference to drugs or anything like
23 that, and it certainly is in the nature of an admission.
24 And again, I think for that reason it's very probative and
25 very relevant and admissible for that reason.

1 THE COURT: Well, my concern obviously is that we do
2 not -- or that I do not allow testimony involving these
3 admissions to bleed so far into the character 403 that it
4 has, has the affect of undoing the 403 -- 404/403 analysis.
5 A lot of testimony has come in unobjected to that touches
6 upon the defendant's character, and that's why I want to be
7 clear on what the objection is.

8 MR. WATERS: And, Your Honor, just from the State's
9 perspective, we are trying to, you know, walk that line.
10 There's a lot of the financial stuff we're not even seeking
11 to admit. I think that, you know, we've limited it to
12 things that had that connection. We discussed it *in*
13 *camera*. So, you know, I'm not trying to gild the lily.
14 We --

15 THE COURT: I'm not sure what that means.

16 MR. WATERS: That's a phrase I learned from Chief
17 Justice Toal over the years. I guess that means, you know,
18 piling on, I guess, is a way to do that. And, again, I
19 don't have -- you know, we recognize the situation we're in
20 and trying, obviously, not to get out over our skis from
21 what -- the admissibility that the Court has already ruled
22 on.

23 THE COURT: All right. I'll ponder it while we take
24 our break, and we'll be in recess for 15 minutes.

25 Ma'am, you may step down. Do not discuss your

1 testimony.

2 (A break was taken.)

3 THE COURT: With regard to this Exhibit Number 441, I
4 find that it is admissible under Rule 801 by a party
5 opponent. However, the portion of it that says: When I get
6 out of here, is problematic. If the defense would like
7 that portion of it redacted, that was the gist, that he's
8 in rehab and when he gets out of here, he's going to do
9 this or that, we can redact that portion. If the defense
10 does not wish to have that portion redacted, the exhibit
11 will come in in its entirety.

12 MR. GRIFFIN: Your Honor, here is where we find
13 ourselves on the defense side. His drug addiction and drug
14 use, which is, frankly, *res gestae* to the alleged criminal
15 conduct on the financial fraud, and it's hard for us on the
16 defense side and, and there -- and it didn't really get
17 fleshed out in our *in-camera* hearing because they didn't
18 put up evidence of this. But it's something that we all
19 knew, but it is part and parcel of the financial crimes,
20 and it explains why he did what he did, and it does, in a
21 way, pile on and make it even more prejudicial.

22 And so when considering that, Your Honor, what we
23 would ask is we want to renew or motion, object to all
24 financial crimes now that we know drug use is coming in in
25 the midst of it because it is *res gestae*. It does tell the

1 entire story, and we would ask the Court to strike all the
2 financial testimony that the Court has heard thus far, and
3 let's proceed with a murder trial.

4 THE COURT: All right. Well, that motion is denied.

5 MR. GRIFFIN: Thank you.

6 THE COURT: But the portion -- the Court admits this
7 document and will redact that portion if requested by the
8 defense. Do you want to just redact the portion that
9 suggests that he was in rehab, or you said it was part of
10 *res gestae* and may be part of your defense? I don't know.

11 MR. GRIFFIN: Yes, sir.

12 THE COURT: The State is offering evidence and --

13 MR. GRIFFIN: Your Honor, we're not asking it to be
14 redacted. We would request that whenever we get to this
15 404B witness testimony, that the Court provide a limiting
16 instruction. Thank you.

17 THE COURT: Well, you know, I'm not going to give a
18 limiting instruction prior to every witness's testimony, or
19 in the middle of every witness with testimony. The Court
20 has given the limiting instruction twice and will do so at
21 the end of the case as well, and there may be other
22 instances, but not at every juncture where evidence is
23 being offered.

24 MR. GRIFFIN: Yes, sir.

25 THE COURT: All right. So, this exhibit is admitted.

1 You may bring the jury.

2 (The jury returned to the courtroom.)

3 THE BAILIFF: The jury is present, sir.

4 THE COURT: Thank you. The objection is overruled,
5 the exhibit is admitted.

6 (TEXT MESSAGE MARKED AS STATE'S EXHIBIT NUMBER 441 WAS
7 RECEIVED INTO EVIDENCE.)

8 MR. WATERS: May it please the Court, Your Honor?

9 THE COURT: Yes.

10 CONTINUED DIRECT EXAMINATION

11 BY MR. WATERS:

12 Q Just very quickly. When we last left off -- State's
13 441 now admitted into evidence -- this was a text you
14 received from the defendant. Is that right?

15 A That's correct.

16 Q And the date on that is September 26th?

17 A September the 26th, yes.

18 Q Is that 2021?

19 A It is.

20 Q Is this the text of -- that text that the defendant
21 sent to you?

22 A It is.

23 Q I only have a couple more questions for you. Before I
24 get to the end, one question I wanted to ask you was what
25 was the defendant's cell phone usage like?

1 A He was always on his phone, always on his cell phone,
2 always on his office phone. He would quit one conversation
3 and grab another. Sometimes he would have both phones to
4 his ear.

5 Q Would it be unusual for the defendant to go anywhere
6 without his cell phone with him?

7 A Absolutely.

8 Q I want to play for you what's been admitted into
9 evidence as State's 297.

10 (Break in proceedings.)

11 (The video was played. Audio not transcribed.)

12 Q Do you recognize any voices in that video?

13 A I do. I hear three voices.

14 Q Tell me who you hear.

15 A I hear Paul Murdaugh, Maggie Murdaugh, and Alex
16 Murdaugh.

17 Q And how sure are you?

18 A I'm 100 percent sure.

19 MR. WATERS: Can I have the ELMO one more time,
20 please?

21 A I'm sorry.

22 (Break in proceedings.)

23 Q Going back to State's 441, can you read just that one
24 sentence starting where my finger is pointing that the
25 defendant sent to you?

1 A The worst part is knowing I did the most damage
2 to those I loved the most.

3 MR. WATERS: Thank you. Nothing further.

4 THE COURT: Cross-examination.

5 CROSS-EXAMINATION

6 BY MR. GRIFFIN:

7 Q Good morning.

8 A Good morning.

9 Q Ms. Griswold, do you -- were you hired by Alex to work
10 at the law firm?

11 A I was hired by the firm, but he was in one of the
12 meetings that -- and it was my understanding that I was
13 going to be working for him.

14 Q Right, and so you interviewed with him.

15 A I did.

16 Q And you've been working -- or you worked with him
17 for --

18 A About nine years.

19 Q -- nine years.

20 A Yes, sir.

21 Q And one second, please. I apologize.

22 (Break in proceedings.)

23 Q My understanding is that you moved back to Hampton
24 because your -- you had -- your father was ill?

25 A My father was ill, yes, sir.

1 Q And then -- so you moved your family back, you and
2 your husband, and --

3 A Right. My husband and my daughter and I moved to be
4 closer to my dad and help my mom with him.

5 Q And you got a job working for the law firm. And did
6 you work exclusively for Mr. Alex Murdaugh?

7 A Mostly, yes. I mean, there was other attorneys that I
8 might do some work for here and there, but primarily Alex
9 was who I -- who my attorney was.

10 Q And if you needed to take time off to -- for personal
11 matters, would you just have to run it by Alex?

12 A That's correct, yes, sir.

13 Q And he put family first at work, did he not?

14 A Most of the time, yes.

15 Q And he encouraged you to put your family first.

16 A Absolutely.

17 Q And I think your father -- excuse me, your husband had
18 a heart attack and he was in the hospital for quite some
19 time.

20 A Yes. For five weeks before he ultimately passed away.

21 Q And I'm sorry to hear that.

22 A Thank you.

23 Q But Alex encouraged you to do all you needed to do to
24 care for him and don't worry about work. Isn't that right?

25 A Yes, he did.

1 Q And you didn't miss a paycheck.

2 A I sure didn't.

3 Q Was he a good person to work for?

4 A It was hit or miss. I cared about him. I respected
5 him. I loved him. You know, you can't be that close and
6 work with somebody without having, you know, feeling --
7 developing feelings for them and their family members, but
8 it was hard to work for him sometimes. He was a bit
9 erratic and -- yeah, for, you know, for all the respect and
10 love I had for him, it was still very difficult to work for
11 him.

12 Q I think your description was he was like a Tasmanian
13 Devil that would come through at the end of the day?

14 A He would.

15 Q And he was frenetic?

16 A Yes.

17 Q And -- but people came to him if they needed
18 something.

19 A Absolutely, yes, sir.

20 Q And so he had a lot of people coming, and did he ever
21 say no to anybody's request?

22 A He didn't know the word no.

23 Q And -- well, he would want to schedule his
24 appointments around his family's commitments, wouldn't he?

25 A Yeah, absolutely.

1 Q So, like if the Buster and Paul were -- had baseball
2 season, he would be sure to block all of that out off his
3 calender, wouldn't he?

4 A Most of the time. Sometimes he didn't tell us about
5 personal matters or things where they were going until the
6 day of or whatever, but -- and we would have to reschedule
7 stuff. But if it was on the calendar, yes, he was going to
8 be there for anything that the boys had going on.

9 Q He put in his work life family first. Is that right?

10 A Yes, that's correct.

11 Q You would agree with that?

12 A I would definitely agree with that.

13 Q And you got to know Maggie, did you not?

14 A I did, yes, sir.

15 Q And she was thoughtful for you on your birthday and
16 anything you had going on?

17 A Absolutely, yeah.

18 Q And I think you mentioned the *Faris* trial in Columbia.
19 That was in Columbia, wasn't it?

20 A That was, yes, sir.

21 Q And you went to the trial, didn't you?

22 A I did.

23 Q And do you remember Alex going up on a Sunday and he
24 spent the night in the hospital because his dad was going
25 to have surgery the next day?

1 A Yeah, I do, yeah. Seems like that's -- it's been a
2 long time, but yeah.

3 Q Is that right?

4 A Yes.

5 Q And then Maggie came up on Monday and stayed with him
6 during the trial, right?

7 A I never did see her. We -- our paths never crossed
8 because I was kind of in work mode, but I know she was
9 there.

10 Q Right, and he traveled frequently with Maggie on work
11 trips, didn't he?

12 A Yes, sir.

13 Q And he would take his family to conventions when they
14 would have work, right?

15 A As far as I know, yes, sir.

16 Q And Alex wasn't the type of guy that would go off on a
17 guy's trip. His trips were family trips, weren't they?

18 A I mean, I don't know that without a shadow of a doubt.
19 But, you know, I know a lot of his trips were family
20 related, something with him and Maggie, or him and Maggie
21 and the boys and their significant others.

22 Q Right, and he was real close with Maggie's family,
23 too, wasn't he?

24 A Yes. It appeared that they were very close.

25 Q And if Mr. Branstetter's -- Maggie's dad couldn't get

1 in touch with Alex on his cell phone, he would call you and
2 ask where is Alex?

3 A Yeah. He would call myself or Kristi and say hey, can
4 you get Alex to give me a call? Yeah.

5 Q And they communicated quite frequently, didn't they?

6 A They did.

7 Q And did you meet Mr. and Ms. Branstetter?

8 A I didn't meet them until we had a -- Mr. Randolph
9 was -- he got the -- oh, what was it?

10 Q The Award of the Palmettos?

11 A Yeah, and that's when I met them. That was the first
12 time I had ever met Maggie's parents.

13 Q The -- and if Alex was in -- even in a deposition and
14 if Maggie or Paul or Buster would call, I mean, he would
15 walk out and take a call, wouldn't he?

16 A I never was present with him. I've heard rumors of
17 such, but I was never was present with him in depositions
18 and mediations.

19 Q Well, in the office if he was in a meeting, he would
20 always take their calls, wouldn't he?

21 A Oh, yeah, absolutely.

22 Q He never would say, oh, gosh, you know, tell her I'll
23 call her back.

24 A No. He never put off calls with his family. He
25 always called them.

1 Q Now, you were talking about the night that you learned
2 that Maggie and Paul were murdered, that you thought when
3 you first got the call that it was about Mr. Randolph.

4 A Correct.

5 Q And we're talking about Mr. Randolph Murdaugh.

6 A That's correct.

7 Q Alex and Randy's dad.

8 A Yes, sir.

9 Q Because it was well known that he had just been put
10 back in the hospital and his condition was not well.

11 A Yeah. It was my understanding that at that point, the
12 family was making arrangements to bring him home and
13 hospice may be involved, and so obviously we were all
14 expecting awful news.

15 Q And he, in fact, did die on Thursday, June 10th, I
16 believe.

17 A I believe so, too, yes, sir.

18 Q And after that you said that, you know, the whole law
19 firm rallied lead around not just Alex, but Alex and Randy
20 and their families.

21 A Absolutely.

22 Q And that's --

23 A And we rallied around each other because we were
24 scared. We were worried.

25 Q And then after -- well, I mean, I guess it was like a

1 tidal wave of media surrounding the law firm at some point
2 in time, wasn't there?

3 A Yes, sir.

4 Q And so y'all had to be careful with the comings and
5 goings, and that was kind of scary.

6 A It was. We ended up having to lock our front door
7 because they would just walk in and just overwhelm the
8 receptionist, so it was -- became like a daily habit there
9 for a few weeks, so we had to end up locking the door.

10 Q And as a result of Maggie and Paul's tragic murder,
11 Alex Murdaugh became front and center of a media spotlight,
12 didn't he?

13 A He did, yes, sir.

14 Q And it wasn't -- and there were cameras outside of the
15 court -- outside of the office frequently, right?

16 A There were, yes, sir.

17 Q There were cameras out at Moselle?

18 A I think so. I didn't go out there, but I'm assuming
19 they probably were.

20 Q And all of the buzz was about Alex Murdaugh and what
21 happened to Maggie and Paul, right?

22 A Yes, sir.

23 Q And all the while you were around Alex on occasion and
24 you noticed his demeanor, and he was grieving greatly, was
25 he not?

1 A He was grieving, and he was also very humble. He had
2 changed dramatically, you know, afterwards. He was more
3 mellow, and he would come in in the mornings and instead of
4 yelling Kristi, Annette and telling us what to do, he would
5 actually come to our desk and say hello and check on us,
6 and we would, in turn, check on him. So, he was very
7 different after the murders.

8 Q And he had a hard time working after the murders?

9 A Absolutely, yeah, as you can imagine.

10 Q Sure, and you're aware, and you had to keep up with
11 his whereabouts, but he spent a lot of time with Maggie and
12 -- Maggie's parents?

13 A Yeah. He would tell me that he would have weekend
14 plans, and I would hear him on the phone with his inlaws
15 and making plans to meet up for the weekend.

16 Q And he stayed in Summerville a good bit with Buster
17 and with Maggie's parents?

18 A As far as I know, yes, sir.

19 Q And he and Buster traveled up to the Upstate to Lake
20 Keowee or something. Are you aware of that?

21 A I remember him saying, you know, the family had
22 property or something up there, his inlaws, and they were
23 all getting together.

24 Q And are you aware that Alex would not spend a single
25 night after Maggie and Paul were murdered at Moselle?

1 A Yes, sir, I knew that.

2 Q And when he was working in Hampton, he was either
3 commuting from Summerville, Edisto, or staying with his
4 brother Randy, or something like that.

5 A I knew he was either staying with family or, you know,
6 he was coming back from Summerville from -- or Greenville
7 from being with the inlaws, but that's all I knew.

8 Q But he never spent one night more at Moselle.

9 A Not as far as I know, no, sir.

10 Q Now, you were asked questions by Mr. Waters about the
11 *Faris* matter was the furthest thing from your mind after
12 the murder of Maggie and Paul.

13 A Yes, sir.

14 Q And you didn't do any more about that after Maggie and
15 Paul's murder, correct?

16 A That's correct.

17 Q But I think you also said that you had -- that you
18 conveyed your concerns to Jeannie Seckinger and that she
19 essentially took over.

20 A That -- yes. When I gave it to her, I knew she
21 would -- she told me she would take it from there, and so I
22 know she was -- I gave it to her and that was that.

23 Q So, there's really nothing more for you to do on the
24 *Faris* matter after you turned it over to Jeannie, right?

25 A Correct.

1 Q And then you were in this -- Alex's office one day
2 looking for a file, and you stumbled across this canceled
3 check.

4 A Yes, sir. It must have been underneath the file I
5 wanted, in between that and something else so when I lifted
6 my file, it fluttered to the floor.

7 Q And the -- and you felt -- I think you talked to this
8 jury about how this whole thing put you in a bad spot, and
9 your daughter said you need to dust your resume off or
10 something like that.

11 A That's correct, yes, sir. I was worried. I was
12 hoping I was wrong. I was hoping that my gut feeling was
13 wrong, and that what I was looking at was not money being
14 stolen and that he was not doing that. I was hoping I was
15 wrong, but at the same time I was scared to turn it in
16 because what if they, you know, look into it and it's
17 nothing -- there's nothing going on, and then, you know, it
18 disturbs the relationship we had working together and, you
19 know, what would I do? Would I be able to stay at the firm
20 after turning him in on something so bad that he could lose
21 his job over it? So, I was concerned; I was concerned for
22 my livelihood. I'm a single mom with a teenage daughter.

23 Q And nothing happened to your job, correct?

24 A No, sir. Nothing happened to my job.

25 Q And it was Alex who lost his job.

1 A Yes, sir, that's correct.

2 Q And you mentioned -- and what's in evidence is
3 Defendant's Exhibit (sic) Number 441 is a text that you
4 received from Alex, correct?

5 A That's correct.

6 Q And it's -- was it just to you or was it you and --

7 A Me and Kristi, his other secretary.

8 Q The other secretary. And the day, this Sunday,
9 September 26th, at 4:30 p.m. in the afternoon?

10 A Yes, sir.

11 Q And you mentioned it was from rehab?

12 A Yes. As far as I knew, it was rehab. I assumed it
13 was probably one of the steps of reaching out to those that
14 you hurt and telling them you're sorry.

15 Q And Alex was in rehab?

16 A Yes, sir. As far as I know, he was.

17 Q Okay. I want you to read this for the jury, the whole
18 email, if you don't mind, please.

19 A Okay. Sure:

20 Hey, it's Alex. I'm finally feeling a little
21 better each day. I'm over the worst but still
22 feel like I have the flu, real weak. I have been
23 worried about y'all and I'm sorry I didn't get to
24 tell y'all myself. I know both of you have been
25 hurt badly by me. I know it sounds hollow but I

1 am truly sorry. The better I get, the more guilt
2 I have. I have an awful lot to try to make right
3 when I get out of here. The worst part is
4 knowing I did the most damage to those I loved
5 the most. I'm not real sure how I let myself get
6 where I did. I'm committed to getting better and
7 hope to mend as many relationships as I can. You
8 both are special people and important to me.
9 Please know how sorry I am to have made you part
10 of my misdeeds. I hope you're doing as well as
11 possible. I love you very much. Please tell
12 Cheryl and Haley hello and I'm sorry. All my
13 love.

14 MR. GRIFFIN: Thank you. That's all the questions I
15 have, Your Honor.

16 THE COURT: Anything further?

17 MR. WATERS: Very quickly, Your Honor.

18 REDIRECT EXAMINATION

19 BY MR. WATERS:

20 Q Mr. Griffin asked you about whether or not you were
21 worried about losing your job over these *Faris* fees. Is
22 that right?

23 A Yes, sir.

24 Q And then he asked you the defendant lost his job,
25 right?

1 A That's correct.

2 Q After the murders but before September, the defendant
3 still had his job, didn't he?

4 A Yes, he did.

5 Q He still had his law license, didn't he?

6 A Yes, sir.

7 Q You said in response to the defense counsel's question
8 that people came to him if they needed something, correct?

9 A Absolutely, yes, sir. He was trusted by everybody,
10 and they knew that if they needed something, all they had
11 to do was reach out and he was going to help them.

12 Q He was trusted by everybody. Did you trust him?

13 A I trusted him, yes, sir.

14 Q People came to him for anything like all of these
15 clients right here?

16 A Yes, sir.

17 Q He was a prominent lawyer?

18 A Yes, he was.

19 Q One of the most prominent in the region?

20 A Yes.

21 Q And all of that came to an end September of 2021 when
22 all of that came out, did it not?

23 A Right. When I found the check, I knew that he had
24 lied to me and that he had stolen that money.

25 MR. WATERS: Thank you. Nothing further.

1 MR. GRIFFIN: Nothing further, Your Honor.

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

3 (The witness exited the stand.)

4 THE COURT: You may call your next witness.

5 MR. JAMES: Johnny James for the State. The State
6 calls Michael Gunn.

7 The witness, MICHAEL GUNN, was first duly sworn and
8 testified as follows:

9 THE CLERK: Adjust that microphone; adjust your seat.
10 I need you to state your name again and spell your last
11 name, please.

12 THE WITNESS: Sure. It's Michael Gunn, last name is
13 spelled G-u-n-n.

14 DIRECT EXAMINATION

15 BY MR. JAMES:

16 Q Good morning, Mr. Gunn.

17 A Good morning.

18 Q Just barely morning. Where are you from, Mr. Gunn?

19 A From Columbia.

20 Q Born and raised?

21 A Nope, grew up in Conway, South Carolina.

22 Q You grew up in Conway, South Carolina?

23 A Yes, sir.

24 Q Where do you work?

25 A I work for Forge Consulting.

1 Q And what is Forge Consulting?

2 A Forge Consulting, we are a settlement planning firm
3 based primarily in Atlanta. I run the Columbia or South
4 Carolina office. And we work with people, plaintiffs and
5 plaintiffs' attorneys, to help them really try to take the
6 settlements that have been recovered for them and tried to
7 make them -- make these settlement last a long time. These
8 people normally have been in -- catastrophic injuries or a
9 wrongful death of a loved one.

10 Q So, your company works with law firms who represent
11 people who've been hurt, and if they get a little bit of
12 money to make them whole, you can help make that money last
13 a longer time. Is that an accurate summary of what you
14 just described?

15 A Yes, sir, and that's the goal.

16 Q When did you first start working for Forge Consulting?
17 Or do you work for Forge Consulting or did you found it?

18 A I'm one of principals of Forge Consulting. We started
19 in 2003. I've been there since 2005.

20 Q And what is your actual -- you said you're principal.
21 What is your actual title at Forge Consulting?

22 A I would be a principal and settlement consultant.

23 Q All right, and so do you work directly with the
24 attorneys yourself in arranging some of these settlements
25 and structures and things of that nature?

1 A Yes, sir, I do.

2 Q So if you could, what exactly is a structured
3 settlement in a summary form?

4 A Sure, kind of a primer on it. Essentially a
5 structured settlement is when -- it's only available to
6 those who have been -- first of all to those who have been
7 injured or involved in a wrongful death or a workers'
8 compensation. It's really a method for them to try and
9 save money, and what I mean by that is, is when they get
10 the settlement, they have an opportunity to put some of
11 that money into almost like an annuity, and that annuity
12 would pay them over time much like a paycheck because a lot
13 of these folks are -- lost their jobs, they've lost a loved
14 one, or they have bills to pay. And so by doing that, it
15 allows them to receive that money, but not only do they
16 receive the funds, they do receive them tax free from the
17 federal government.

18 Q Totally tax free?

19 A Totally tax free with interest.

20 Q Now, who actually funds these annuities that
21 ultimately get paid out to maybe those who've been hurt?

22 A Sure. Well, generally speaking the annuities are
23 funded by the insurance company that's paying the claim or
24 the defendant themselves. That's generally speaking.

25 Q And when they pay that claim, where does that money go

1 in order to fund the annuity? Does it go to Forge
2 Consulting?

3 A The only way it would go to Forge Consulting is if the
4 check was made payable to that insurance company, and then
5 we would forward the check on to that insurance company.

6 Q So in that instance, you wouldn't actually be really
7 taking the money. You would just be stuffing it in an
8 envelope --

9 A We would be a mail carrier. We would just be a mail
10 carrier, correct.

11 Q And I apologize. We're both speaking pretty quickly
12 here. Madame Court Reporter can only record one of us at a
13 time, so if I'm asking a question, try and let me complete
14 it and then answer it.

15 A No problem, yeah.

16 Q So to clarify, the only instance where you would get
17 any money is if the check is made out to an insurance
18 company, you stuff it in another envelope, and send it on
19 its way.

20 A That's correct.

21 Q But ultimately the money comes from the insurance
22 company to whoever is funding this annuity. Is that
23 correct?

24 A Generally speaking, yes.

25 Q And the people funding this annuity would be another

1 insurance company or some other firm of that nature. Is
2 that correct?

3 A That is correct.

4 Q So, that would be the structuring of monies awarded in
5 a lawsuit to a person hurt. What about monies awarded to
6 the lawyer in a lawsuit? What about an attorney's fees?
7 Can those be structured?

8 A They can be.

9 Q And how does that process work?

10 A It's a very similar process. It's -- and a similar
11 outcome. The difference is the attorneys would be
12 deferring it, but when they receive the funds they would
13 have to pay the tax at that time, but it is a way to defer
14 the taxes like that, but it's the same scenario. The money
15 would have to come from the defendant and/or its insurance
16 carrier, and there would also have to be language included
17 in the settlement documents, et cetera.

18 Q But it couldn't come directly to the attorney, could
19 it?

20 A No, sir. That would be constructive receipt and the
21 IRS would consider that taxable income.

22 Q Constructive receipt and they would consider it
23 taxable income. So, can you explain that just a little bit
24 more for me?

25 A Well, if they received the money, then the IRS is

1 going to consider that taxable at the time it hits their
2 account and, therefore, undoing that is going to be quite a
3 bit of a problem.

4 Q So then they would be taxed on all of that money,
5 correct?

6 A That is correct.

7 Q As opposed to just the amount of money that they
8 wanted to get that year.

9 A That is correct.

10 Q And you indicated that it would be deferred taxation.
11 So to use an example, let's say I represent somebody on a
12 big suit and get a million dollars in attorney's fees. If
13 I were to structure it, I could have that stretched out
14 over ten years, \$100,000 a year. And then am I hearing it
15 correctly? I wouldn't get taxed on the million all at
16 once. I would get taxed on that \$100,000 a year each for
17 those next ten years. Is that a good way of describing it?

18 A That is correct, yes, sir.

19 Q Okay, and as a result, you would pay less in taxes.

20 A That's the goal.

21 Q Are you familiar with an individual by the name of
22 Richard Alexander Murdaugh?

23 A I am.

24 Q Do you see him in the courtroom here today?

25 A I do.

1 Q Can you point him out for me?

2 A Wearing a checked shirt and a blue jacket it appears.

3 MR. JAMES: Let the record show that he identified
4 Mr. Murdaugh.

5 THE COURT: It does.

6 Q When did you first meet Mr. Murdaugh?

7 A Probably twenty years ago, twenty, give or take a few
8 years ago, twenty years ago, probably at a convention or a
9 continuing education seminar since our primary market are
10 plaintiffs' attorneys.

11 Q And what was your first impression of Mr. Murdaugh?

12 A Very jovial, friendly, never met a stranger, just a,
13 you know, generally nice guy.

14 Q Did you have occasion to work with Mr. Murdaugh more
15 going forward from that point in time?

16 A I did. As -- generally speaking as we get to know our
17 clients, you know, a lot of times friendships can get born
18 out of that and you get more comfortable dealing with them,
19 and so, yes, I worked with his firm a great deal. I did a
20 lot of work with his firm. I probably -- actively probably
21 would work -- worked probably five cases with Mr. Murdaugh.

22 Q Now, in terms of those at his firm, did you work with
23 Alex on a lot of cases or a relatively few cases compared
24 to his partners?

25 A If you compare it to his partners, relatively few.

1 Q So, most of the time you were working with the other
2 folks at PMPED, but with Alex maybe just a handful of
3 times. Is that correct?

4 A That's correct.

5 Q Did Alex hold any other positions other than his role
6 at the law firm that would cause you two to have worked
7 with one another --

8 A Sure. At one time he was the president of the
9 Associations for Justice, which is a voluntary organization
10 of plaintiffs' attorneys. And so I would -- we would be
11 very closely together at trial lawyer events and things of
12 that nature, CLEs.

13 Q And is there a shorthand for that organization that
14 used to be applied to it?

15 A SCAJ.

16 Q SCAJA. As part of your professional relationship with
17 Alex, you know, what sorts of things would y'all do
18 together?

19 A Again, usually these would be at events. It was never
20 really a one-off; it was usually events. Golf, dinner,
21 lunch, things like that. Just, you know, things that you
22 would do -- things that you would do when you're at a --
23 Hilton Head.

24 Q About how many times would you say you golfed
25 together?

1 A I would probably say -- I would put the over/under
2 around fifteen.

3 Q Fifteen?

4 A Yeah.

5 Q You would go have dinner and maybe some drinks
6 together at a conference, correct?

7 A Not every year. We would see each other, but dinner
8 was probably few and far between.

9 Q Did you ever go hang out with Mr. Murdaugh at Moselle
10 or any of his other properties?

11 A No, sir.

12 Q Did he ever come and hang out with you in Columbia for
13 dinner or drinks or anything like that?

14 A It would be business related.

15 Q Did you ever go to any sporting events with him like a
16 Gamecocks football game or anything like that?

17 A I never went with him. I may have seen him there but
18 never went with him, no.

19 Q There was a lot of folks in the stadium at William
20 Bryce.

21 A Quite a few depending on the season.

22 Q And did Mr. Murdaugh ever meet you in Columbia and
23 deliver some checks to you and tell you hey, these are for
24 the clients for structures, or anything like that?

25 A Absolutely not.

1 Q Did you ever meet with him halfway between Columbia
2 and Hampton and get checks from him?

3 A Absolutely not.

4 Q Did you ever call him and say hey, can you bring those
5 checks to me so we can finance this?

6 A Absolutely not.

7 Q And would Forge under any circumstances accept client
8 money, checks, personally in order to fund an annuity for
9 them?

10 A No, sir.

11 Q So, if you received or saw or viewed an instrument
12 made out to Forge and it said in the memo, like, money for
13 client or something to that effect, would that instrument
14 be legit?

15 A Well, it would be returned to the person that sent it
16 to us with an explanation as to why we could not take it.

17 Q You would not take it.

18 A No, we would not take it.

19 Q In working with Mr. Murdaugh, did you ever discuss
20 options with him about how to structure fees for his
21 clients?

22 A Generally speaking we had those conversations with
23 attorneys. And I do remember he inquired about it, kind of
24 went through what you would need to do, how you would need
25 to do it, kind of the process in which it was done, so yes.

1 Q Did you explain to him some of the things that you've
2 explained to these folks from around the county here today?

3 A It's the same canned elevator speech I give to
4 everyone. That's how -- just the mechanics of how it
5 works.

6 Q Were there any specific cases that he came to you and
7 asked about whether to set up a structure?

8 A I don't recall if there was a specific case. I do
9 remember there was -- there was a case where we sent some
10 options over one time and nothing ever came to fruition.
11 It was just here is what you can do.

12 Q Do you recall the name Deon Martin?

13 A I do recall the name Deon Martin.

14 Q What, if anything, do you recall about Deon Martin?
15 Was that one of Alex's cases?

16 A It was. What I recall about that case is, is that I
17 got a signed option from plaintiff's counsel signed by
18 Mr. Deon Martin, or I'm assuming Mr. Martin, saying he
19 wanted to set aside X amount of dollars -- I'm not really
20 sure exactly what that amount was -- and he wanted to do it
21 -- do -- to an annuity. And so annuities, like anything,
22 it kind of -- it's kind based off of the stock market and
23 whatnot, so they can kind of go up and down, so there's a
24 time window in which you are able to purchase that. If
25 not, the rate may go up, the rate may go down.

1 And so I consistently sent emails to Mr. Murdaugh, as
2 well as his paralegal, Annette Griswold. I would say at
3 least four, maybe five emails saying hey, this is going to
4 expire. This is going to expire if you don't fund this
5 now. And after getting no response after multiple weeks,
6 we just closed our file.

7 Q So, you did open a file for Mr. Martin, correct?

8 A We opened a file for every case, yes.

9 Q For every case. And I want to drill onto that a
10 little bit. What prompts you to open a file?

11 A Well, part it is, is so that we can remember if the
12 attorney calls us and says hey, I've a case I'm about to
13 start working on, or we've got it -- and they don't give us
14 any information because they might be in the car, we can
15 say okay, this is the John Smith case, and I've got that
16 tied to an attorney, and so that's how we do that.

17 Q So, if you get so much as a phone call saying I want
18 to talk to you about so and so, you make a file?

19 A That is correct.

20 Q Even if it's just one conversation.

21 A I always asking for a -- I always ask for a name.

22 Q Do you ask for any other information?

23 A I ask for a great deal of information, but often times
24 that takes a little while to get, but the name is what I
25 need first.

1 Q Are you aware of a boat collision that occurred in
2 early 2019 in relation to Mr. Murdaugh or his family?

3 A I'm aware.

4 Q And are you aware of generally any litigation that
5 resulted from that case?

6 A I'm aware.

7 Q After that boat crash and that litigation began, did
8 you have any further conversation with Mr. Murdaugh about
9 structuring any fees that he might earn?

10 A We had general conversations, generic conversations,
11 but we never had any in-depth conversations.

12 Q He never asked any specifics beyond the general canned
13 speech?

14 A It was this is what you can do and this is what you
15 can't do.

16 Q Did he ever bring you any fees and say hey, I would
17 like to structure these or anything to that effect?

18 A No, sir.

19 Q Do you recall maybe around September of '21, 2021,
20 receiving a phone call from Lee Cope?

21 A I do.

22 Q What generally -- well, tell us a little bit about
23 that.

24 A Sure. Mr. Cope called me, asked me if he could trust
25 me -- well, asked if he could trust my office as much as he

1 trusted me, let me rephrase that, and said I would like to
2 give you a name of some cases, and could you tell me what
3 y'all have done for those clients. He gave me probably ten
4 to twelve names. I remember I was standing in my driveway,
5 so I'm furiously writing down these names, hoping I could
6 read my own handwriting. And I got back with Mr. Cope and
7 told him I didn't have a file open on any of these people.

8 Q None?

9 A Not a one.

10 Q Not a single name that he provided to you?

11 A No, sir.

12 Q Did they follow up with you and provide you any
13 additional names?

14 A They did. The next day he called me again, gave me
15 another list of names. Went through that list. The only
16 name that stood out was the Deon Martin that I referenced
17 earlier.

18 Q Did they ask you about where Forge Consulting did its
19 banking?

20 A They asked me if we banked at Bank of America, and I
21 told them we had not for the last four years.

22 Q The last four years or was it a little bit longer than
23 that?

24 A It was four to five years, somewhere in that range.

25 Q I jumped ahead a little bit. You're generally aware

1 of the events of June 7, 2021. Is that correct?

2 A Yes, sir, I am.

3 Q When did you first become aware of the murders of
4 Maggie and Paul Murdaugh?

5 A Probably early morning on June 8th, probably 5:30 or
6 6:00 in the morning, I got a couple of phone calls --
7 coupled of missed phone calls.

8 Q What did you do after learning of the murders?

9 A Other than being stunned about it all, I let my wife
10 know. Called a few other people. I let my business
11 partners know.

12 Q Did you reach out to anybody in relation to Mr.
13 Murdaugh or Mr. Murdaugh himself?

14 A I did reach out to one or two of his law partners.
15 Just expressed my condolences and, you know, obviously
16 asked. I hoped it wasn't true, but that was confirmed.
17 And then I waited a day and reached out to Mr. Murdaugh and
18 just let him know we were thinking of him. Didn't have the
19 words for what to say.

20 Q Had you ever met Paul or Maggie?

21 A I had.

22 Q Did you know Paul very well?

23 A I didn't know Paul very well; I knew of him but I
24 didn't know him very well.

25 Q How well did you know Maggie?

1 A I knew Maggie, you know, pretty well. She would often
2 times -- I believe when Buster was in school in Columbia,
3 she would text me and ask me where he could get his hair
4 cut and where he could get his pants hemmed and things like
5 that. I was kind of like her local Google. So, you
6 know -- but it was funny because I would always respond to
7 her.

8 Q You're in Columbia, Buster is in Columbia, she's in
9 Hampton, so she's texting you with questions.

10 A Absolutely.

11 Q Did you attend the funeral for Paul and Maggie?

12 A I did.

13 Q Did you see Alex there?

14 A I did.

15 Q Did he say anything to you?

16 A Not at the funeral, but after.

17 Q Did you go to a wake afterwards?

18 A I did.

19 Q Did he say anything to you at the wake?

20 A He told me how much Maggie had loved me and my wife
21 and our family.

22 Q Between that wake and September of 2021, did you see
23 the defendant, Mr. Murdaugh, on any other occasions?

24 A I saw him in Hilton Head in August. That was the only
25 -- when I saw him.

1 Q Where did you see him?

2 A At the SCAJ conference in Hilton Head Island, the
3 annual convention that all attorneys and vendors and
4 whatnot attend.

5 Q At the lawyers convention at Hilton Head?

6 A Yes, sir, that's correct.

7 Q Was anybody with him?

8 A His brother John Marvin, was with him primarily, but
9 others were around: his law firm, members of the firm.

10 Q What was the scope of your interactions with Mr.
11 Murdaugh at the convention?

12 A We hung out a little bit or said -- you know,
13 exchanged pleasantries, hugs, you know. Still, you know,
14 couldn't believe what had happened. And we did go to
15 dinner. I went to dinner with him, his brother, and the
16 majority -- I don't want to count him off of his law firm -
17 - on, I believe, it was Saturday evening.

18 Q And we've talked about Forge Consulting. Are there
19 any subsidiaries of Forge Consulting or alternative names
20 or other companies associated with Forge?

21 A We do have two other companies that are under the
22 Forge umbrella. One at is Advocacy Trust, which is a trust
23 company, and the other one is Advocacy Wealth Management,
24 which manages just, you know -- it's a federal and SEC
25 related wealth management firm.

1 Q Do you have any subsidiary -- excuse me. I'm
2 stumbling over my own tongue. Do you have any subsidiaries
3 that are just named Forge?

4 A No, sir, we do not.

5 Q Did you ever tell Mr. Murdaugh that he could use the
6 name of Forge Consulting or Forge for his own purposes?

7 A Absolutely not.

8 Q Prior to September of 2021, did you have any knowledge
9 that Mr. Murdaugh was using the name of Forge for his own
10 purposes?

11 A No, sir.

12 MR. JAMES: Beg the Court's indulgence.

13 THE COURT: Let's all stand for a moment.

14 (Break in proceedings.)

15 THE COURT: All right. Come to order.

16 MR. JAMES: May it please the Court?

17 THE COURT: Yes, sir.

18 Q I'm showing you a document that's already in evidence
19 as State's Exhibit 335. This document says it's a Bank of
20 America statement. Is this an account statement from a
21 Forge Consulting account?

22 A No, sir, it is not.

23 MR. JAMES: If I may have the ELMO?

24 Q Exhibit 335 on the ELMO. It appears to be a Richard
25 A. Murdaugh, sole prop DBA Forge. That's not one of your

1 accounts?

2 A No, sir.

3 MR. JAMES: No further questions of this witness.

4 THE COURT: By the defense?

5 MR. GRIFFIN: Yes, Your Honor, briefly.

6 CROSS-EXAMINATION

7 BY MR. GRIFFIN:

8 Q Good afternoon, Mr. Gunn.

9 A Good afternoon.

10 Q You had some formal positions with the South Carolina
11 Association of Justice?

12 A Yes, sir.

13 Q And what were those?

14 A Did some governmental affairs lobbying work for them,
15 yes, sir.

16 Q On a contract basis?

17 A As an employee and as a contract.

18 Q At one point in time, Alex Murdaugh was the president
19 of the South Carolina SCAJ?

20 A Yes, sir, he was.

21 Q And were you employed at the time or contract
22 lobbyist?

23 A Yes, sir. I was employed at the time, yes, sir.

24 Q And part of his duties -- well, I guess he was on the
25 board for a period of time as well, right?

1 A That's correct, yes, sir.

2 Q And the SCAJ board and the president would meet in
3 Columbia quarterly, monthly? How often?

4 A They would meet in Columbia probably twice a year.
5 They normally met at the convention spots or the CLE spots,
6 and then one was always by telephone, but usually the
7 president was -- even the telephone call, the president
8 would come to Columbia.

9 Q And when he would come to Columbia, do you remember
10 Maggie would come with him and spend the night on those
11 business trips?

12 A Sometimes, yes. I don't know if it was specifically
13 for that reason -- for the SCAJ, but I do remember Maggie
14 spending the night in Columbia, yes.

15 Q But you saw them traveling together in Columbia. I
16 mean, you said you would see him in Columbia on business
17 reasons. Was the business reasons his membership on the
18 board and then the --

19 A Generally speaking, most of the time when I would see
20 him it would be because of that, yes, sir.

21 Q And then he and Maggie came to you and your wife's
22 wedding in New York, right?

23 A They did.

24 Q And my understanding is the big day came on the day of
25 a big blizzard.

1 A Three feet of snow, yes, sir.

2 Q So, you had to delay the wedding a day, right?

3 A We did.

4 Q And you got to spend a lot more time with Maggie and
5 Alex?

6 A Yeah, and all of the other guests, yes, sir.

7 Q All right, and so -- and did -- at that point in time,
8 your wife became friends with Maggie and y'all became
9 pretty good social friends?

10 A I think so. I mean, we still didn't really hang out
11 much after the wedding other than professional settings,
12 and that could have been just because of the distance
13 between the towns, but yeah, we would keep in touch, no
14 doubt.

15 Q And then every year, I think you mentioned, there's an
16 annual convention at Hilton Head of the -- we used to call
17 it trial lawyers, but --

18 A I still do, too.

19 Q -- yeah, of the trial lawyers, right?

20 A Yes, sir.

21 Q And that's usually at a hotel. It used to be at the
22 Westin at Port Royal?

23 A Yes, sir, that's correct.

24 Q I think maybe they moved it. I don't know.

25 A Marriott now.

1 Q Yeah. So -- and there, there would be seminars during
2 the day, and then there would be socializing in the
3 evenings?

4 A Yes, sir.

5 Q And it was a family event.

6 A Very much.

7 Q And Alex would bring Maggie and Paul and Buster.

8 A Every time.

9 Q And you got to see him interact with his entire
10 family.

11 A I did.

12 Q And he was a family man, wasn't he?

13 A By all accounts, yes, sir.

14 Q And you went to Maggie and Paul's funeral?

15 A Yes, sir, I did.

16 Q And then after the funeral you went out to Moselle?

17 A Yes, sir.

18 Q And I'm sure -- what was Alex's demeanor?

19 A He was a broken man; you could tell he was very upset.
20 He was -- yeah, he was very upset.

21 Q And then you saw him a few months later at that
22 convention at Hilton Head?

23 A Yes, sir, I did.

24 Q And you said he was with his brother John Marvin?

25 A Yes, sir.

1 Q And his son, Buster, was there, too. Do you
2 remember --

3 A I believe that's correct, yes, sir.

4 Q Now, John Marvin is not a lawyer, right?

5 A He's not.

6 Q Was that unusual for John Marvin to come to the lawyer
7 convention?

8 A I had not seen him before, no, at the convention, no.

9 Q And he was there supporting his brother?

10 A I believe so, yes.

11 Q And people were trying to lift Alex's spirits up and
12 support him during that period of time.

13 A I think so, yes, sir.

14 Q All right.

15 MR. GRIFFIN: One second, Your Honor.

16 (Break in proceedings.)

17 MR. GRIFFIN: I don't have anything further.

18 MR. JAMES: Nothing further from the State, Your
19 Honor.

20 THE COURT: Thank you, sir.

21 (The witness exited the stand.)

22 THE COURT: You may call your next witness.

23 MR. CONRAD: State calls Brian Hudak.

24 The witness, BRIAN HUDAK, was first duly sworn and
25 testified as follows:

1 THE CLERK: If you will have a seat on the stand, and
2 if you will state your name, adjust that microphone there,
3 and spell your last name for the record.

4 THE WITNESS: Brian Hudak, H-u-d-a-k.

5 DIRECT EXAMINATION

6 BY MR. CONRAD:

7 Q All right, Agent Hudak, how are you doing today?

8 A Pretty good.

9 Q Where are you employed?

10 A South Carolina Law Enforcement Division, also known as
11 SLED.

12 Q All right, and what is your duties there?

13 A I'm a Special Agent in computer crimes.

14 Q All right, and just briefly, what do your duties
15 entail?

16 A I conduct forensic examinations: cell phones,
17 computers, vehicle infotainment modules, any sort of
18 electronic device that can hold evidence. Also I'm an
19 evidence custodian for the unit.

20 THE COURT: Just a moment, sir.

21 (Break in proceedings.)

22 THE COURT: All right. We're going to have the jury
23 go to the jury room for a recess.

24 (The jury left the courtroom.)

25 THE COURT: Ladies and gentlemen, we have to evacuate

1 the building at this time, so we'll be in recess until we
2 discover what's going on. We will -- we'll couple this
3 with a lunch break until 2:30.

4 (Court proceedings were interrupted at this time. A
5 lunch break was also taken.)

6 THE COURT: You may bring the jury.

7 (The jury returned to the courtroom.)

8 THE BAILIFF: The jury is present, sir.

9 THE COURT: Thank you, ladies and gentlemen. We are
10 now ready to proceed.

11 And counsel, you may proceed.

12 MR. CONRAD: Please the court?

13 CONTINUED DIRECT EXAMINATION

14 BY MR. CONRAD:

15 Q All right, Agent Hudak, before we got interrupted
16 there, I think you were explaining your duties. Let's just
17 start there again. What are your duties at SLED, sir?

18 A I'm in the Computer Crimes Lab. I'm responsible for
19 examining digital evidence, be it cell phones, computers,
20 vehicle infotainment systems. I also respond to network
21 intrusion incidents, and I'm the evidence custodian.

22 Q Okay, and in the course of your duties at SLED, did
23 you have occasion to come into contact with a 2021
24 Chevrolet Suburban that was driven by the defendant on the
25 night of the murders?

1 A Yes, I did.

2 Q Okay, and what was your role with that vehicle? What
3 did you do with that vehicle?

4 A I was contacted about potentially removing the
5 infotainment system for examination. However, it was
6 unsupported by the tool I use, so I was asked to still
7 remove said infotainment and OnStar Systems to be sent off
8 for further examination.

9 Q Okay. I'm going to show you what's been marked as
10 State's Exhibit 444. Do you recognize that document, sir?

11 A Yes. That's a SLED property receipt that I filled out
12 with information for the infotainment module and the OnStar
13 module.

14 Q And is that the document you filled out when you
15 removed that infotainment center?

16 A Yes, it is.

17 Q And what else did you remove?

18 A Infotainment module and an OnStar module.

19 Q Okay, and you just testified that SLED did not have
20 any tools that gave you the ability to actually analyze
21 those items. Is that correct?

22 A Correct. The software I have access to, which as far
23 as I know was basically the only software, it was
24 unsupported by that at the time.

25 Q And do you know if even today that software supports

1 this particular vehicle?

2 A I don't believe it is.

3 Q Okay. All right, and I'm going to show you what has
4 been marked for ID only at this point Items 447 and 448 and
5 see if you recognize those items, sir.

6 A Yes, I do. It's the -- that infotainment module and
7 the OnStar module.

8 Q Okay, and those -- are those the items that you
9 removed from that 2021 Suburban?

10 A Yes, they are.

11 Q Okay. I'm going to ask you is -- let's start with the
12 entertainment center. I believe there is a serial number
13 printed on that. Could you read that serial number on the
14 infotainment center into the record, please?

15 A 4320312170000296.

16 Q Okay, and your Exhibit 444, which is your paperwork
17 you filled out when you removed it, did you write that
18 serial number on that paperwork?

19 A Yes, I did.

20 Q All right, and you don't have to read it out loud
21 again, but can you compare the serial number for the
22 infotainment center on your property sheet with the serial
23 number on that box and tell me if they match?

24 A They do.

25 Q All right, and then what's the other item, 447? What

1 is that?

2 A The LG OnStar module.

3 Q Okay, and did that have a serial number somewhere on
4 it?

5 A It does, but I cannot read it in the bag.

6 Q All right. Would you be able to read -- anything to
7 help you read it? If we open it up, would it make it
8 easier?

9 A Yeah, if I could remove it.

10 Q All right. Can you -- do you have a night knife on
11 you that you could open that up?

12 A I do.

13 Q Okay.

14 (Break in proceedings.)

15 Q And it looks like you're doing something else there,
16 just for the record --

17 A It appears to be a Federal Bureau of Investigation
18 evidence tape that's actually right over the serial number,
19 and the letters in federal are preventing me from reading
20 it, so --

21 Q Is it able -- can you peel it up a little bit? If
22 it's not possible, it's not possible.

23 A It does not appear that's coming up.

24 Q Okay. All right, but could you read -- could you read
25 the -- excuse me, on the property receipt, could you read

1 the serial number on your property receipt for the OnStar?

2 A Yes. It is 009 Venter, India, Echo, Yankee, 519052.

3 Q And to the best of your knowledge, is the unit you're
4 holding that exact unit you took out of that vehicle?

5 A Yes, and for the letters and numbers of the serial
6 number I can see, what I can see, it does match up.

7 Q Okay. All right.

8 MR. CONRAD: At this time, the State would move to
9 introduce Exhibit, the property receipt, 444 into evidence.

10 MR. BARBER: No objection.

11 THE COURT: It's admitted.

12 MR. CONRAD: Thank you, Your Honor.

13 (PROPERTY RECEIPT MARKED AS STATE'S EXHIBIT NUMBER 444
14 WAS RECEIVED INTO EVIDENCE.)

15 Q All right, and I'm going to show you what's been
16 marked as Exhibit 445, 445, and let me see if you just
17 recognize that document.

18 A Yes, I do.

19 Q All right. Is that a document that you personally
20 prepared?

21 A No, it is not.

22 Q All right, but is that another property receipt?

23 A Yes, it is.

24 Q And are those records that SLED -- property receipts,
25 are those records SLED keeps in the normal course of

1 business?

2 A Yes.

3 Q Okay. All right, and do you recognize the name and
4 signature of who did prepare that receipt?

5 A Yes.

6 Q Who is that?

7 A Lieutenant Britt Dove.

8 Q Okay, and what does that property receipt represent?

9 A It appears to be representing the GM infotainment
10 module and the LG OnStar mode change of custody for the
11 purpose of providing to the FBI for examination.

12 Q Do you know how that those two things were sent to the
13 FBI?

14 A I do not.

15 Q All right, and the serial number, the GM infotainment
16 serial number, you don't have to read it again, but could
17 you compare that to the serial number on the infotainment
18 center?

19 A They match.

20 Q Okay, and then -- I know you couldn't read the full
21 serial number on the OnStar, but the letters that you can
22 see, can you compare those with the serial number on the
23 second property receipt?

24 A For the ones I can see, they do match.

25 Q Okay. All right.

1 MR. CONRAD: And at this time I'm going to move to
2 introduce Exhibit 445 into evidence.

3 MR. BARBER: No objection, Your Honor.

4 THE COURT: Admitted without objection.

5 (PROPERTY RECEIPT MARKED AS STATE'S EXHIBIT NUMBER 445
6 WAS RECEIVED INTO EVIDENCE.)

7 MR. CONRAD: All right, and at this time I'm just
8 going to move that Items 447 and 448 be marked for ID only
9 at this point.

10 THE COURT: You don't have to move for them to be
11 marked for ID only.

12 MR. CONRAD: Yes, sir. I'm just going to mark them
13 for ID only at this point. Nothing further for this
14 witness, Your Honor.

15 THE COURT: Anything by the defense?

16 MR. BARBER: No questions, Your Honor.

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

18 (The witness exited the stand.)

19 (CAR MODULES INDIVIDUALLY MARKED AS STATE'S EXHIBIT
20 NUMBERS 447 AND 448 FOR IDENTIFICATION.)

21 THE COURT: Next witness.

22 MR. CONRAD: The State calls Dwight Falkofske.

23 The witness, DWIGHT FALKOFSKE, was first duly sworn
24 and testified as follows:

25 THE CLERK: If you will, sir, please be seated. State

1 your name, and then spell your last name.

2 THE WITNESS: My name is Dwight Falkofske. Last name
3 is spelled F-a-l-k-o-f-s-k-e.

4 VOIR DIRE EXAMINATION

5 BY MR. CONRAD:

6 Q All right Mr. Falkofske, how are you doing
7 this afternoon?

8 A Doing good.

9 Q All right. Where were you employed, sir?

10 A I am employed with the FBI.

11 Q Okay, and what is your job title there?

12 A I am an electronics engineer.

13 Q What unit of the FBI are you employed in?

14 A In the Electronic Device Analysis Unit.

15 Q Okay, and what does the Electronic Device
16 Analysis Unit do at the FBI?

17 A We collect data off of cell phones and other
18 mobile devices, and in my case vehicle systems.
19 Mobile devices in general that can't be collected
20 by commercial tools.

21 Q All right, and so the FBI has a unit dedicated
22 to extracting data off certain devices that is
23 otherwise unavailable. Is that correct?

24 A That is correct.

25 Q Okay, and you kind of mentioned it, but

1 specifically what is your role in this unit?

2 A I serve a role as an automotive forensic
3 specialist.

4 Q Okay, and what does that entail? What does
5 that mean?

6 A So, I take a look at automotive systems and
7 extract data off of the memory components of those
8 systems, and then from the images we get from those
9 memory components, I will take a look at their --
10 find the data that we're interested in finding, and
11 we will create parsing tools that will pull out
12 that data and take it from a computer format to a
13 human readable format.

14 Q Let's explain that a little more. You said a
15 parsing tool. What is that? Explain that to the
16 jury what that is, please.

17 A Okay. So, a parsing tool is in this case a
18 computer script that I'm writing that -- or I have
19 written that will go in and look at the collected
20 binary image, the flash memory image that I've
21 created, and go in and either create a file system,
22 or just go in raw with the binary and search for
23 data that is of interest to us. This is data we've
24 researched and found, and it will take that data
25 out of the system and again, put it into a human

1 readable format, text, graphics, or coordinate
2 points so that we can understand it as humans.

3 Q In its most basic format, data is stored how?

4 A In binary.

5 Q And what does binary mean?

6 A Binary is just zeros and ones, what a computer
7 reads.

8 Q Okay, and the parsing tool, if I understood
9 you correctly, it helps you take that binary
10 information and translate it into information that
11 you can read and understand. Is that correct?

12 A That is correct.

13 Q Okay. All right, and have you -- first of
14 all, tell us a little bit about your background.
15 What education and training have you had in this
16 area?

17 A I have a Bachelor's of Science degree in
18 electrical engineering. And if you'll give me one
19 moment, I have my CV here and I'll list out the
20 training I've taken with the FBI. In August of
21 2016 I took the Digital Evidence Management Systems
22 Training; that's to store data on our electronic
23 evidence management system. In August 2016 I
24 completed Digital Evidence Handling. October 2016
25 Legal Ethics Training. August 2017 CDARK

1 Mentorship under FECR. CDARK Mentorship is an
2 internal designation for -- at the time I was
3 working as a contractor to the FBI, and this
4 training allowed contractors to handle evidence and
5 that was the extent of that training. I also in
6 August of 2017 completed the CDR proficiency
7 testing. And I've also testified as an expert
8 witness in September of 2019.

9 Q Okay, and what -- do you recall, if not
10 specifically but generally, what were you qualified
11 as an expert witness in 2019?

12 A I don't recall the exact name they gave me for
13 the expert witness, but I served as what I've told
14 them. I served as an electronics engineer
15 automotive forensics specialist.

16 Q Okay, and how would you best describe your
17 expertise that you are going to talk about today?
18 How would you personally describe it?

19 A I take a look at automotive systems, and I go
20 in there and find the data of interest. If I go
21 into the types of data, would be things like
22 connected device cell phones, thumb drives. From
23 cell phones I can also collect things like call
24 records, contact lists. Also navigation data,
25 location of vehicle or destinations that the user