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S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM COLLETON COUNTY
Court of General Sessions

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. XVIII

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VOLUME XVIII

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STATE OF SOUTH CAROLINA COUNTY OF COLLETON vs.
RICHARD ALEXANDER MURDAUGH, Defendant

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT
Indictment Nos. 2022GS1500592-00595

Michael Sutton
msutton@accident-research.com

Accident Research Specialists, PLLC
FORENSIC ENGINEERS

RoA_8151

DEFENDANT'S EXHIBIT
MW
140
2-21-23
tabbies

Shot Trajectories as Measured by S/A Worley

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8152

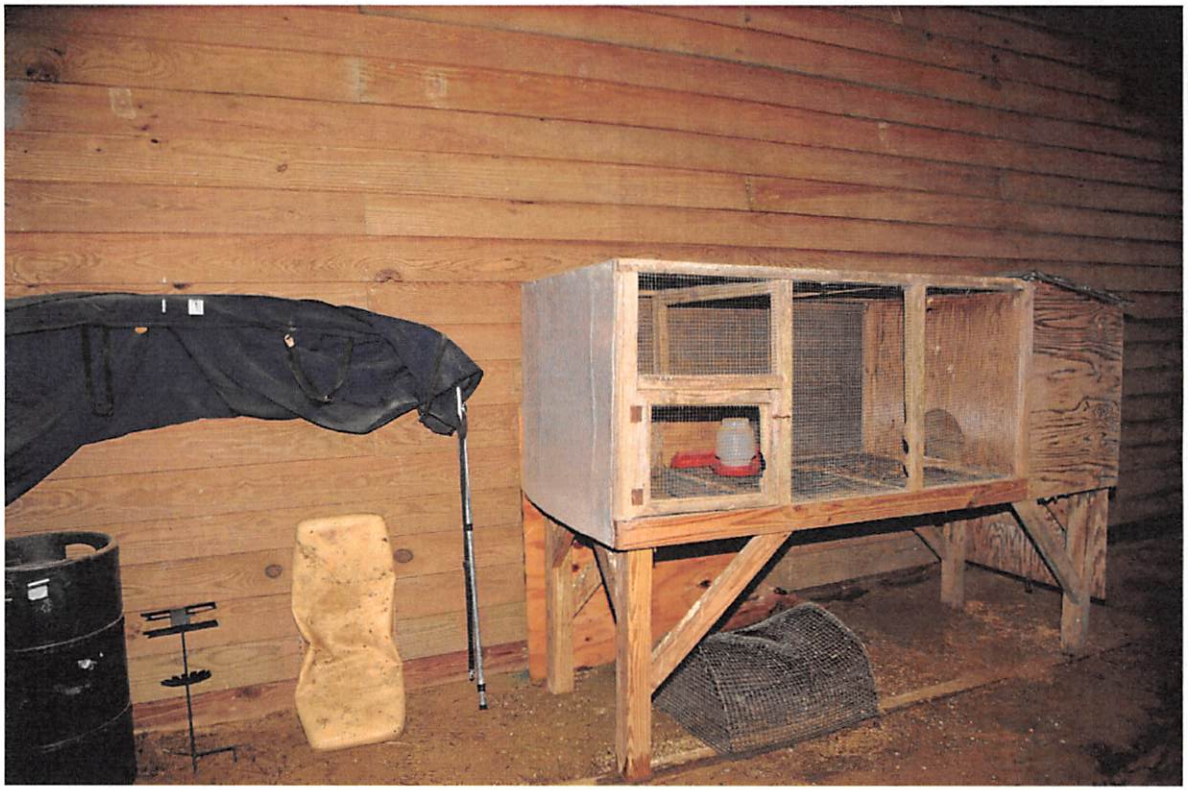
Quail Pen

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8153

Exhibit 62

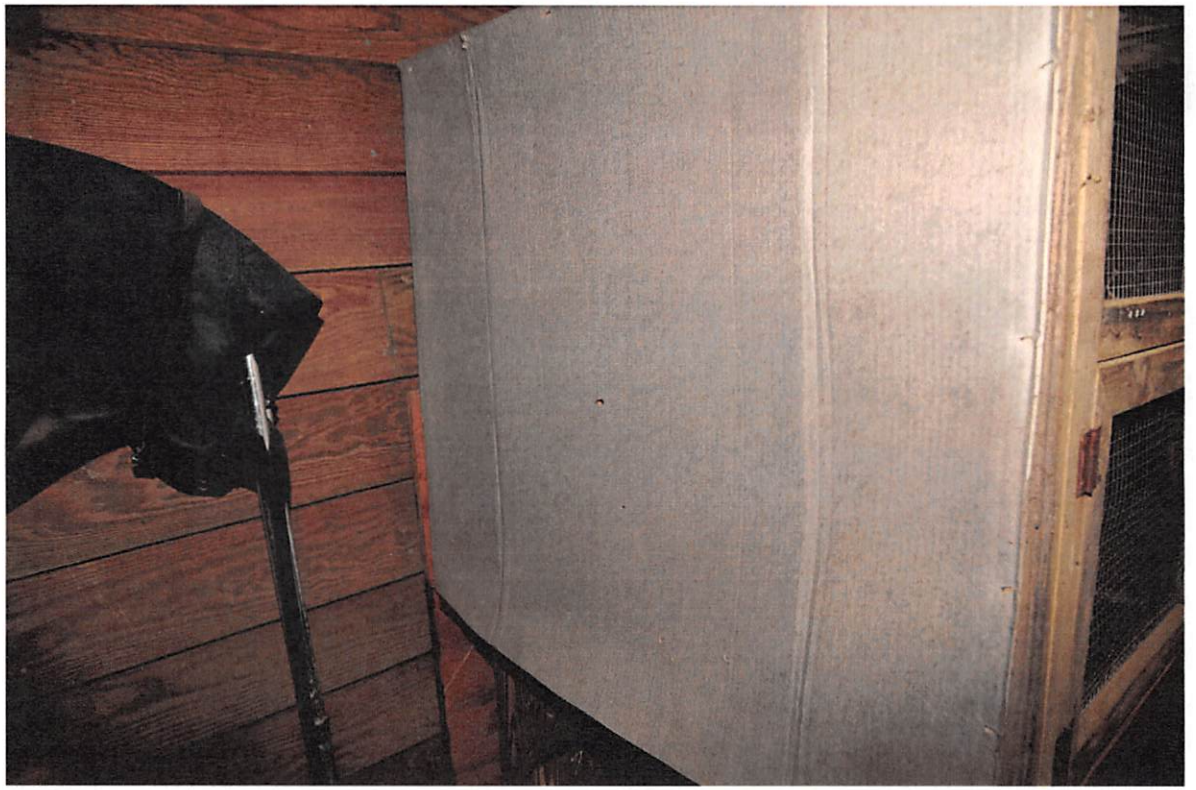


JM2_0501

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 63

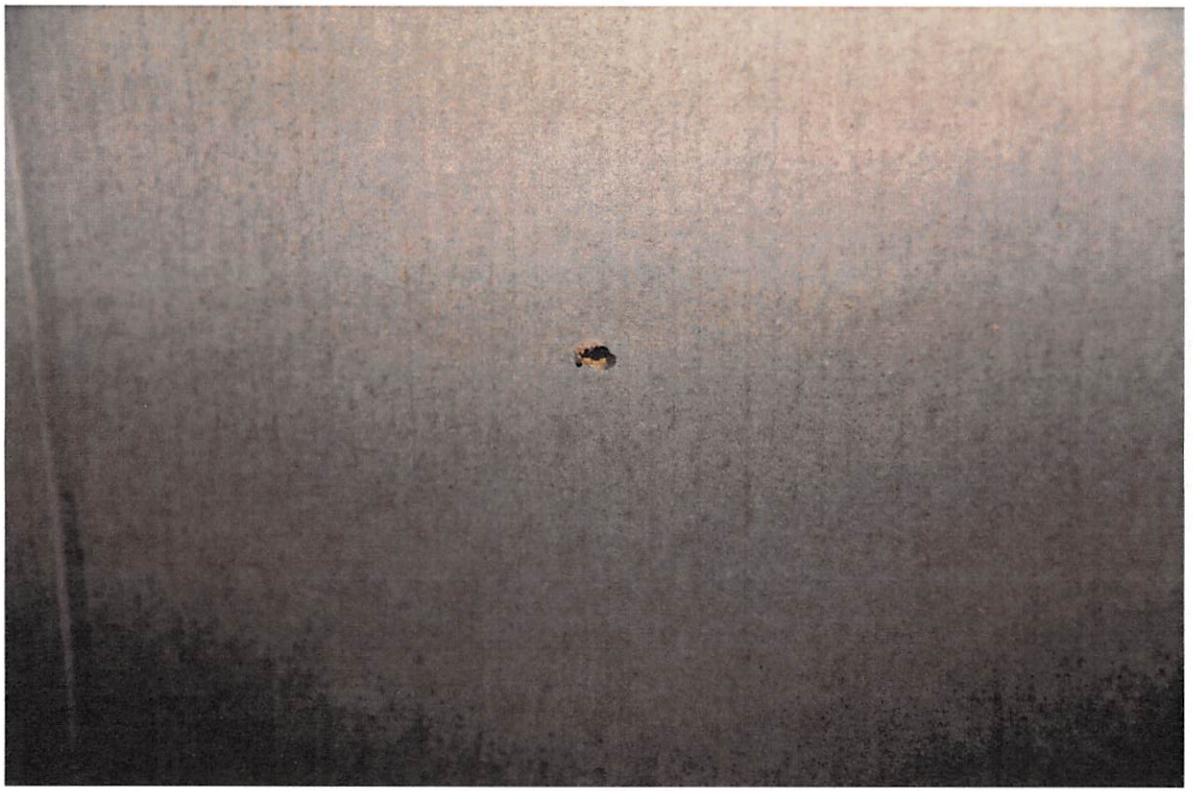


JM2_0502

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 64



JM2_0503

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 65

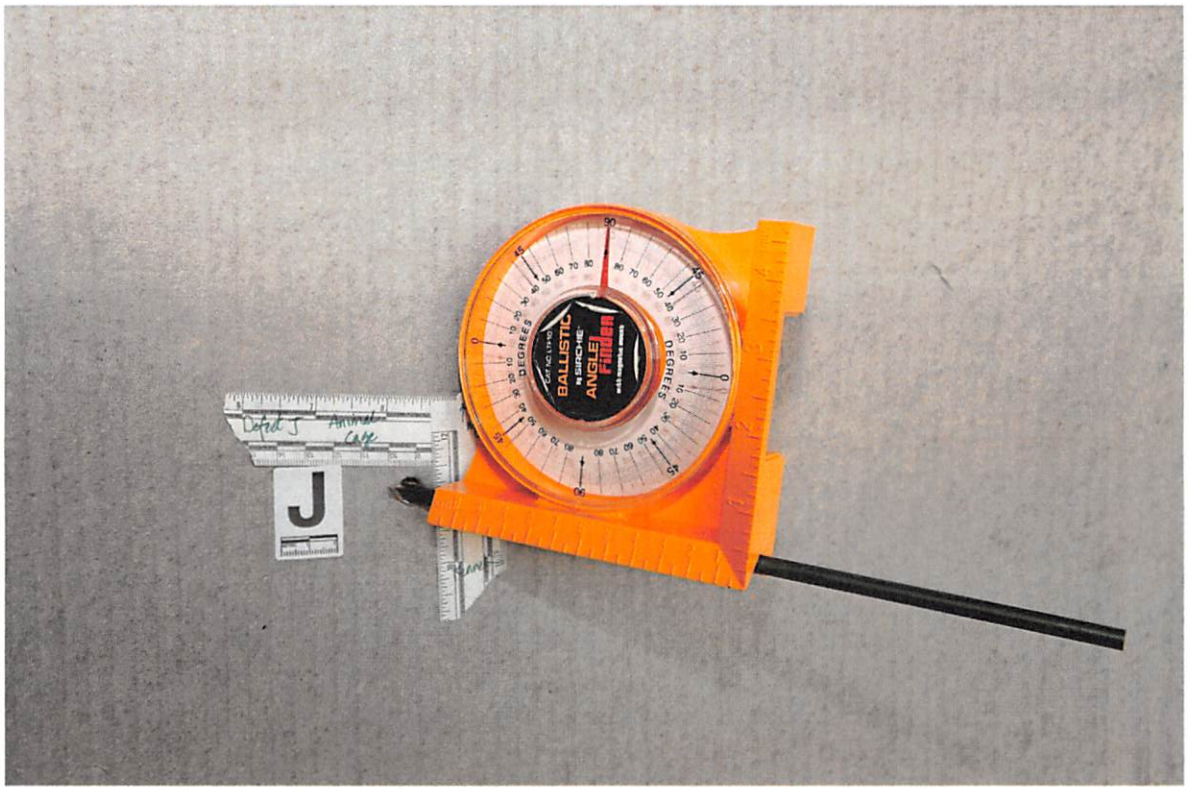
KNW_1996

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8157

Exhibit 67



KNW_1998

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8158

Exhibit 66

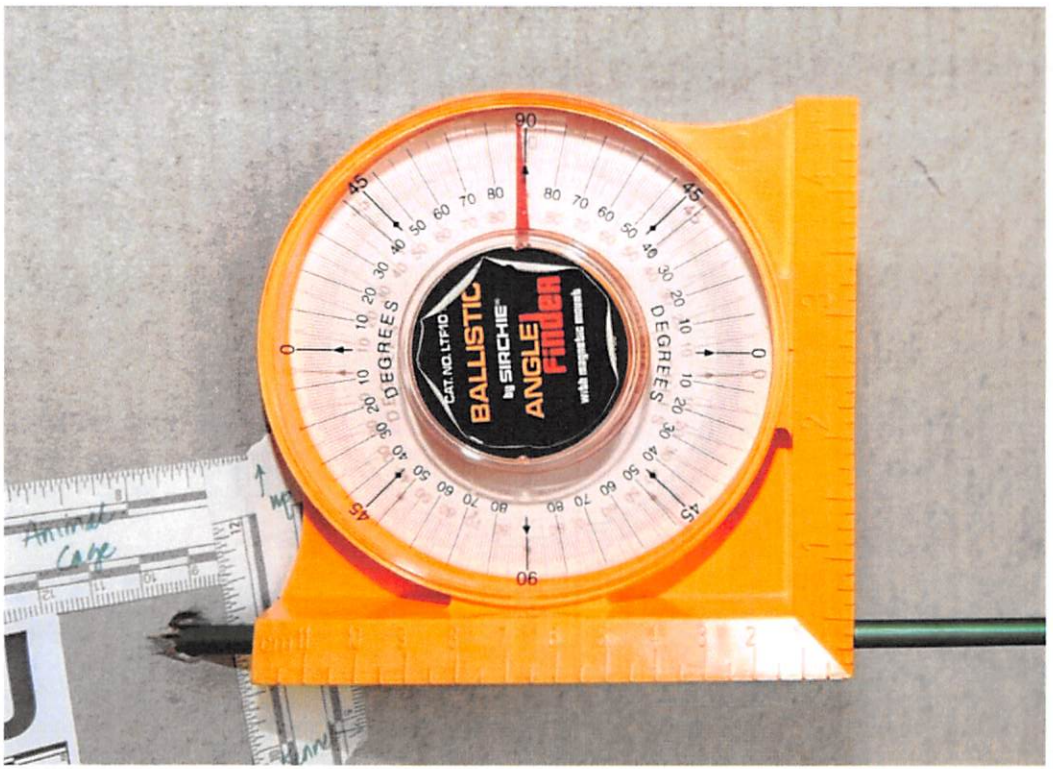
KNW_1999

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8159

Exhibit 68



KNW_2000 (Zoomed/Cropped)

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8160

Exhibit 69

KNW_2004

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 70

KNW_2006

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 71

KNW_2009

Accident Research Specialists, PLLC

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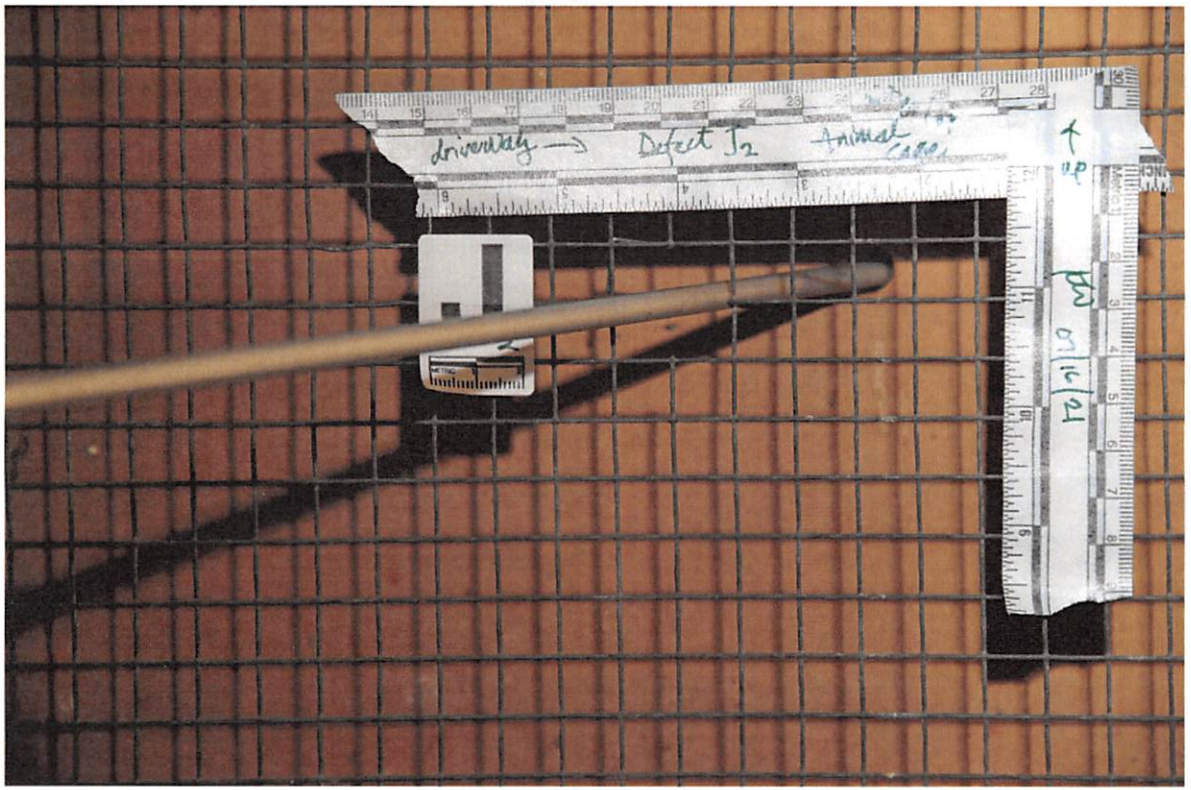
Exhibit 73

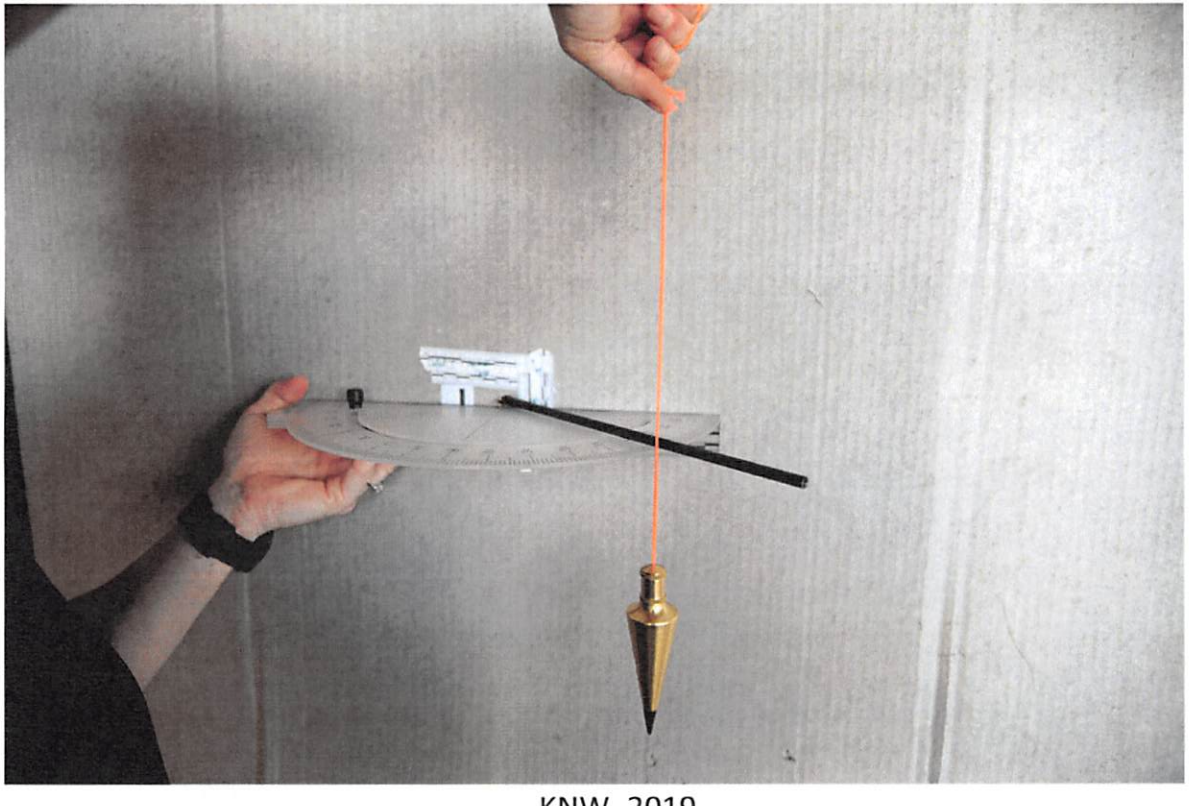


KNW_2013

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 74

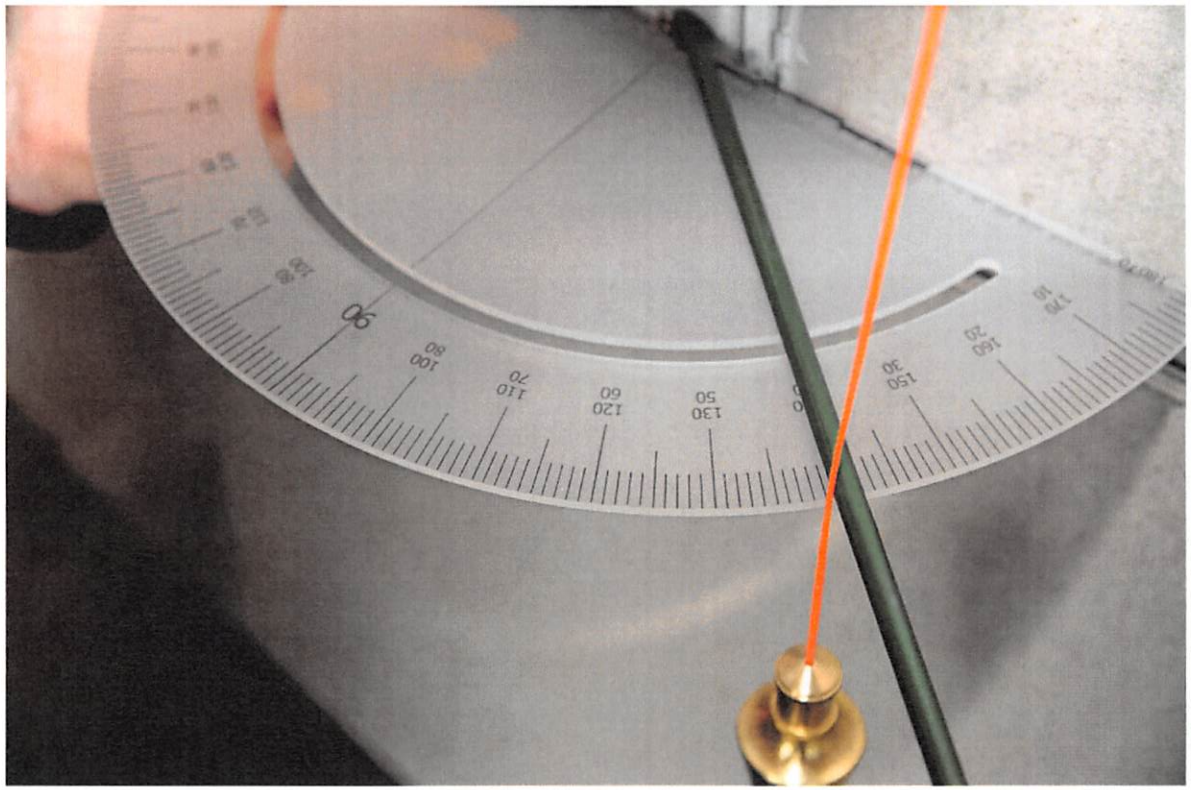


KNW_2019

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 75



KNW_2023

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Dog House

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8167

Exhibit 35

JM2_0379

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 36

JM2_0380

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 37

JM2_0397

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

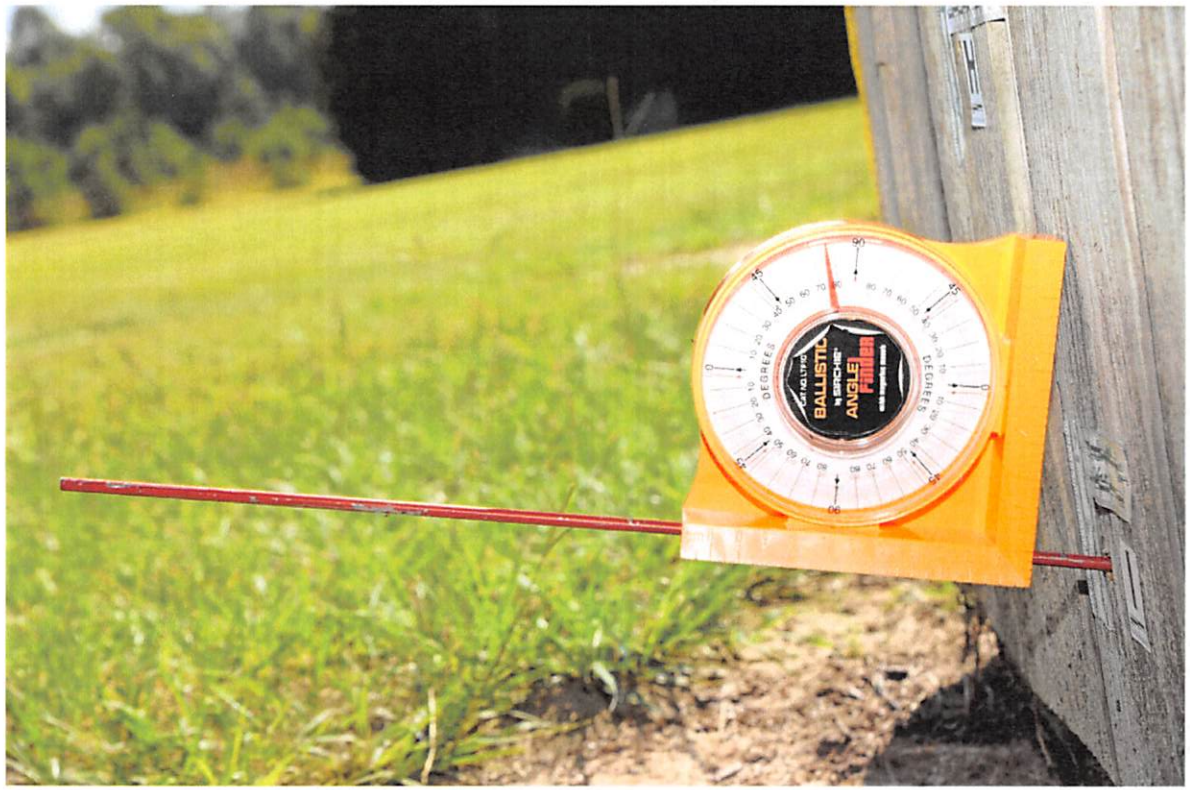
Exhibit 38

KNW_1986

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 39



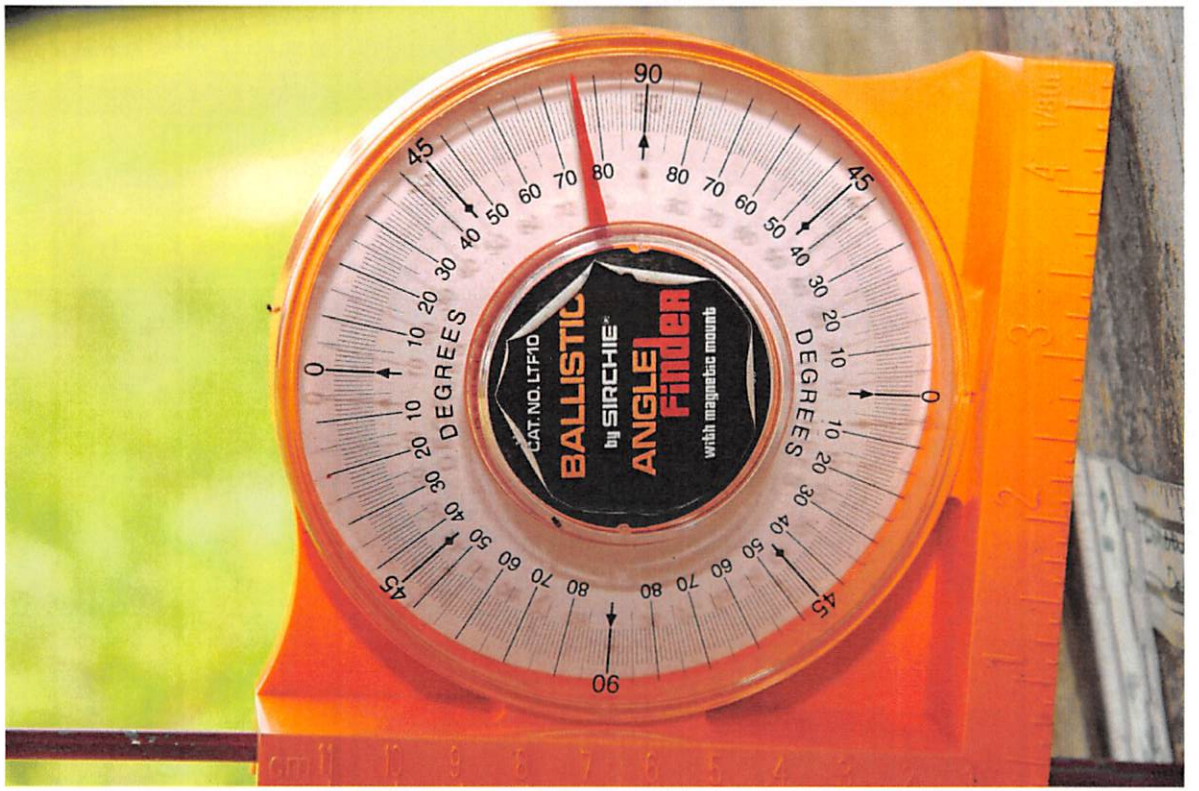
KNW_1990

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8172

Exhibit 40

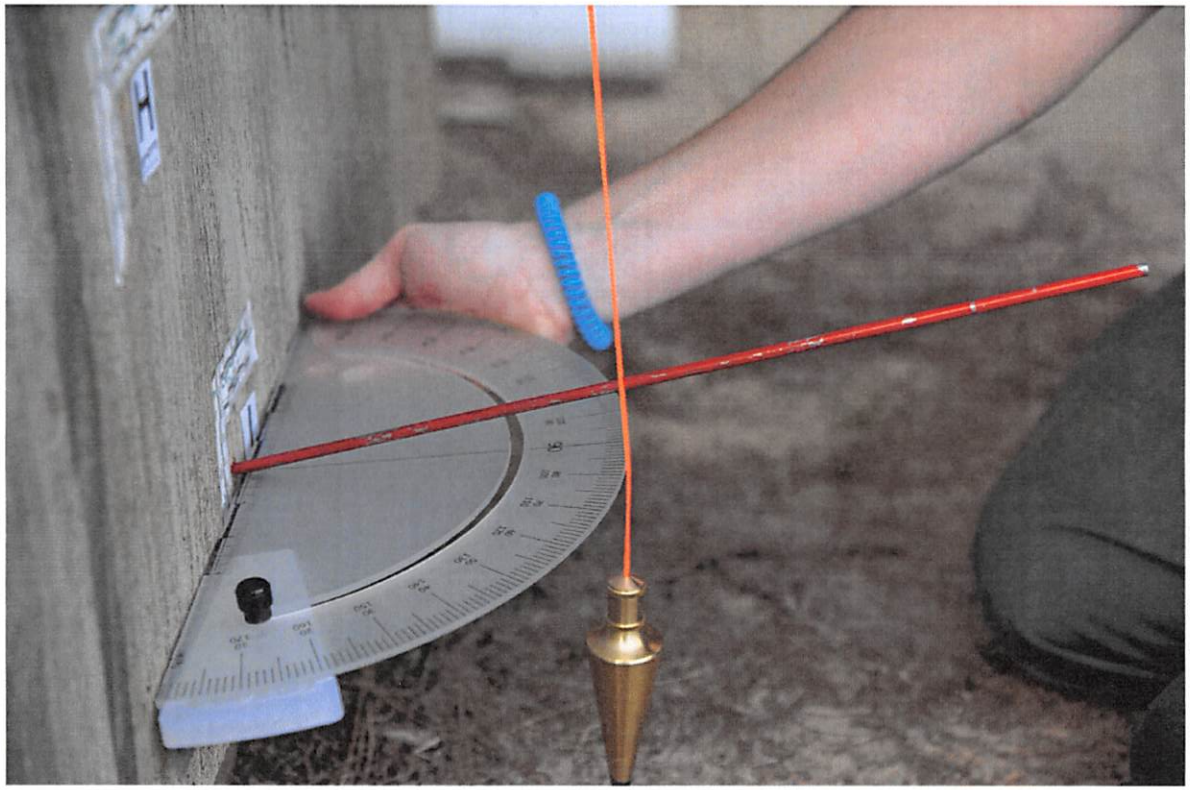


KNW_1991

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 41

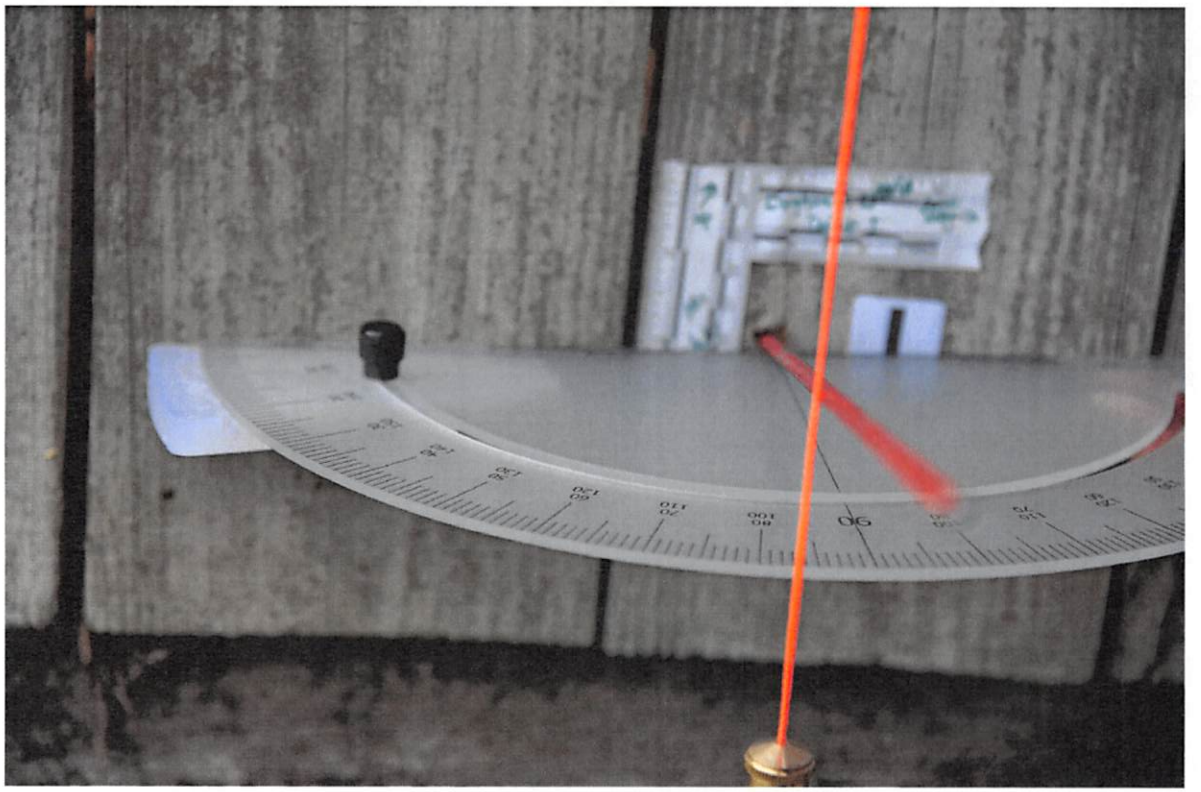


KNW_2014

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 42

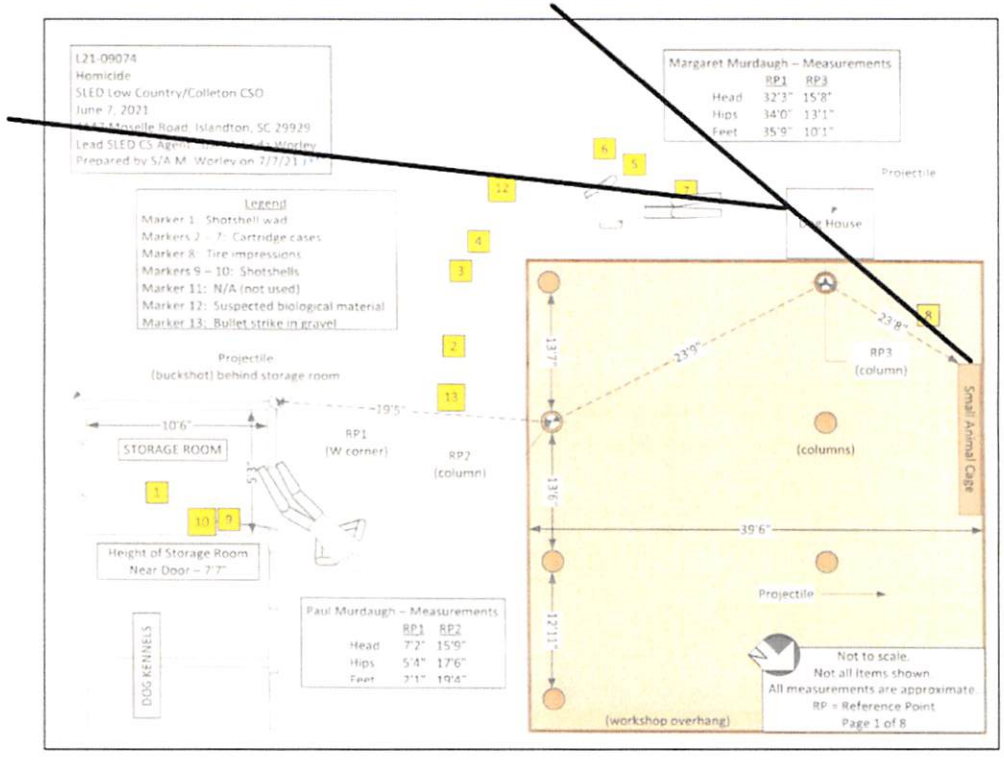


KNW_2017

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 77



S/A Worely Drawing with Added Trajectories

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

ARS Trajectory Reconstruction

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8177

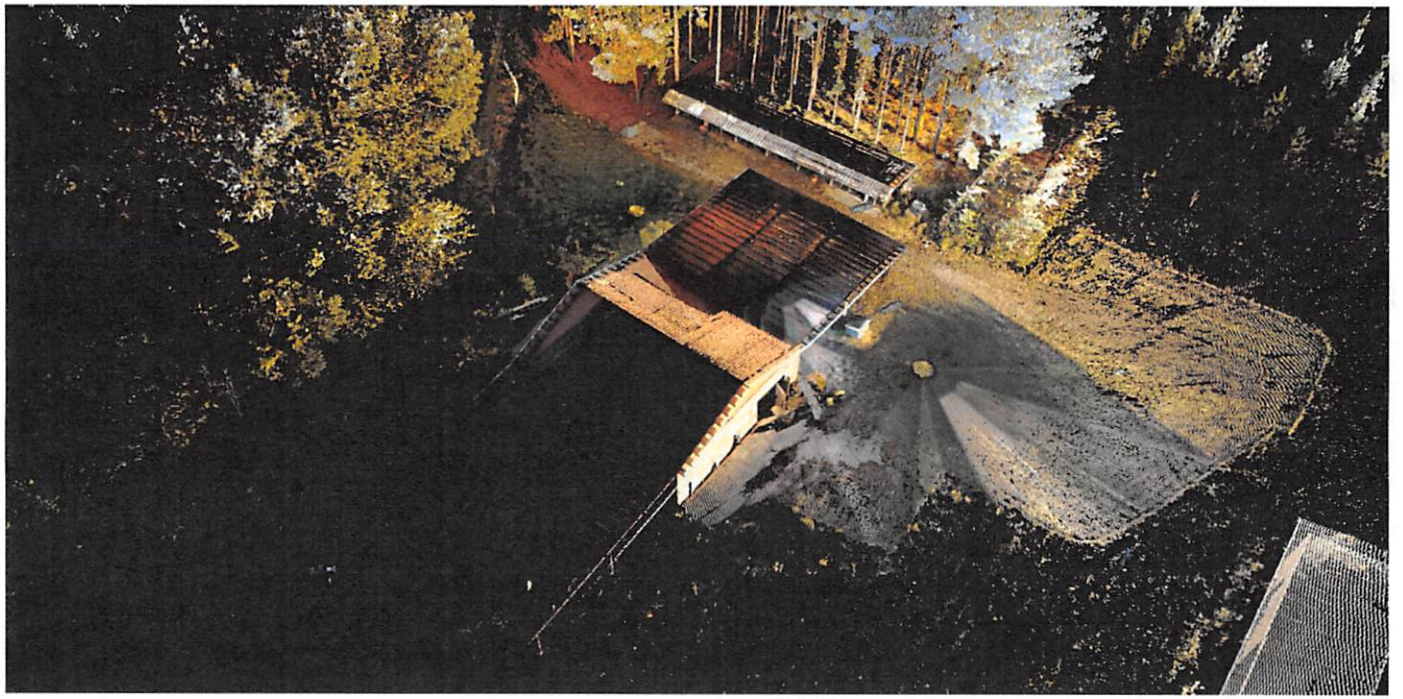
FARO 3D Laser Scan

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8178

Exhibit

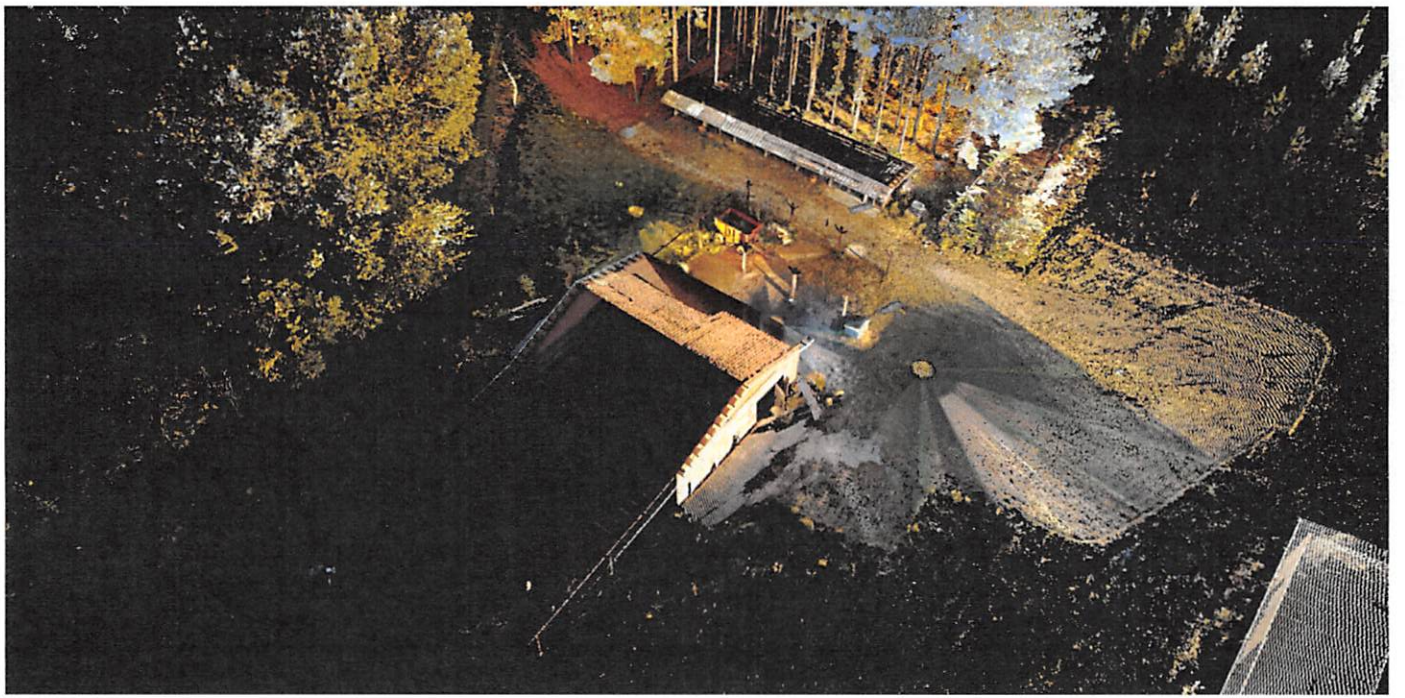


Fly Thru

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

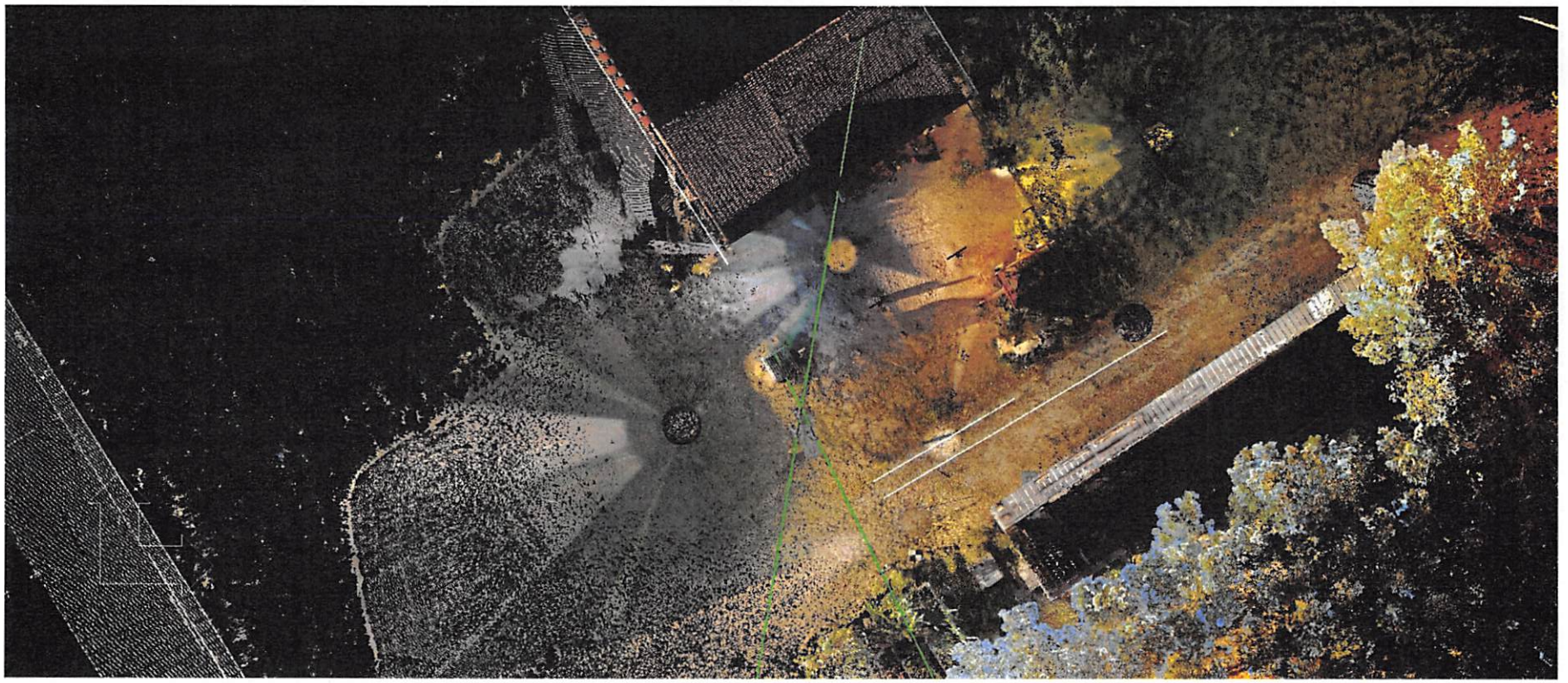


Fly Thru (no roof)

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

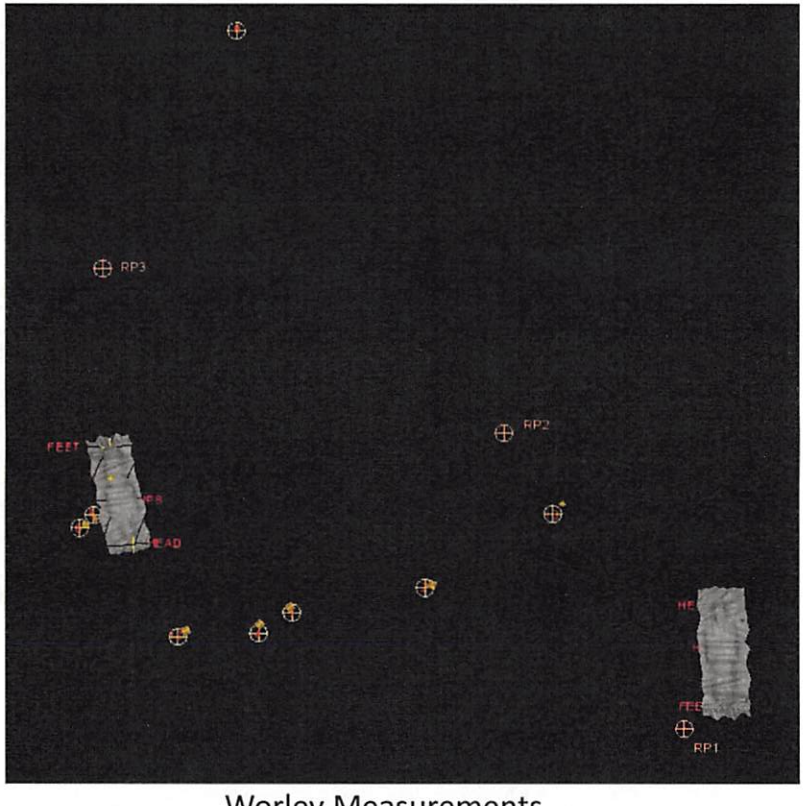


Site Scale

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



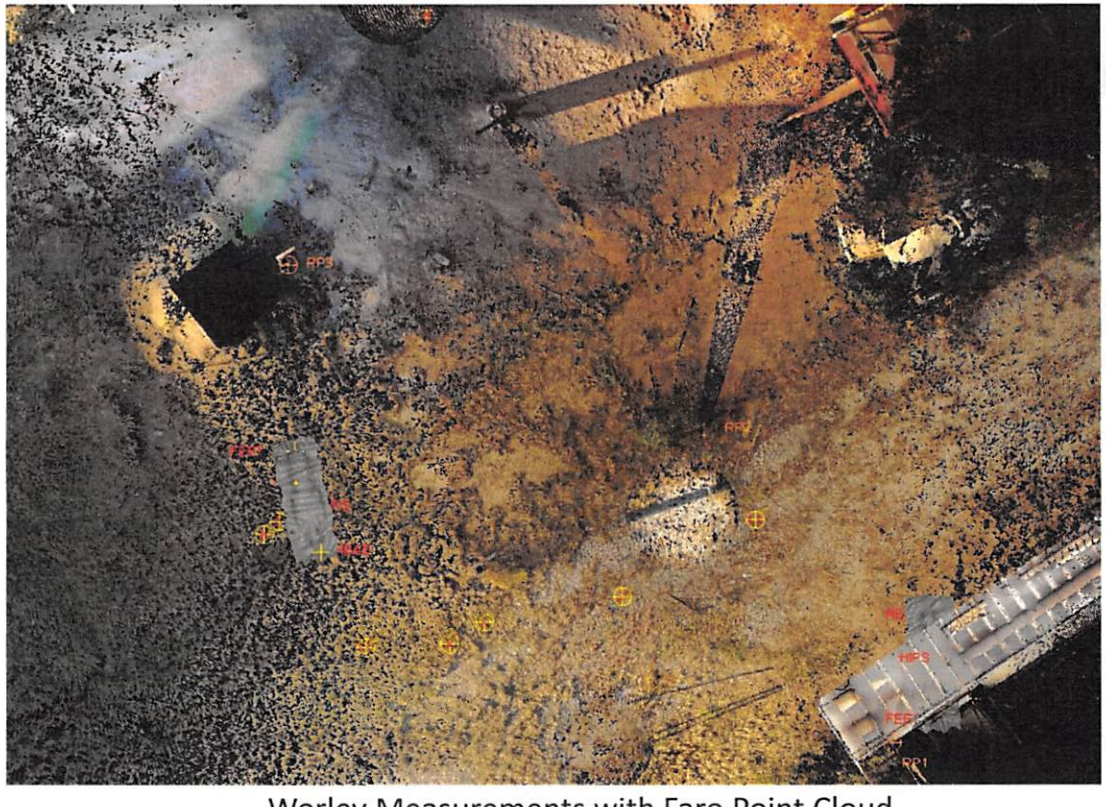
Worley Measurements

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8182

Exhibit



Worley Measurements with Faro Point Cloud

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

Worley Measurements with Faro Point Cloud Perspective

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

Evidence Overlay - Reverse Camera Projection

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

ARS Trajectory Reconstruction and Analysis

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8186

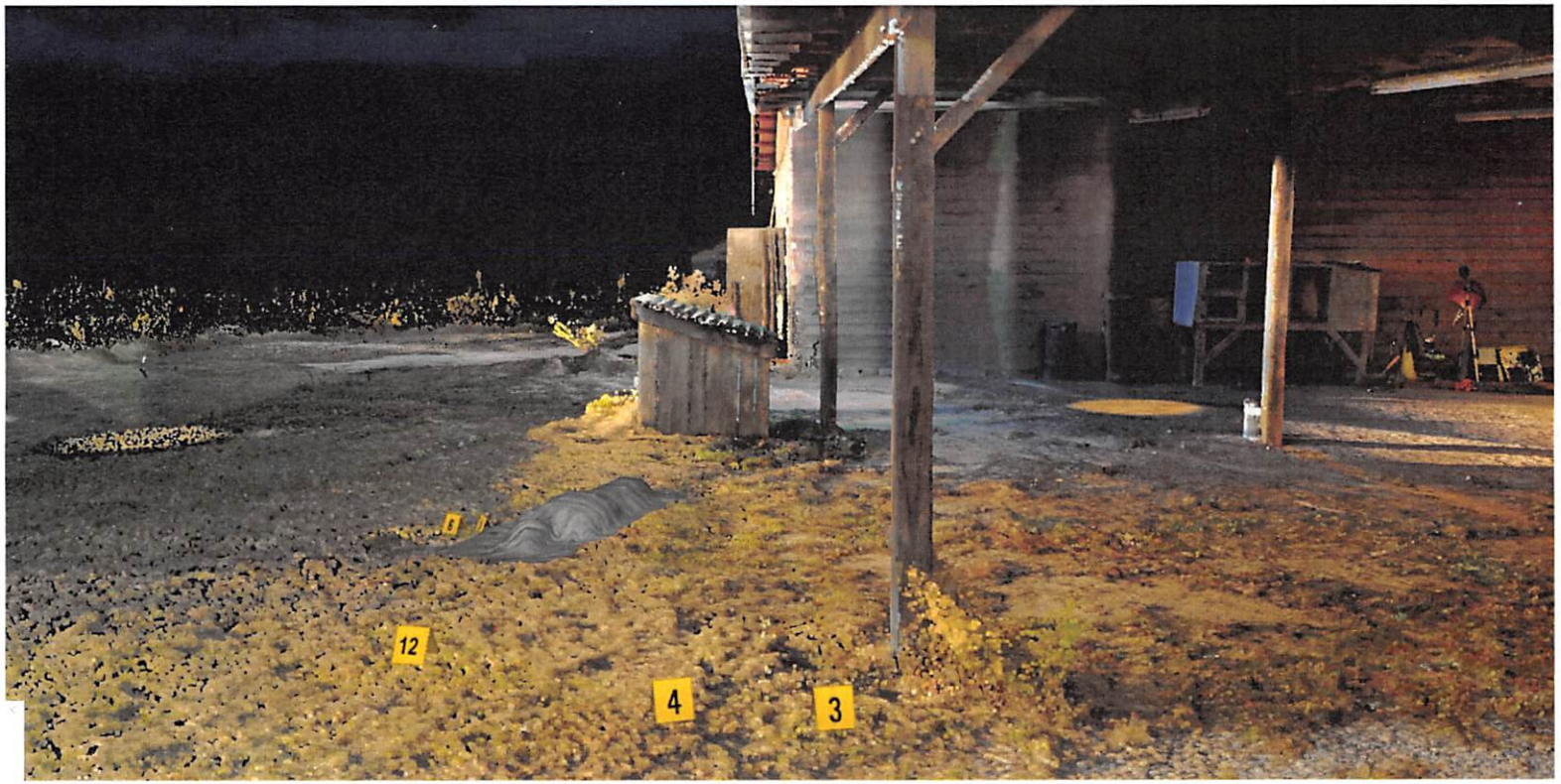
Quail Pen Shot Trajectory

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8187

Exhibit

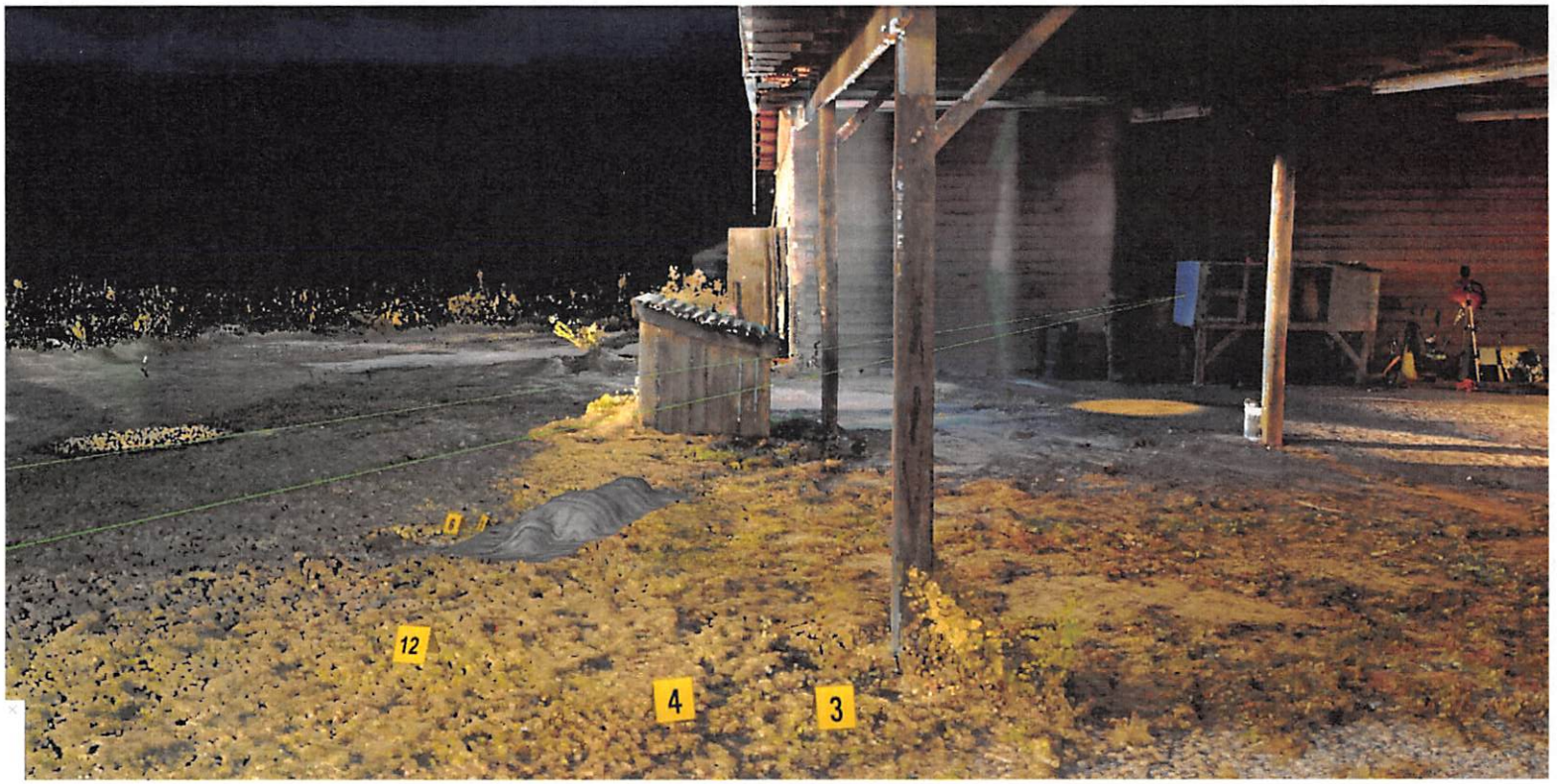


#1_MAS

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

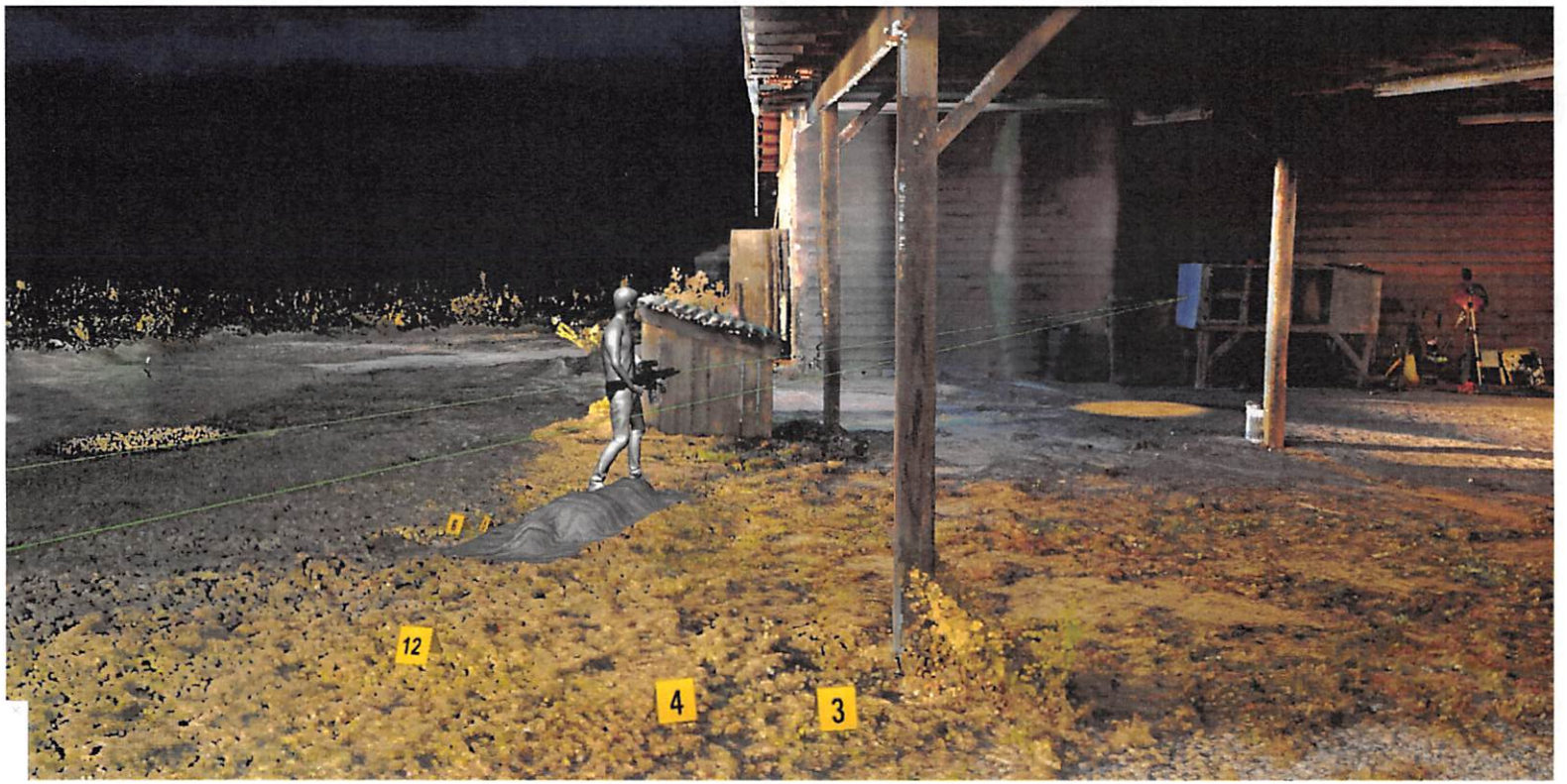


#1_MAS_Trajectory

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



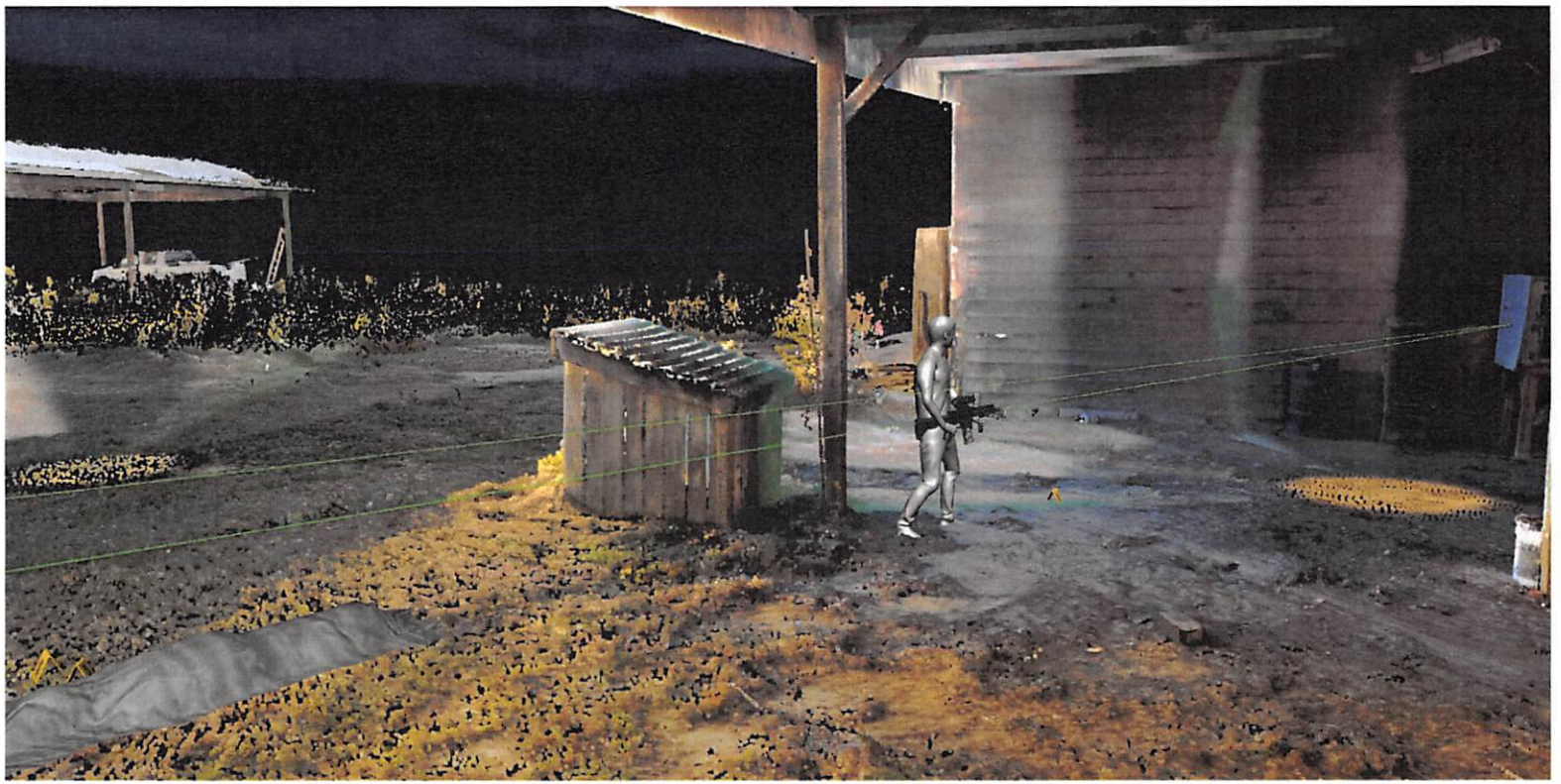
#1_MAS_Trajectory_QP_5-2_Shooter_1_5_Degree

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8190

Exhibit

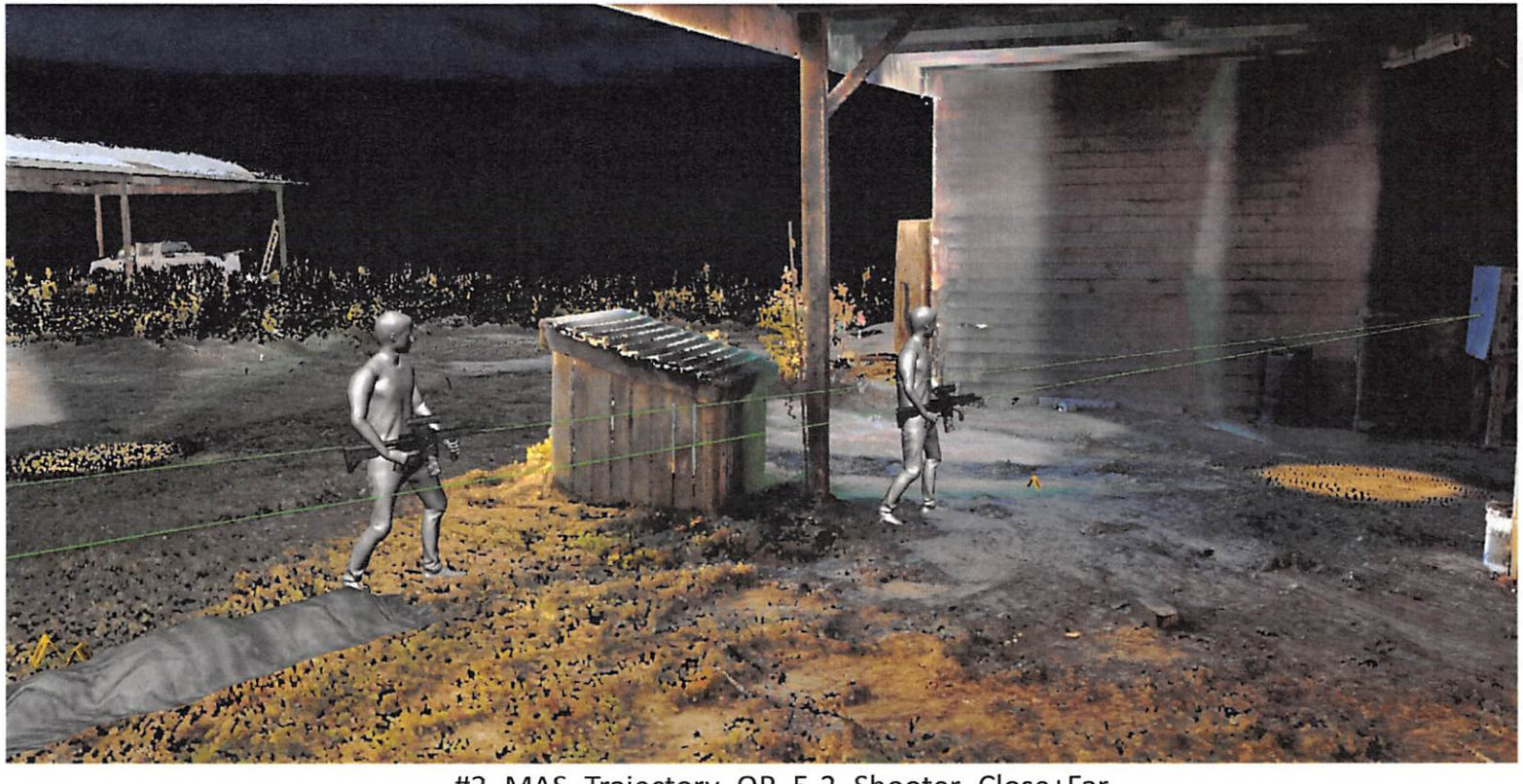


#2_MAS_Trajectory_QP_5-2_Shooter_Close

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



#2_MAS_Trajectory_QP_5-2_Shooter_Close+Far

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

#2_MAS_Trajectory_QP_5-2_Shooter_Far

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

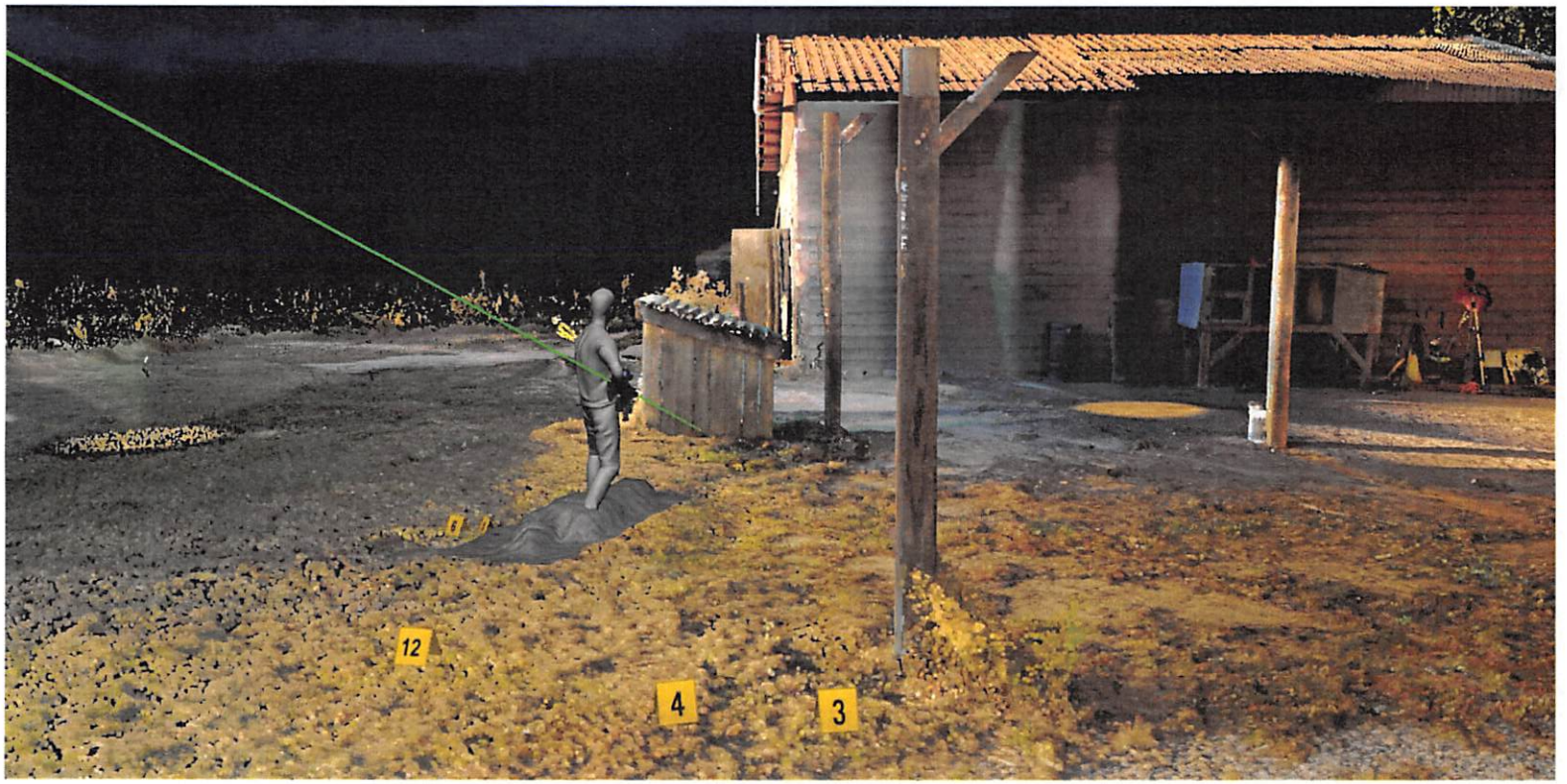
Dog House Shot Trajectory

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8194

Exhibit

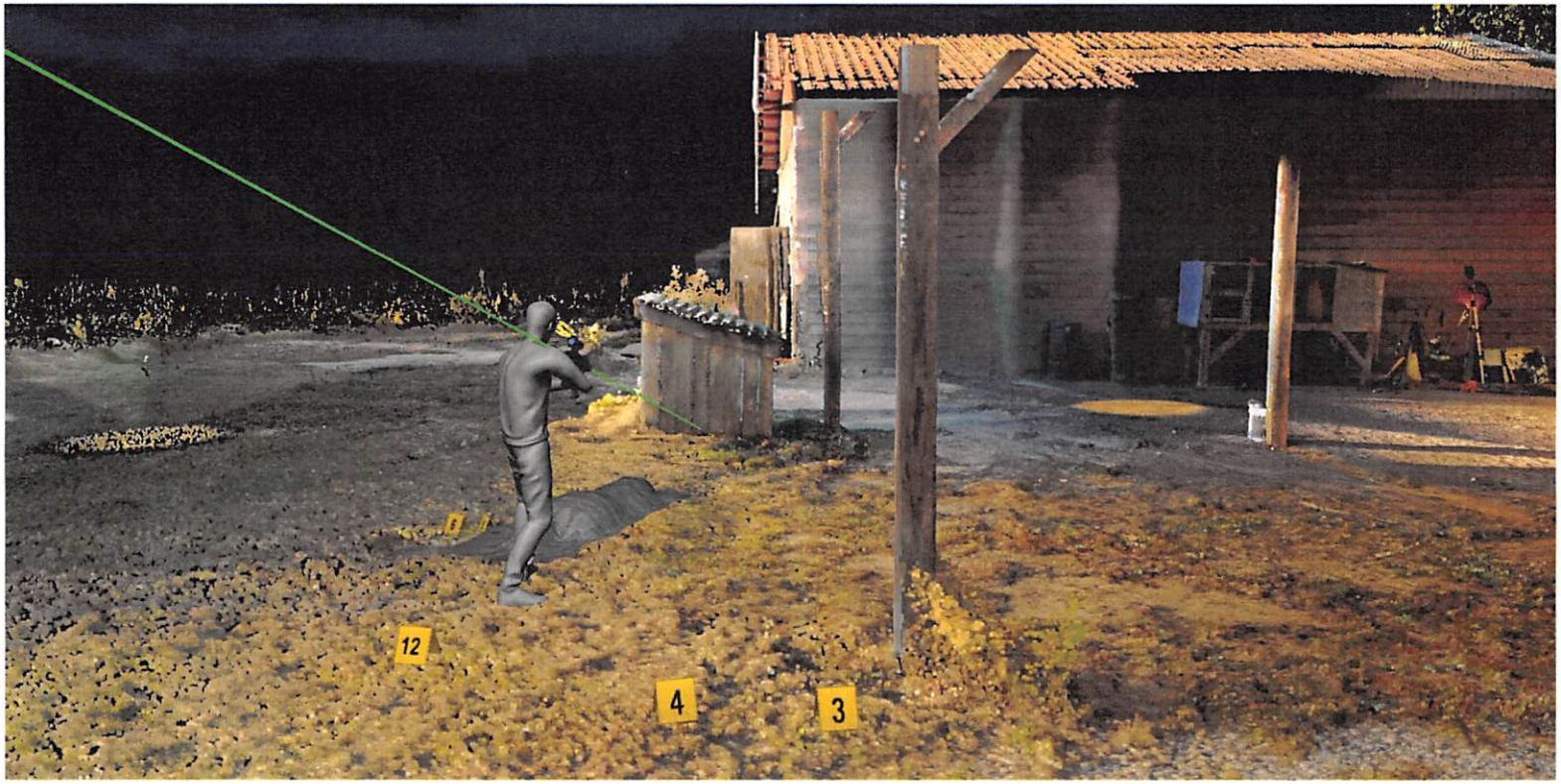


#1_MAS_Trajectory_QP_5-2_Shooter_-14_Degree_Hip

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit

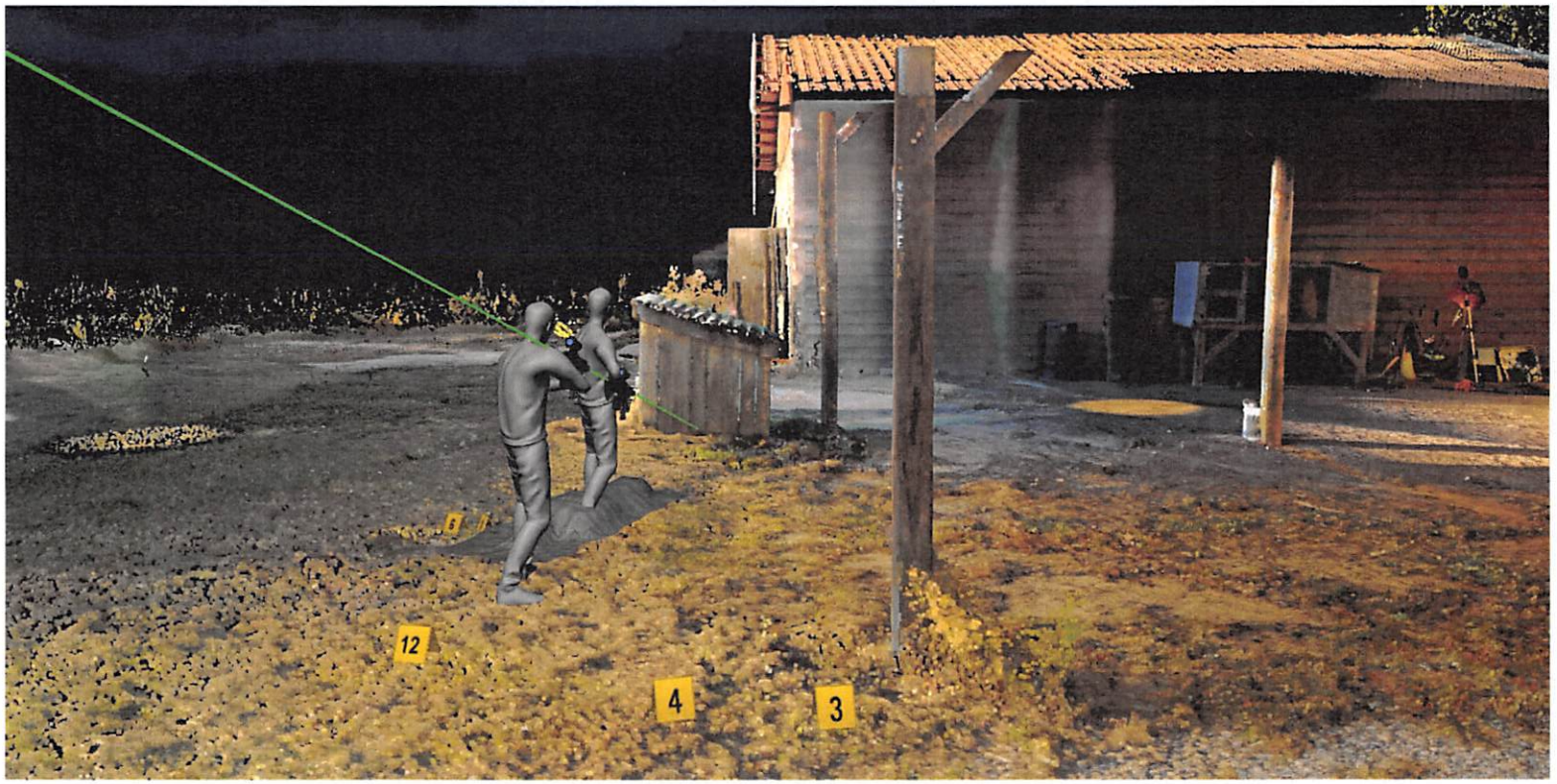


#1_MAS_Trajectory_QP_5-2_Shooter_-14_Degree_Shoulder

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



#1_MAS_Trajectory_QP_5-2_Shooter_-14_Degree_Hip_+_Shoulder

Accident Research Specialists, PLLC

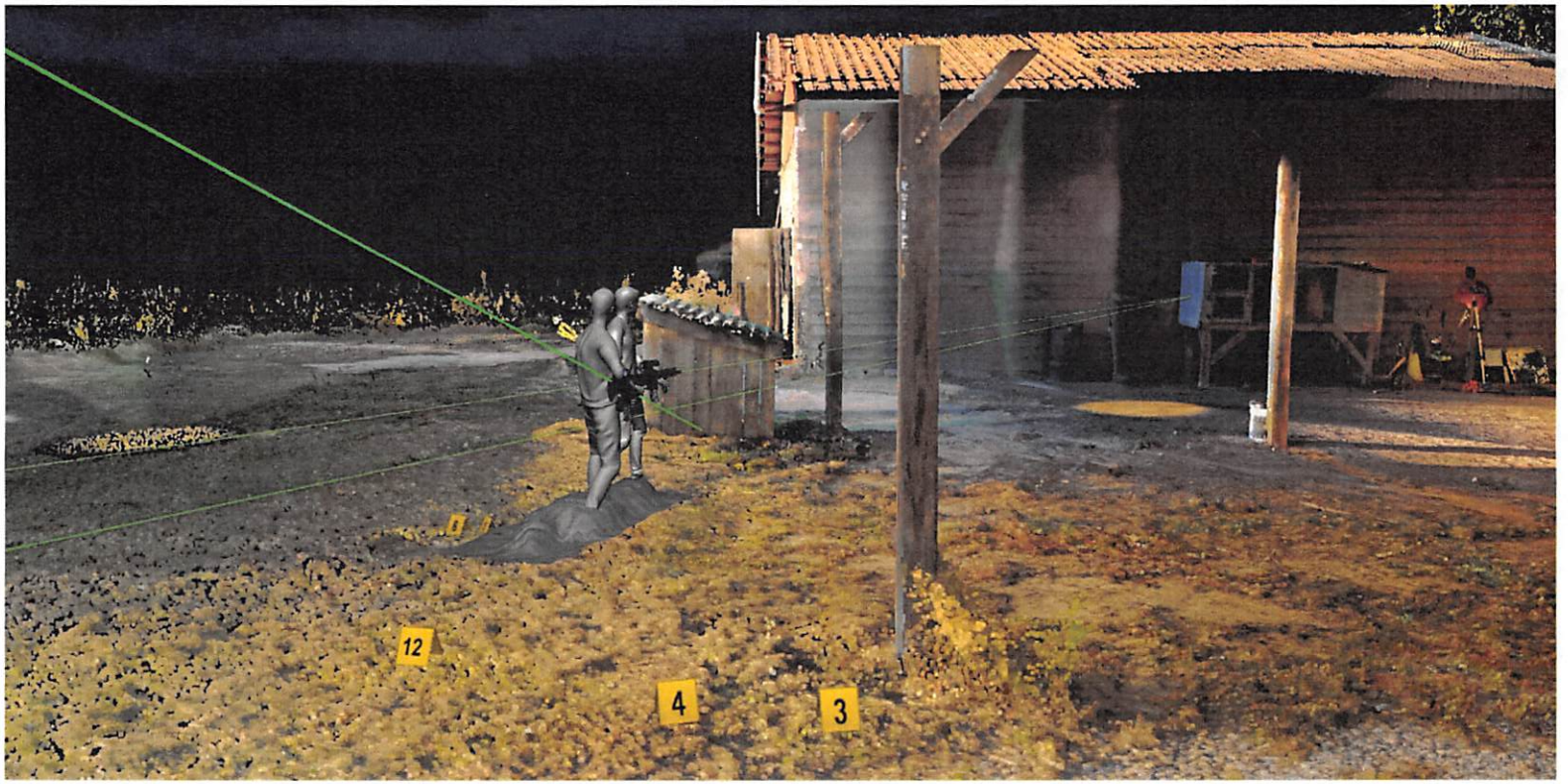
FORENSIC ENGINEERS

Both Shots

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



#2_MAS_Trajectory_QP_5-2_Shooter_Far+5_2_DH_Shooter_Hip

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8200

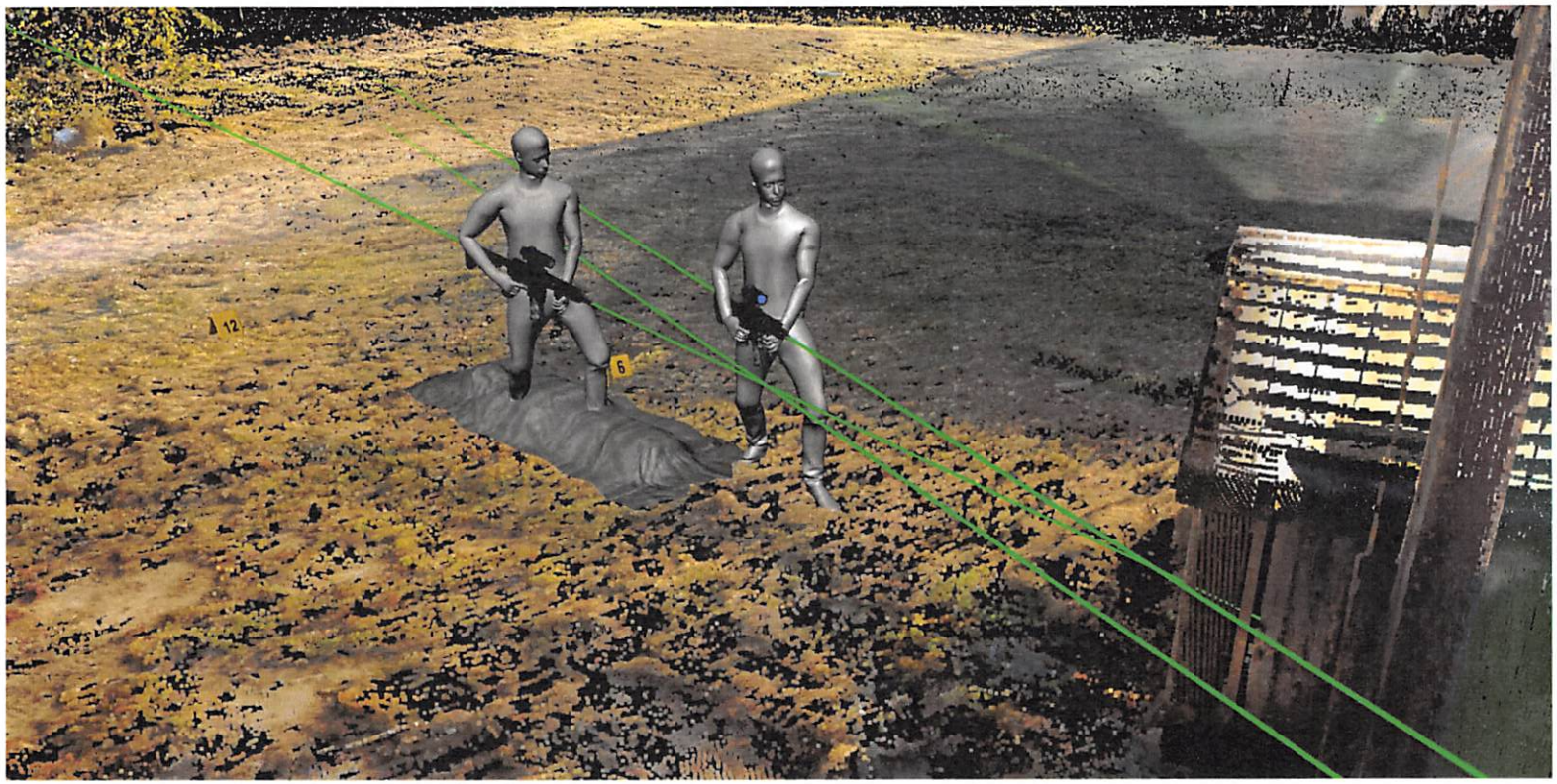
Exhibit

#6_MAS_Trajectory_QP_5-2_Shooter_-14_Degree_Hip_+5_2_DH_Shooter_Hip

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit



#5_MAS_Trajectory_QP_5-2_Shooter_-14_Degree_Hip_+5_2_DH_Shooter_Hip

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

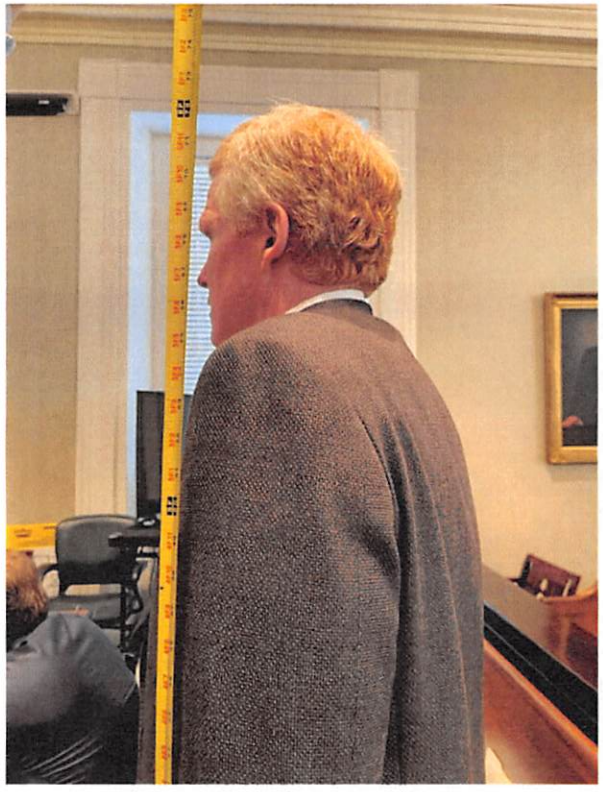
Alex Murdaugh Heights

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8203

Exhibit 79



Alex Height Measurement 1

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 80

Alex Height Measurement 2

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

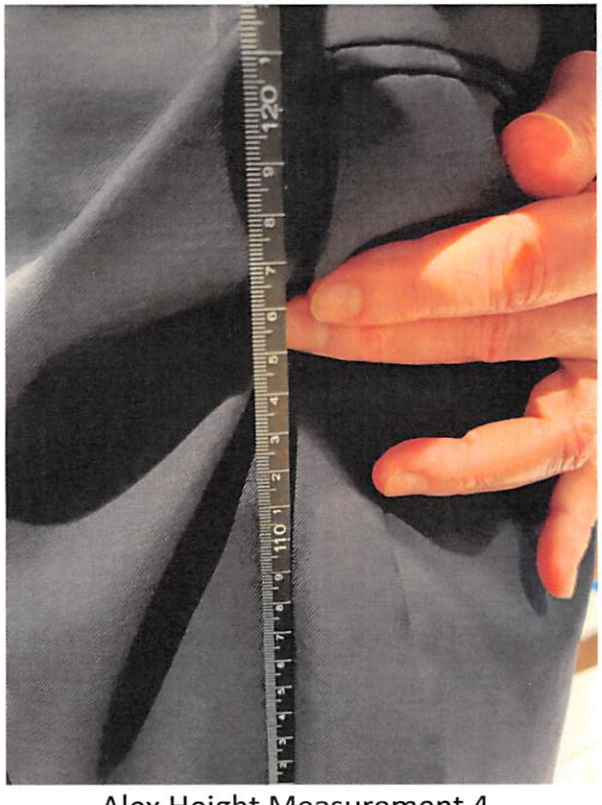
Exhibit 81

Alex Height Measurement 3

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 82

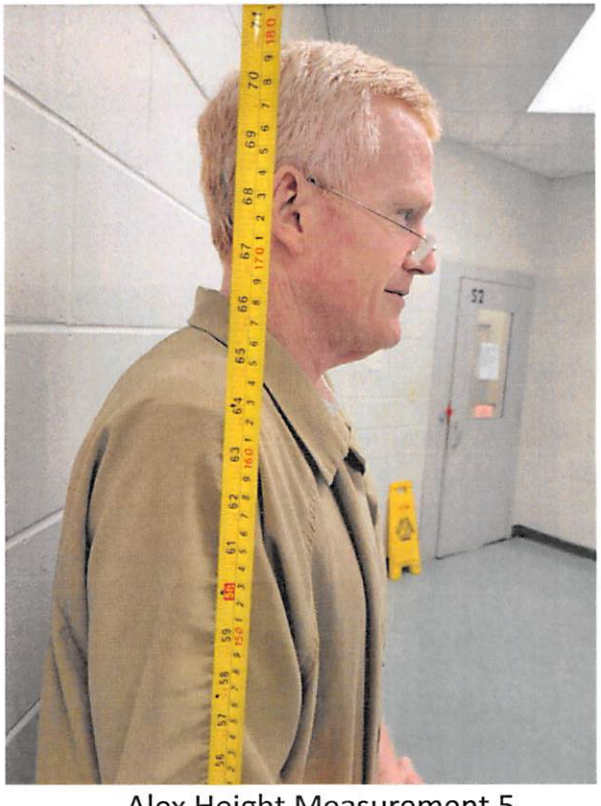


Alex Height Measurement 4

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 83



Alex Height Measurement 5

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

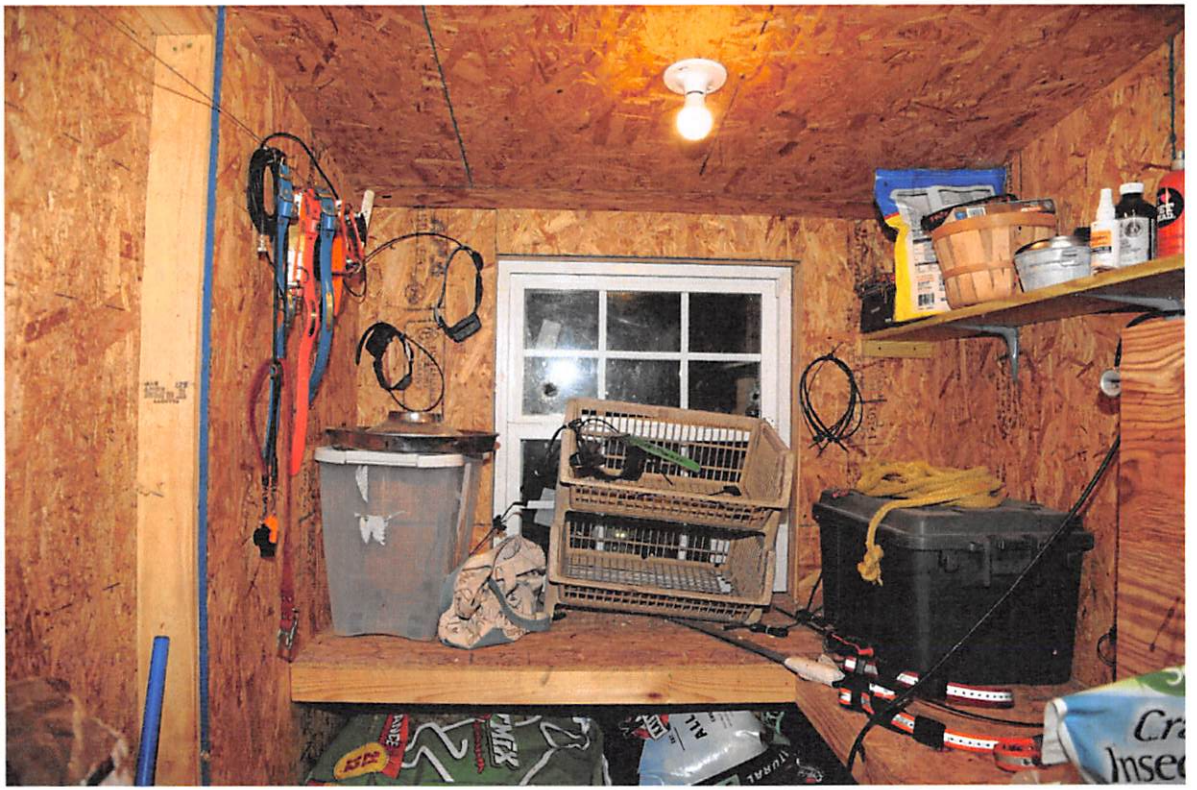
Paul Murdaugh
First Shot

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

RoA_8209

Exhibit 57



JM2_0298

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 55

JM2_0176

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

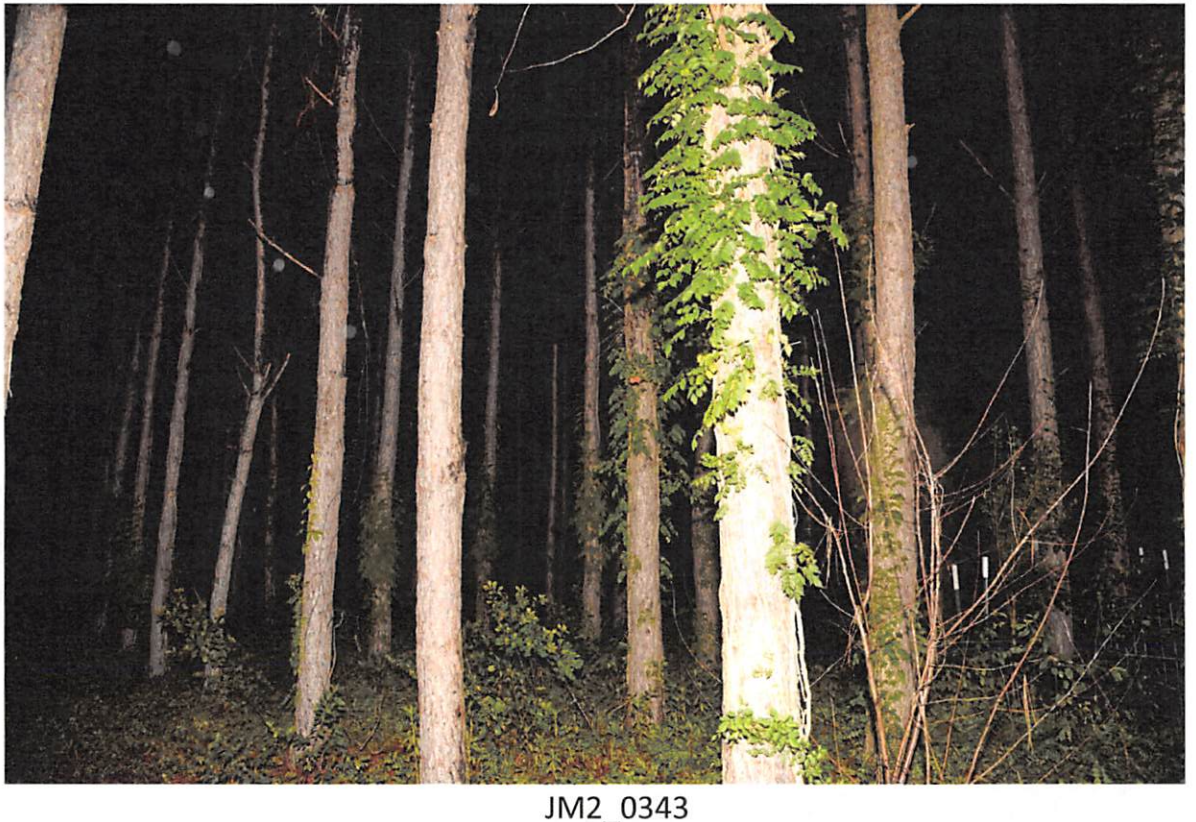
Exhibit 59

JM2_0335

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 60



JM2_0343

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 61

JM2_0345

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 49

IMG_4463

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 43

DSC08610

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 44

DSC08618

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 45

DSC08620

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

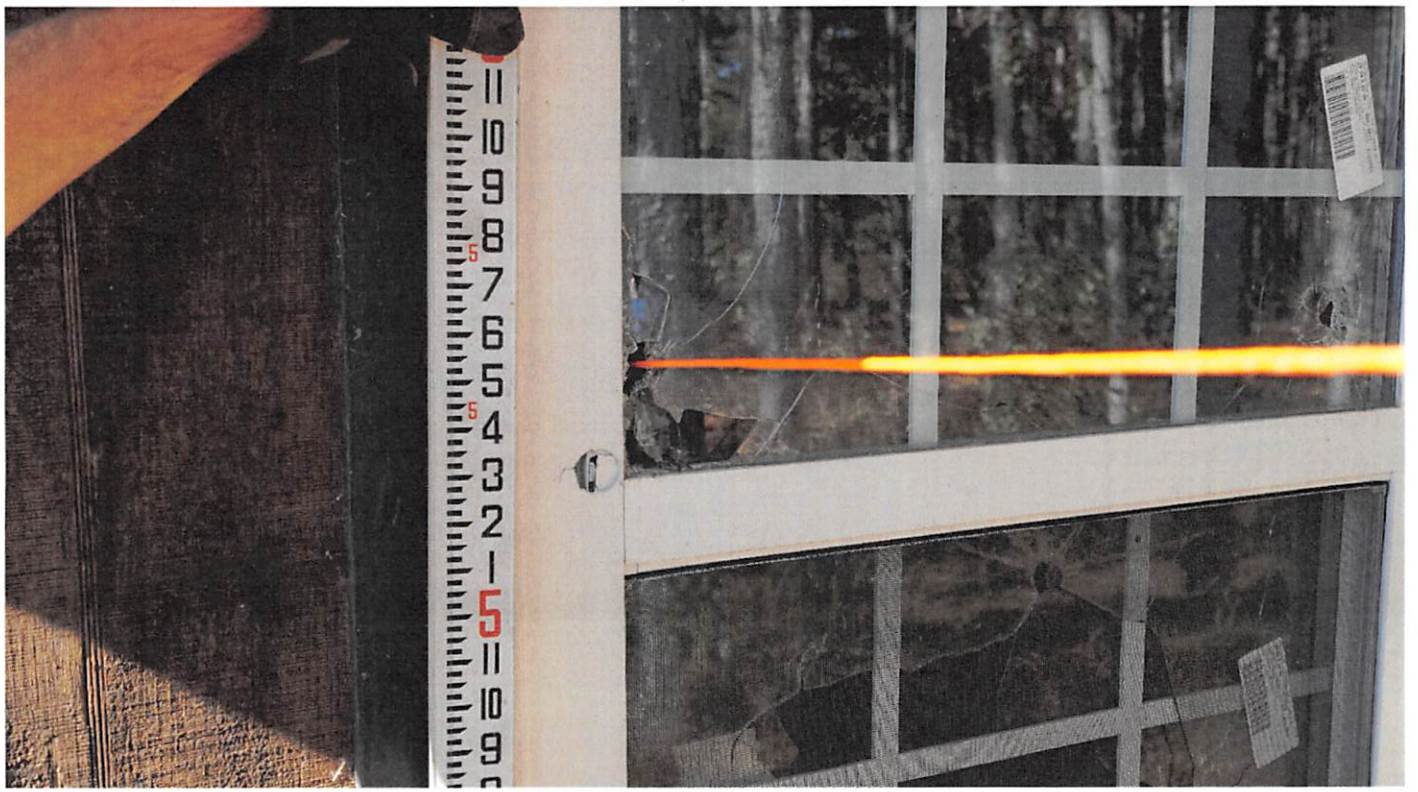
Exhibit 46

DSC08624

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 47



DSC08626

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

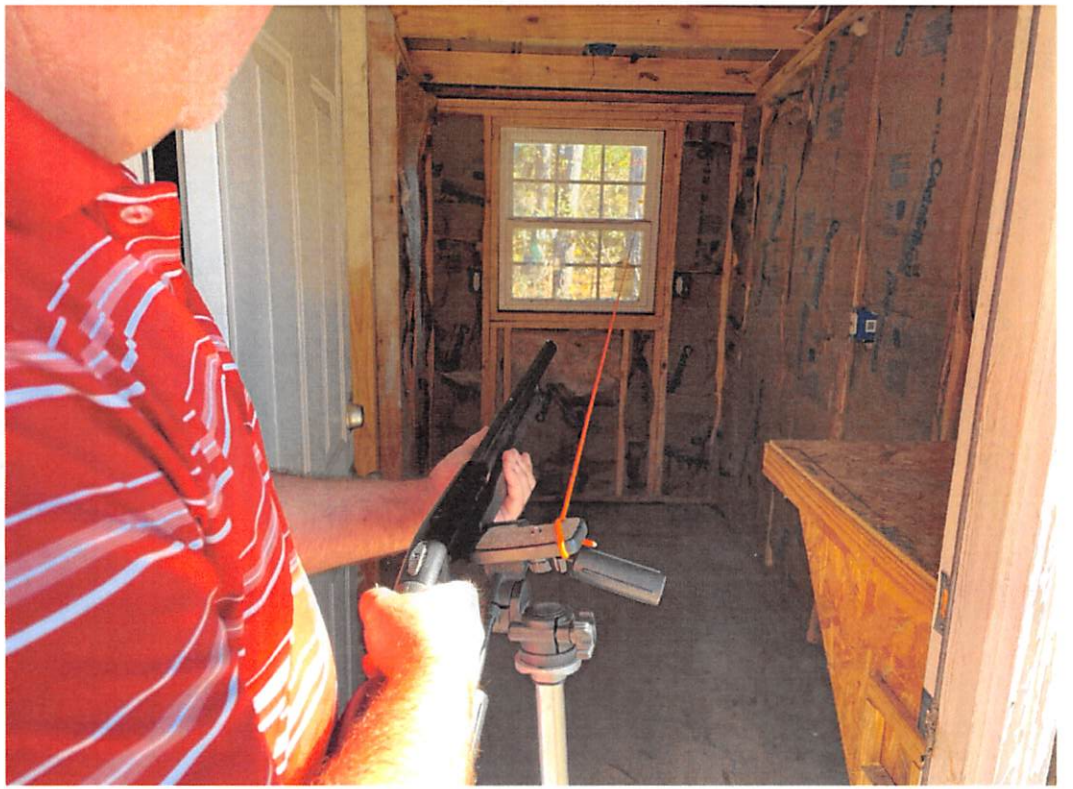
Exhibit 48

DSC08628

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 53



IMG_4470

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Exhibit 50

IMG_4464

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Exhibit 56

JM2_0293

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Exhibit 54

IMG_4473

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ARS
Firearms Acoustics Testing

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RoA_8226

Exhibit 76

Aerial Photo Scaled with Trees

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Exhibit 12

DSC08678

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Exhibit 11

DSC08677

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Exhibit 22

IMG_5334

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Exhibit 23

IMG_5488

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Exhibit 10

DSC_0326

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Exhibit 9

DSC_0322

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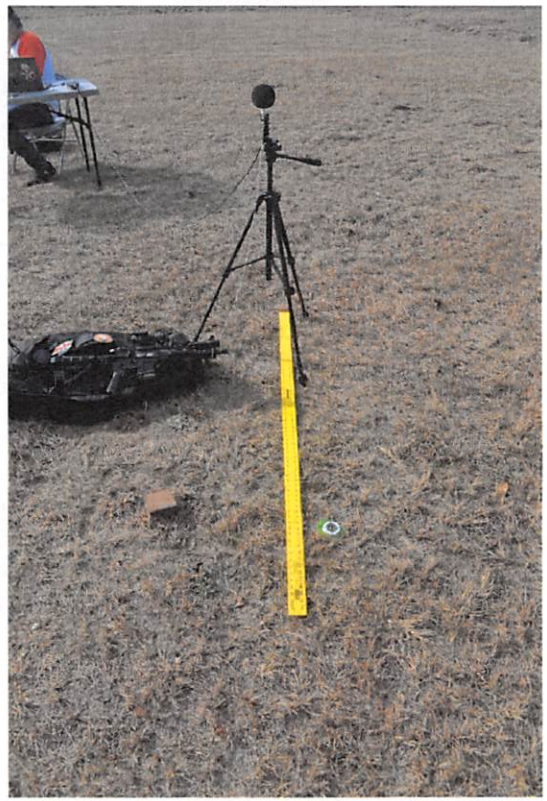
Exhibit 13



DSC_0329

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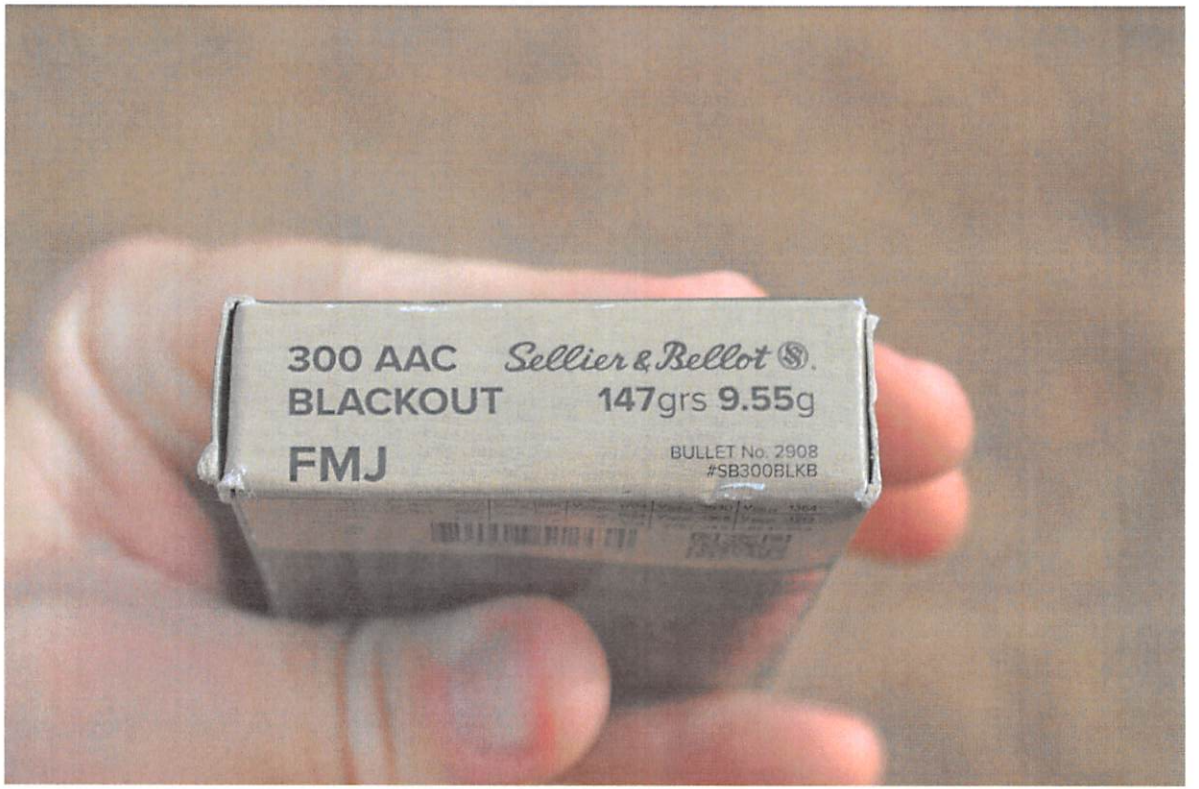
Exhibit 1



DSC_0248

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Exhibit 2

DSC_0253

Accident Research Specialists, PLLC

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Exhibit 3

DSC_0263

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RoA_8237

Exhibit 4

DSC_0284

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Exhibit 5

DSC_0286

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Exhibit 6

DSC_0293

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Exhibit 7

DSC_0300

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Exhibit 8

DSC_0305

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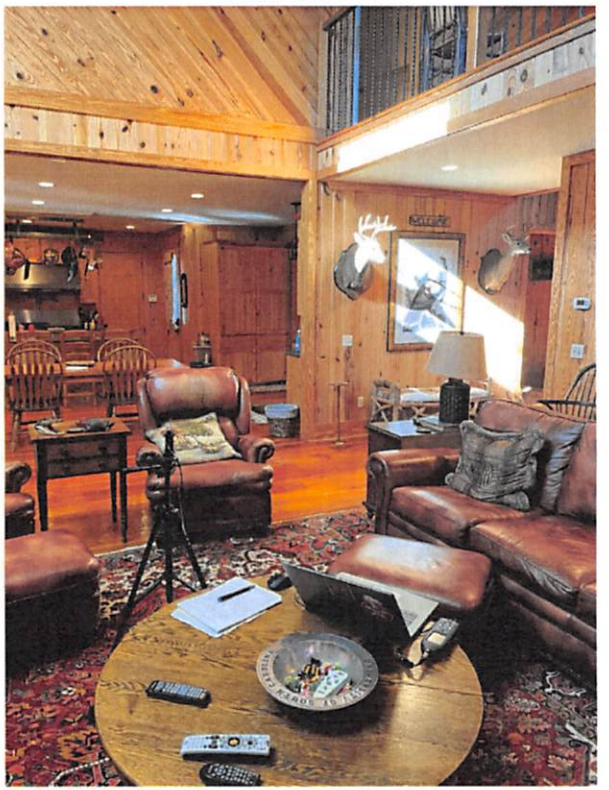
Exhibit 24



IMG_5493

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Exhibit 14

DSC_0339

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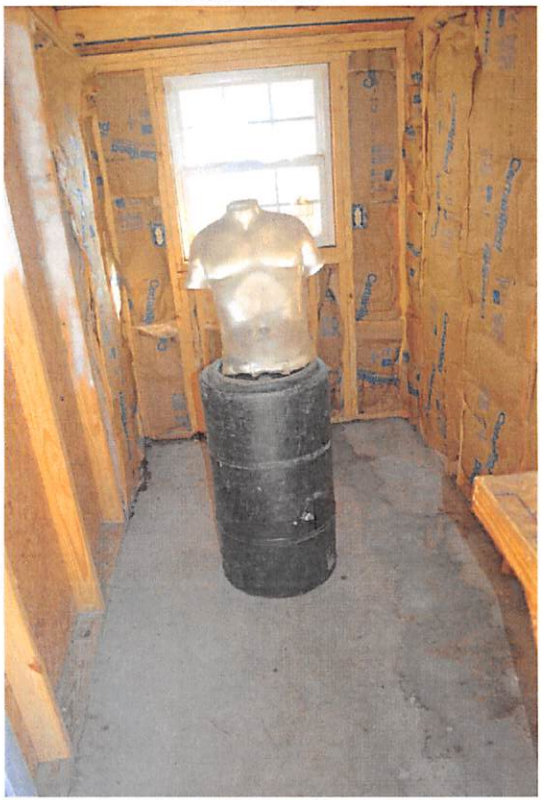
Exhibit 15



DSC_0347

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Exhibit 16

DSC_0357

Accident Research Specialists, PLLC

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Exhibit 17

DSC_0369

Accident Research Specialists, PLLC

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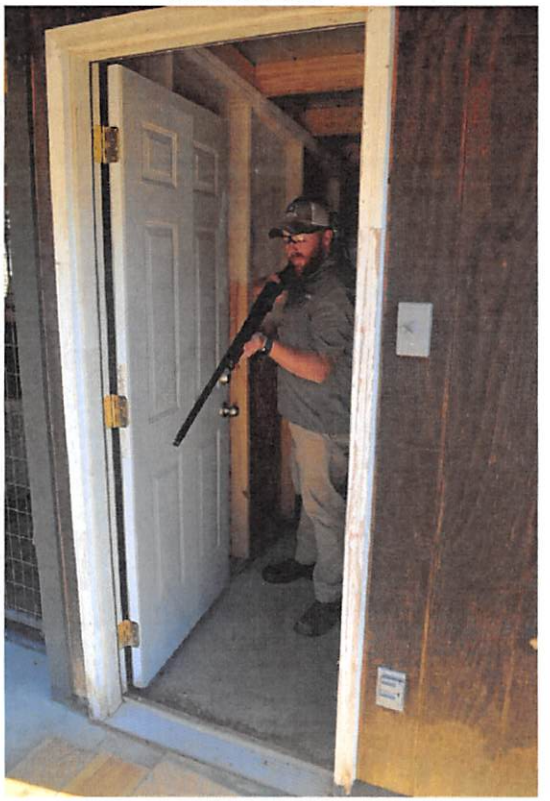
Exhibit 18



DSC_0379

Accident Research Specialists, PLLC

FORENSIC ENGINEERS

Exhibit 25

Various Indoor and Outdoor Sound Levels

Noise levels from "Study of Acoustic and EMF Levels from Solar PV Projects", Massachusetts Clean Energy Center, December 17, 2012

Additional noises relevant to proposed text amendment

AS AMENDED FOR THE JULY 5, 2018 ELUC MEETING

Outdoor Sound Levels	Sound Pressure (μPa)	Sound Level (dBA)	Indoor Sound Levels
	6,324,555	110	Rock Band at 5m
Jet Over-Flight at 300 m		105	
	2,000,000	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		95	
	632,456	90	Food Blender at 1 m
Diesel Truck at 15 m		85	
Noisy Urban Area--Daytime	200,000	80	Garbage Disposal at 1 m
		75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		65	Normal Speech at 1 m
SMA Inverter Model SC 2750TV at 10 m (32.8 ft)		64.3	
Quiet Urban Area -- Daytime	20,000	60	
		55	Quiet Conversation at 1 m
Average measured ambient (background) noise levels for the California Ridge Wind Farm - Daytime (pre-development		52	
*IPCB Maximum Sound Emitted to Class A Land - Daytime		51.7	
Quiet Urban Area--Nighttime	6,325	50	Dishwasher Next Room
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 3 (Moderate Residential Area) - Daytime		47	
		45	
Average measured ambient (background) noise levels for the California Ridge Wind Farm - nighttime (pre-development		44	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 3 (Moderate Residential Area) - Nighttime		41.3	
**Calculated sound level from SMA inverter at 515 feet		40.33	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 4 (Quiet Residential Area) - Daytime		40	
Suburban Area--Nighttime	2,000	40	Empty Theater or Library
*IPCB Maximum Sound Emitted to Class A Land - Nighttime		37.5	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 4 (Quiet Residential Area) - Nighttime		35	
		35	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 5 (Rural Area) - Daytime		34	
Rural Area--Nighttime	632	30	Quiet Bedroom at Night
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 5 (Rural Area) - Nighttime		28.8	
		25	Empty Concert Hall
Rustling Leaves	200	20	Average Whisper
		15	Broadcast and Recording Studios
	63	10	
		5	Human Breathing
Reference Pressure Level	20	0	Threshold of Hearing

* Online Noise Criterion calculator used: https://apps.engineeringtoolbox.com/noise-criterion-nc-a_21.html

** Online sound calculator used: http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html

Noise Levels Chart

Accident Research Specialists, PLLC

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RoA_8250

Various Indoor and Outdoor Sound Levels

Noise levels from "Study of Acoustic and EMF Levels from Solor PV Projects", Massachusetts Clean Energy Center, December 17, 2012

Additional noises relevant to proposed text amendment

AS AMENDED FOR THE JULY 5, 2018 ELUC MEETING

Outdoor Sound Levels	Sound Pressure (μPa)	Sound Level (dBA)	Indoor Sound Levels
	6,324,555	110	Rock Band at 5m
Jet Over-Flight at 300 m		105	
	2,000,000	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		95	
	632,456	90	Food Blender at 1 m
Diesel Truck at 15 m		85	
Noisy Urban Area--Daytime	200,000	80	Garbage Disposal at 1 m
		75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		65	Normal Speech at 1 m
SMA Inverter Model SC 2750EV at 10 m (32.8 ft)		64.3	
Quiet Urban Area -- Daytime	20,000	60	
		55	Quiet Conversation at 1 m
Average measured ambient (background) noise levels for the California Ridge Wind Farm - Daytime (pre-development)		52	
*IPCB Maximum Sound Emitted to Class A Land - Daytime		51.7	
Quiet Urban Area--Nighttime	6,325	50	Dishwasher Next Room
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 3 (Moderate Residential Area) - Daytime		47	
		45	
Average measured ambient (background) noise levels for the California Ridge Wind Farm - Nighttime (pre-development)		44	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 3 (Moderate Residential Area) - Nighttime		41.3	
**Calculated sound level from SMA Inverter at 515 feet		40.38	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 4 (Quiet Residential Area) - Daytime		40	
Suburban Area--Nighttime	2,000	40	Empty Theater or Library
*IPCB Maximum Sound Emitted to Class A Land - Nighttime		37.5	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 4 (Quiet Residential Area) - Nighttime		35	
		35	
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 5 (Rural Area) - Daytime		34	
Rural Area--Nighttime	632	30	Quiet Bedroom at Night
*IPCB Long Term Background Ambient Noise Level (Leq) for Land Use Category 5 (Rural Area) - Nighttime		28.8	
		25	Empty Concert Hall
Rustling Leaves	200	20	Average Whisper
		15	Broadcast and Recording Studios
	63	10	
		5	Human Breathing
Reference Pressure Level	20	0	Threshold of Hearing

* Online Noise Criterion calculator used: https://apps.engineeringtoolbox.com/noise-criterion-nc-a_21.html

** Online sound calculator used: http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html

Exhibit 26

RIFLES		dB SPL_{pk}
Winchester Model 70 (w/BOSS)	7mm Magnum	166.5
∞Remington Model 742	.30-06	163.6
* Savage Model 110 (22" barrel)	.30-06	163
Remington 742 carbine (18" barrel)	.30-06	162.6
∞ Steyer-Daimler Mannlicher	.270	161.9
Remington 742 std (22" barrel)	.30-06	161.6
∞Browning X-Bolt	.30-06	161.4
∞Rossi Trifecta	.243	160.6
∞Winchester 94	.30-30	160.5
Ruger Model 1	.45-70	160.1
Thompson/Center Encore	.50 (black powder)	159.7
∞Winchester 70 XTR	7mm Mauser	159.2
M14	7.62 X 51mm (.308)	159.0
Colt AR-15	5.56 X 45mm (.223)	158.9
Auto-Ordinance Tommy Gun (w/comp)	.45 ACP	151.0
∞Marlin 917 VS	.17 HMR	147.1
∞Rossi Trifecta	.22LR	143.8
∞Ruger 10/22	.22LR	143.4
∞Mossberg 702	.22LR	143.0
* Marlin Model 60	.22LR	141
∞Remington 514	.22LR	139.6

rifles

RoA_8251

Exhibit 27

SHOTGUNS		dB SPL_{pk}
∞Remington 11-87 turkey	12 ga. (3" ammo) w/choke	161.5
Remington SP-10 magnum	10 ga. (3.5"ammo)	161.4
∞Remington 11-87 turkey	12 ga. (3" ammo) w/o choke	161.0
^ Beretta Gold Match AL391	12 ga. (hunting ammo)	161
	12 ga. (target)	159
Remington 11-78 slug	12 ga. (3" ammo)	160.1
∞Remington 870	12 ga. (2.75" ammo)	159.7
∞Rossi Trifecta	20 ga. (2.75" ammo)	159.1
∞New England SBI	.410 (3" ammo)	157.5
Remington 11-87 turkey	12 ga. (3" ammo)	156.0
Remington 11-87 field	12 ga. (3" ammo)	156.1
	12 ga. (2.75" ammo)	152.7
∞Remington 870	12 ga. (2.75" ammo)	155.2
∞Pietro Beretta	20 ga. (2.75" ammo)	154.2
∞Mossberg 183KE	.410 (3" ammo)	151.9
∞Mossberg 183KE	.410 (2.75" ammo)	151.8
Mossberg pump	20 ga. (2.75" ammo)	150.0
Mossberg bolt	.410 (3" ammo)	149.1
	.410 (2.75" ammo)	150.0

shotguns

RoA_8252

ARS
Firearms Acoustics Testing Results

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RoA_8253

Exhibit 78

Acoustic Measurements		
Rifle Shot 1	N	164.9 dB
Rifle Shot 2	N	164.8 dB
Rifle Shot 3	N	165.2 dB
Quiet House Background	den	less than 35 dB
Quiet House Background	den	less than 35 dB
Quiet House Background	den	less than 35 dB
Rifle Shot 4	N	38-40 dB
Rifle Shot 5	E	38-40 dB
Rifle Shot 6	S	38-40 dB
Rifle Shot 7	W	38-40 dB
Rifle Shot 8	N	Gunshot is not audible, more than 20 dB below house background with TV 68 to 69 dB
Buckshot into feed room		139.8 dB
Buckshot into feed room		133.3 dB
Birdshot out of feed room		154.9 dB
Birdshot NE of feed room		35-38 dB
House with TV Background	den	68 to 69 dB
House with TV Background	den	68 to 69 dB
Birdshot NE of feed room		Gunshot is not audible, more than 20 dB below house background with TV 68 to 69 dB

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Audio

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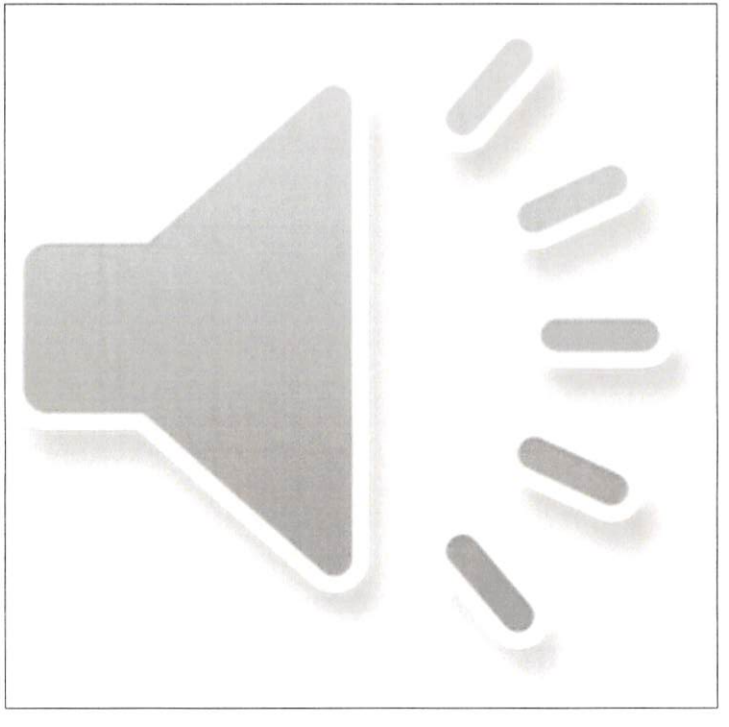
RoA_8255

Exhibit 32



STE-072

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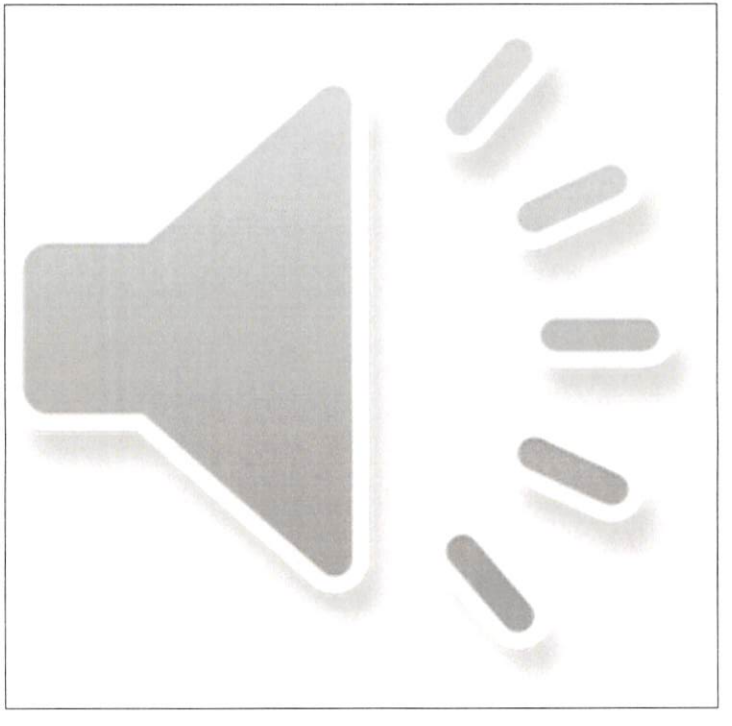
Exhibit 33



STE-073

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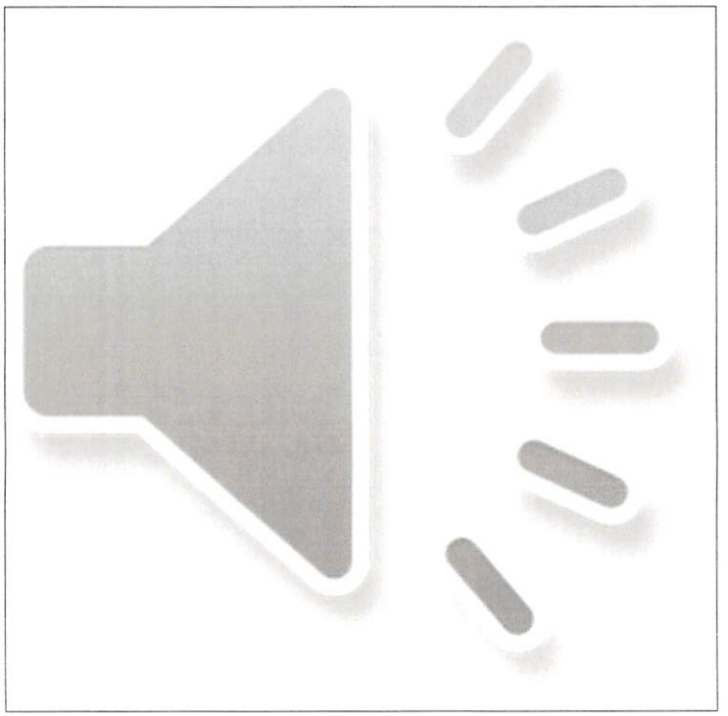
Exhibit 34



STE-076

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Exhibit 29

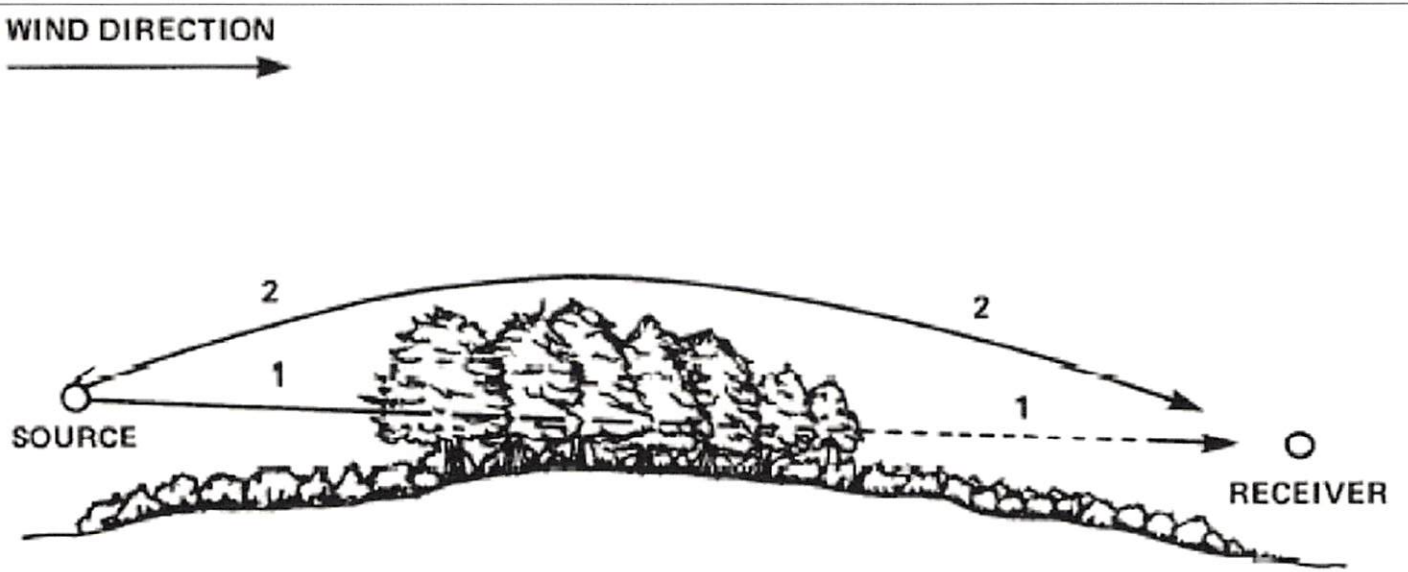

Figure 34: Example of downwind sound diffraction[8].

wind

RoA_8259

Exhibit 21

ABSORPTION OF SOUND IN AIR

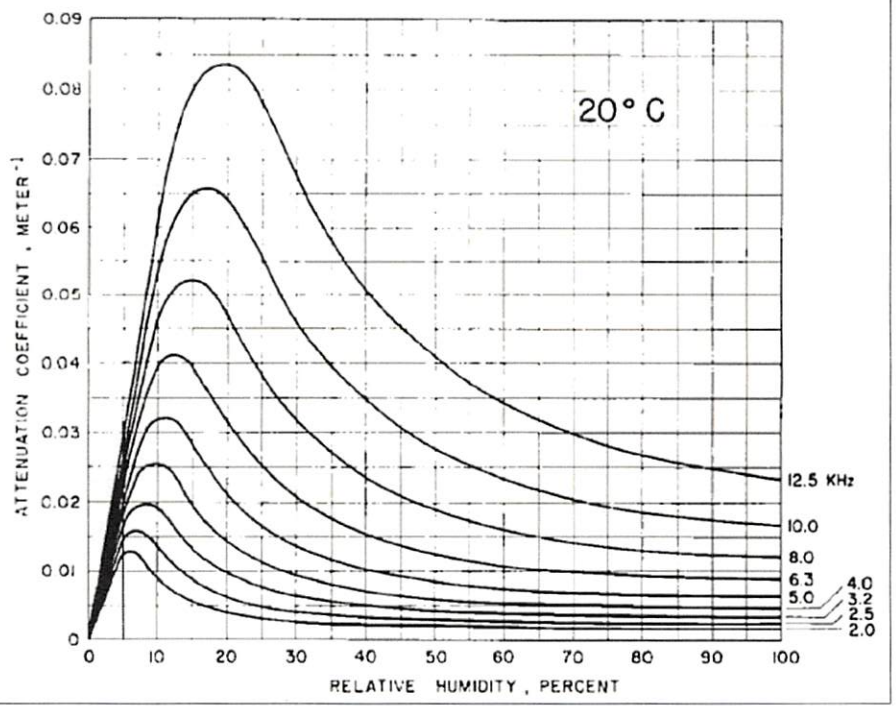

FIG. 5. Values of the total attenuation coefficient m versus percent R.H. for air at 20°C and normal atmospheric pressure for frequencies between 2.0 and 12.5 kHz at ⅓-oct intervals.

humidity

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RoA_8260

Exhibit 28

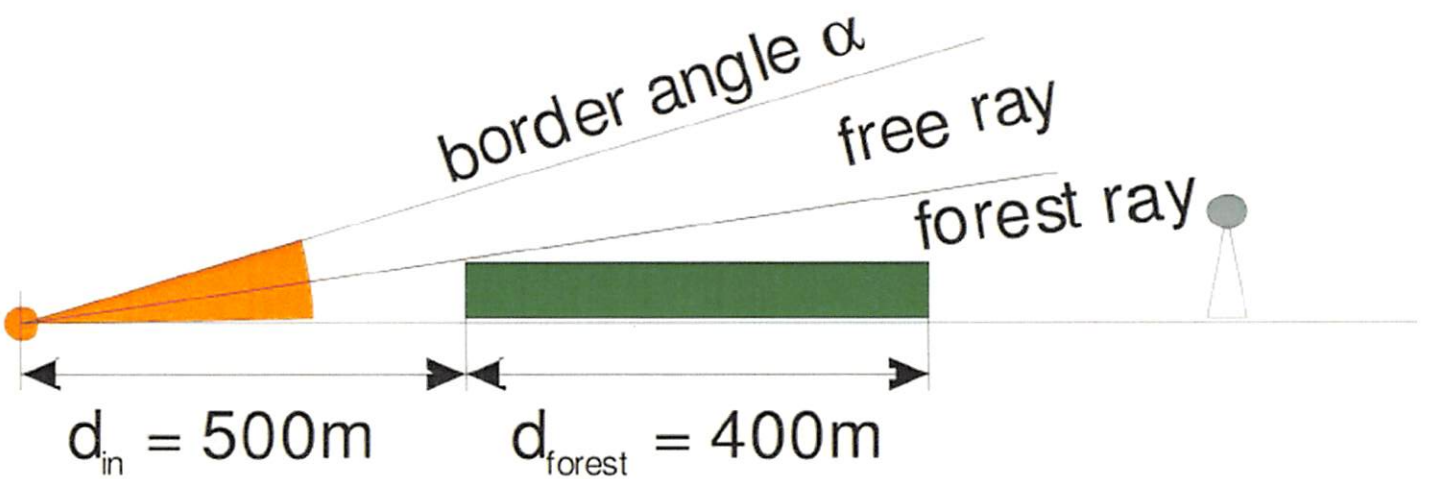
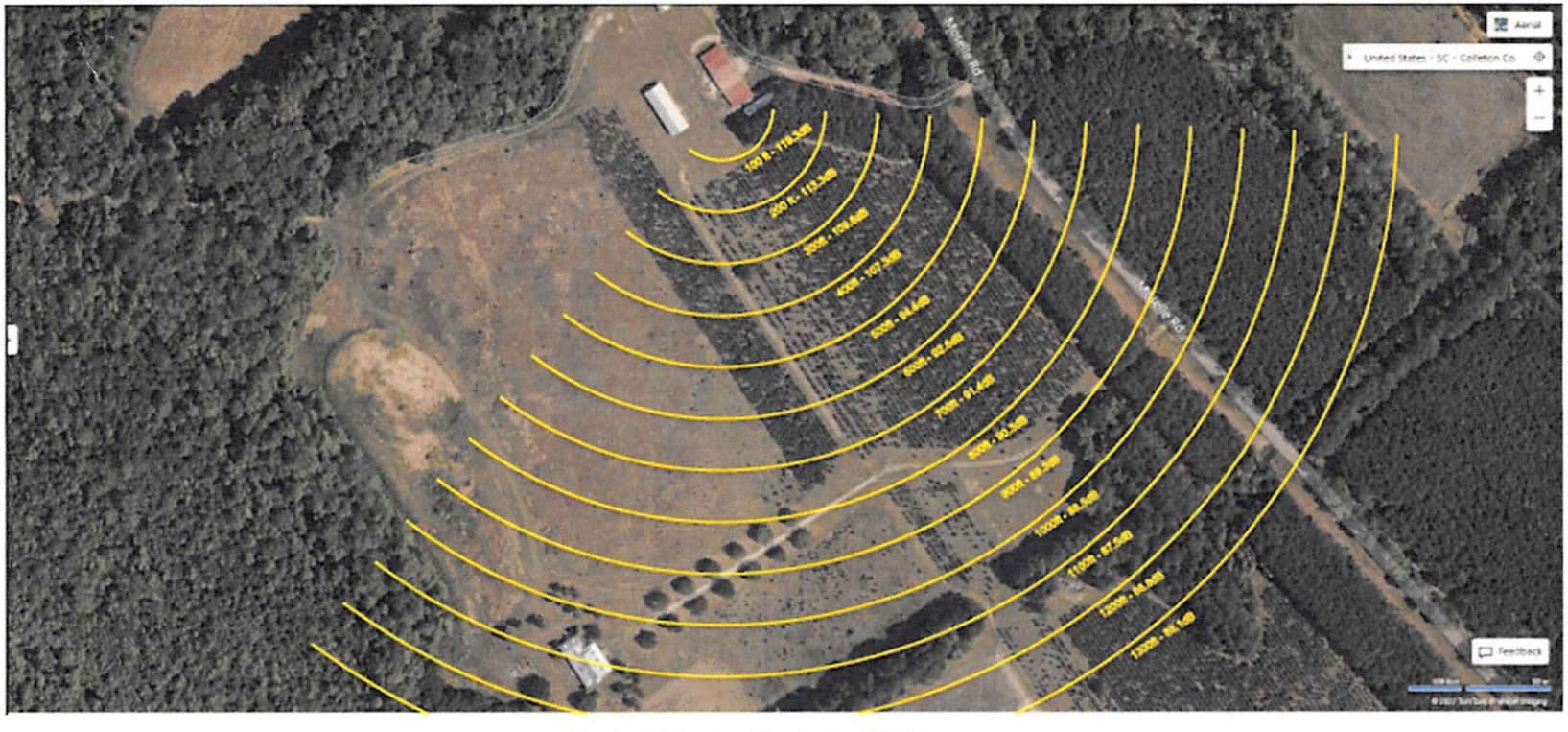


Figure 6 – The two sectors of the relevant sound energy from a source on one side of a forest to an immission point on the other side

trees

RoA_8261

Exhibit 31



Aerial Photo Scaled with Trees

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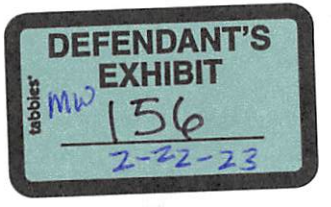
RoA_8262

Alex Murdaugh Steps and Distance

Entry	Start	Stop	time (seconds)	steps	distance (meters)
26	7:55:32	8:05:07	575	270	203.13
27	8:05:35	8:09:52	257	74	54
28	9:02:18	9:06:47	269	283	208.3
29	9:22:39	9:32:14	575	195	138.39
30	9:35:55	9:45:37	582	60	44.71
31	9:56:57	10:06:57	600	231	173.42
32	10:06:57	10:16:37	580	594	443.89
33	10:18:53	10:28:05	552	525	391.39



Maggie Murdaugh Steps and Distance

Entry	Start	Stop	time (seconds)	steps	distance (meters)
4	8:17:41	8:18:29	47	38	27.29
5	8:30:40	8:33:28	168	43	31.61
6	8:53:15	8:55:32	137	59	31.25

RoA_8264

RoA_8265

Maggie Murdaugh

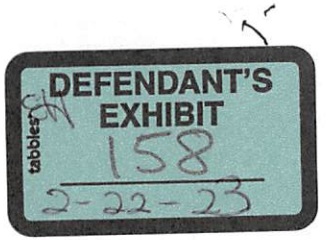
Cell Phone Event Timeline

June 7, 2021

8:49pm to 9:07pm

Sources:

- Maggie Murdaugh phone extraction performed by Lt. Dove June 16, 2021
- Defense exhibits 38 and 41 to Lt. Dove testimony
- Alex Murdaugh's call data records from Verizon Wireless
- Murdaugh Murders Timeline of Events prepared by S/A Rudolfski



8:49:26

Last text message read by Maggie

RoA_8266

RoA_8267

8:49:31

Phone locks and remains locked until recovered by law enforcement

RoA_8268

8:53:08

RoA_8269

Backlight on

8:53:12

RoA_8270

Orientation to portrait starts

8:53:15

RoA_8271

Phone begin logging 59 steps at 0.53 meters/step

8:53:20

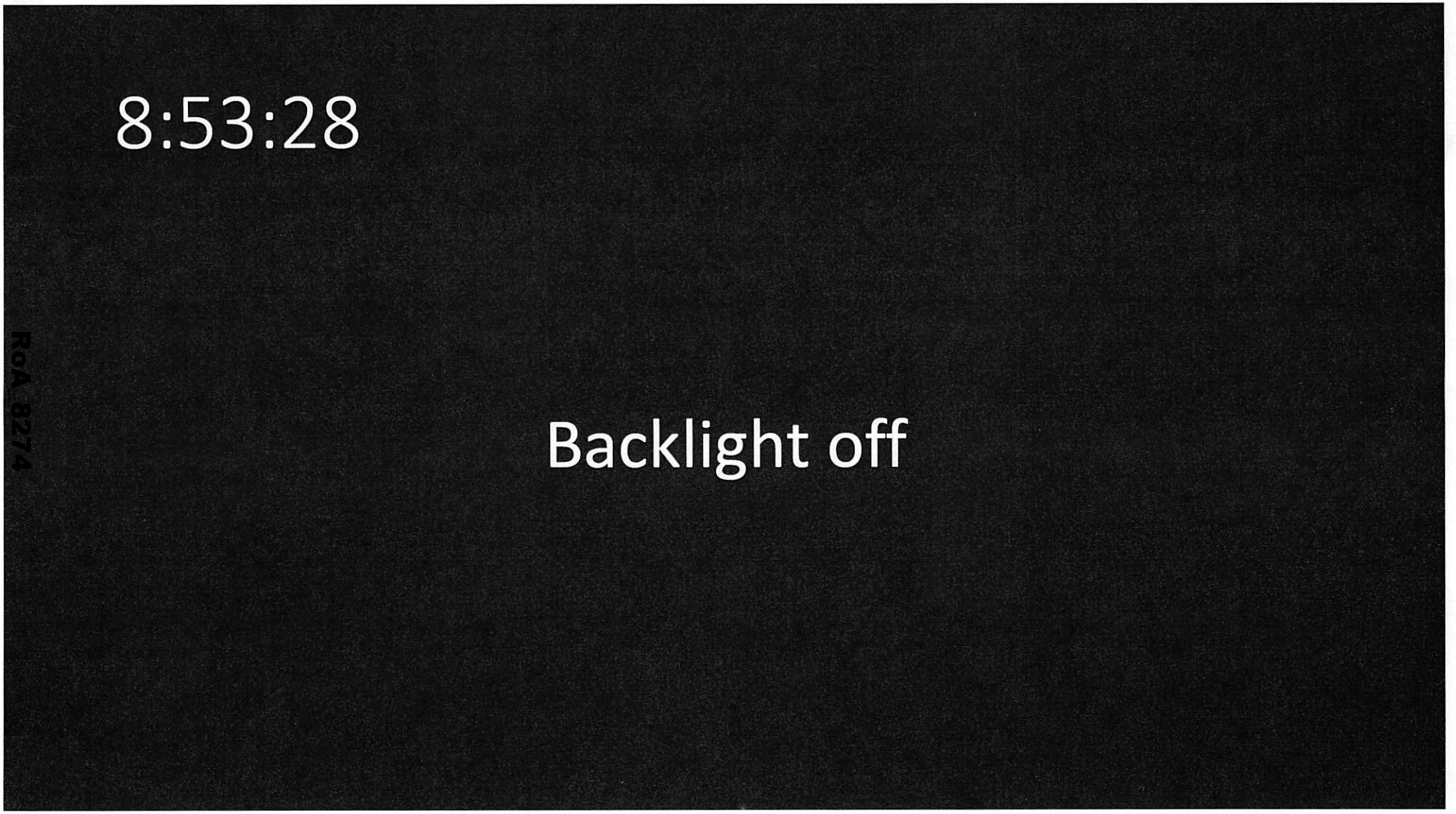
RoA_8272

Siri usage (squeezing side button)

8:53:24

RoA_8273

Orientation to portrait completes

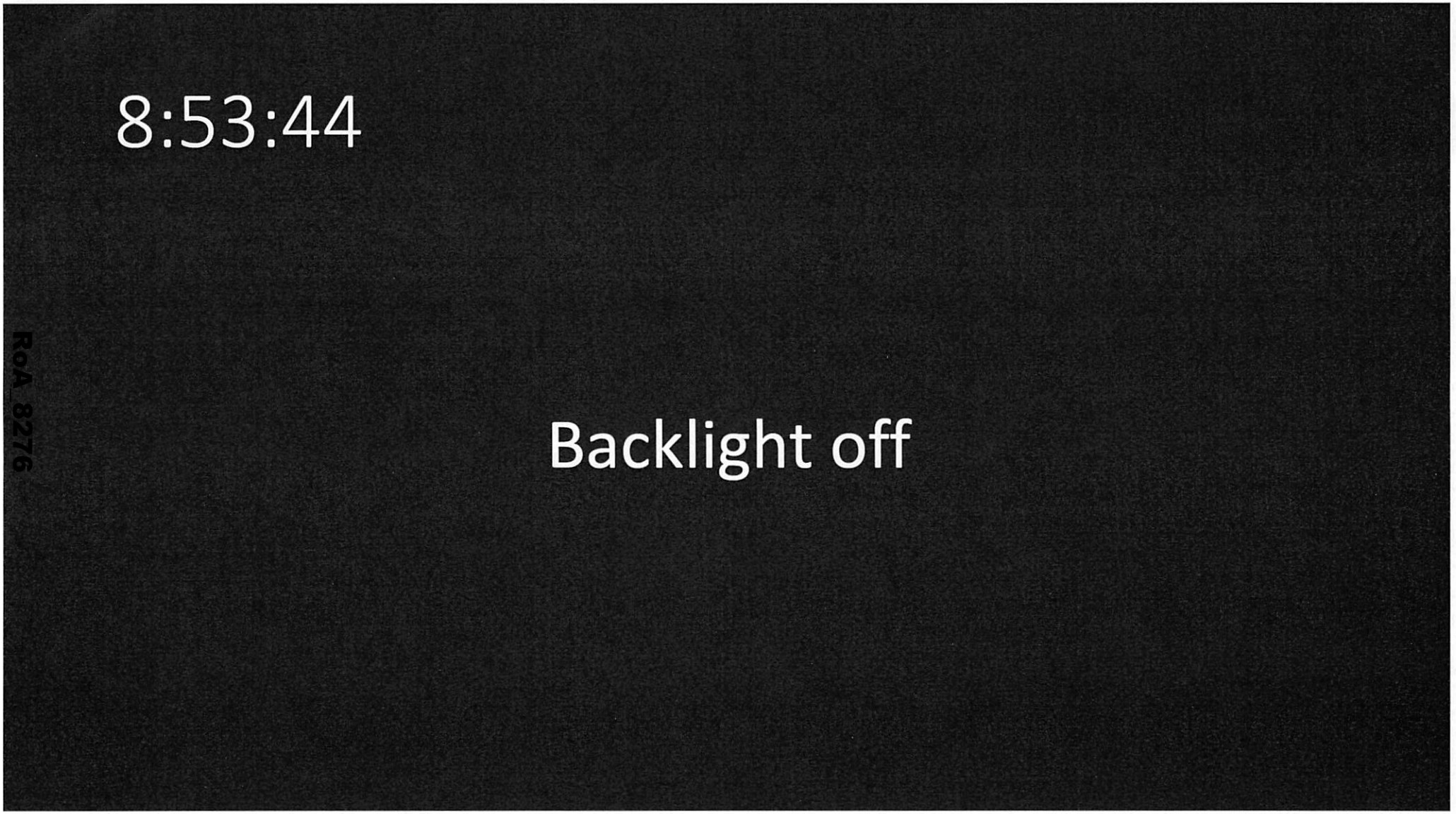


RoA_8274

8:53:32

RoA_8275

Backlight on



RoA_8276

8:54:32

RoA_8277

Backlight on

8:54:34

RoA_8278

Camera use starts

Camera is activated by touching camera icon or by swiping left from the lockscreen

8:54:35

RoA_8279

Camera use ends

8:54:40

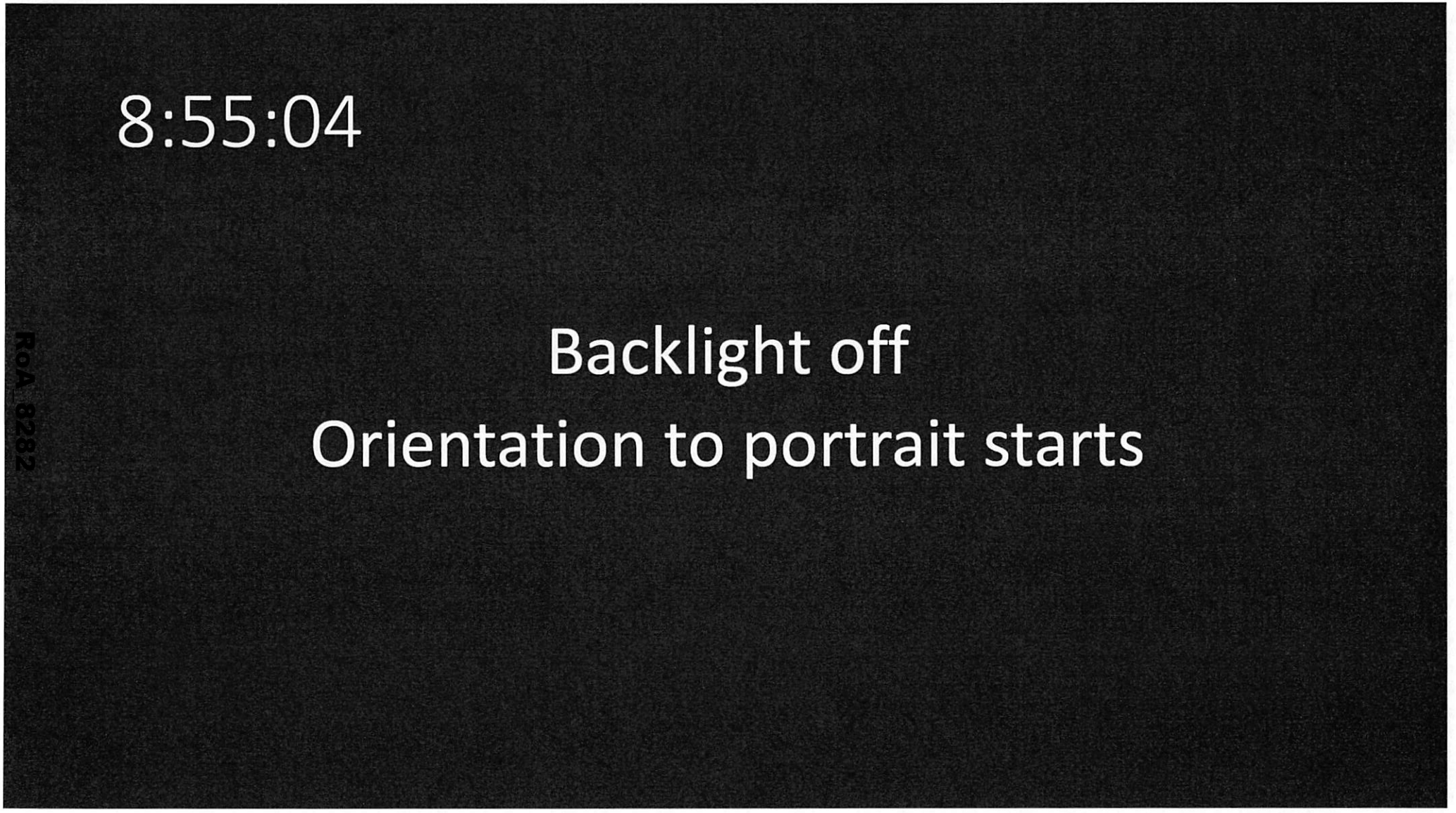
RoA_8280

Orientation to landscape starts

8:54:44

RoA_8281

Orientation to landscape ends


8:55:04
Backlight off
Orientation to portrait starts
RoA_8282

8:55:32

Backlight on

Orientation to portrait ends

Orientation to landscape starts and ends

Phone stops logging 59 steps at 0.53 meters/step

RoA_8283

8:55:36
Backlight off

9:03:52

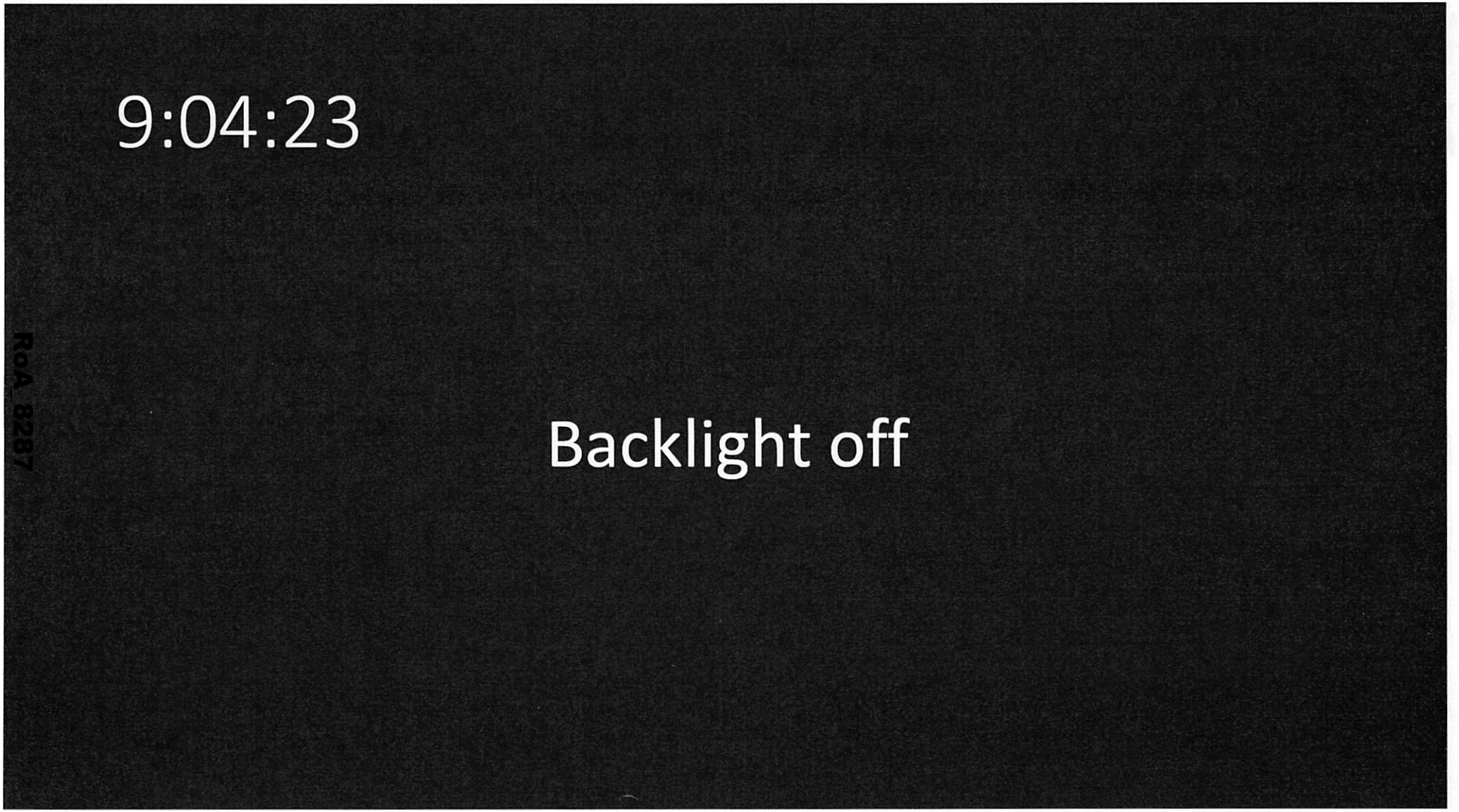
RoA_8285

Backlight on

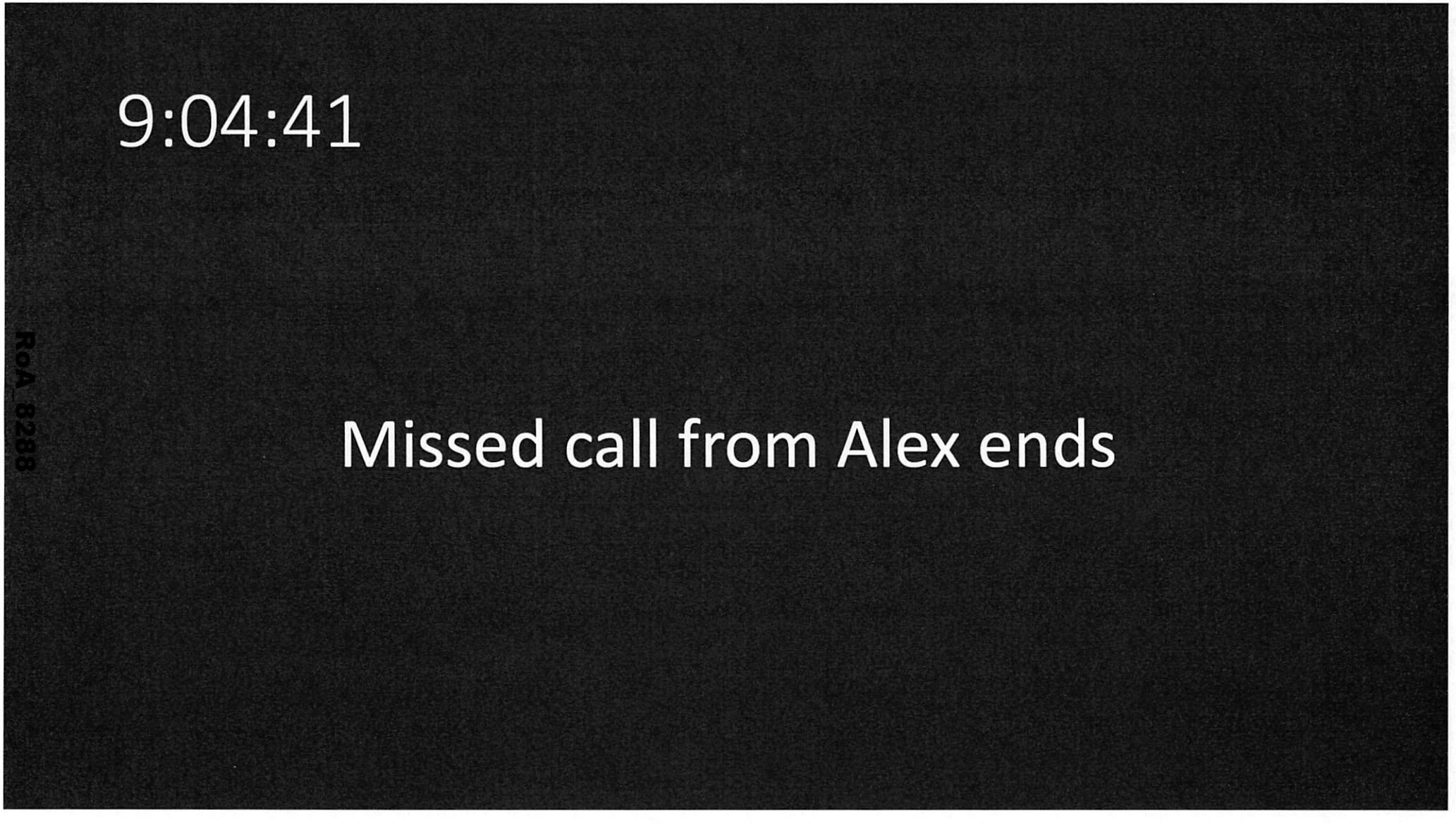
9:04:23

RoA_8286

Missed call from Alex starts



RoA_8287



RoA_8288

9:05:44

RoA_8289

Backlight on

9:06:12

RoA_8290

Orientation change to portrait begins

9:06:14

RoA_8291

Incoming call from Alex starts

9:06:18

RoA_8292

Incoming call from Alex ends

9:06:20

RoA_8293

Orientation change to portrait ends

9:06:52

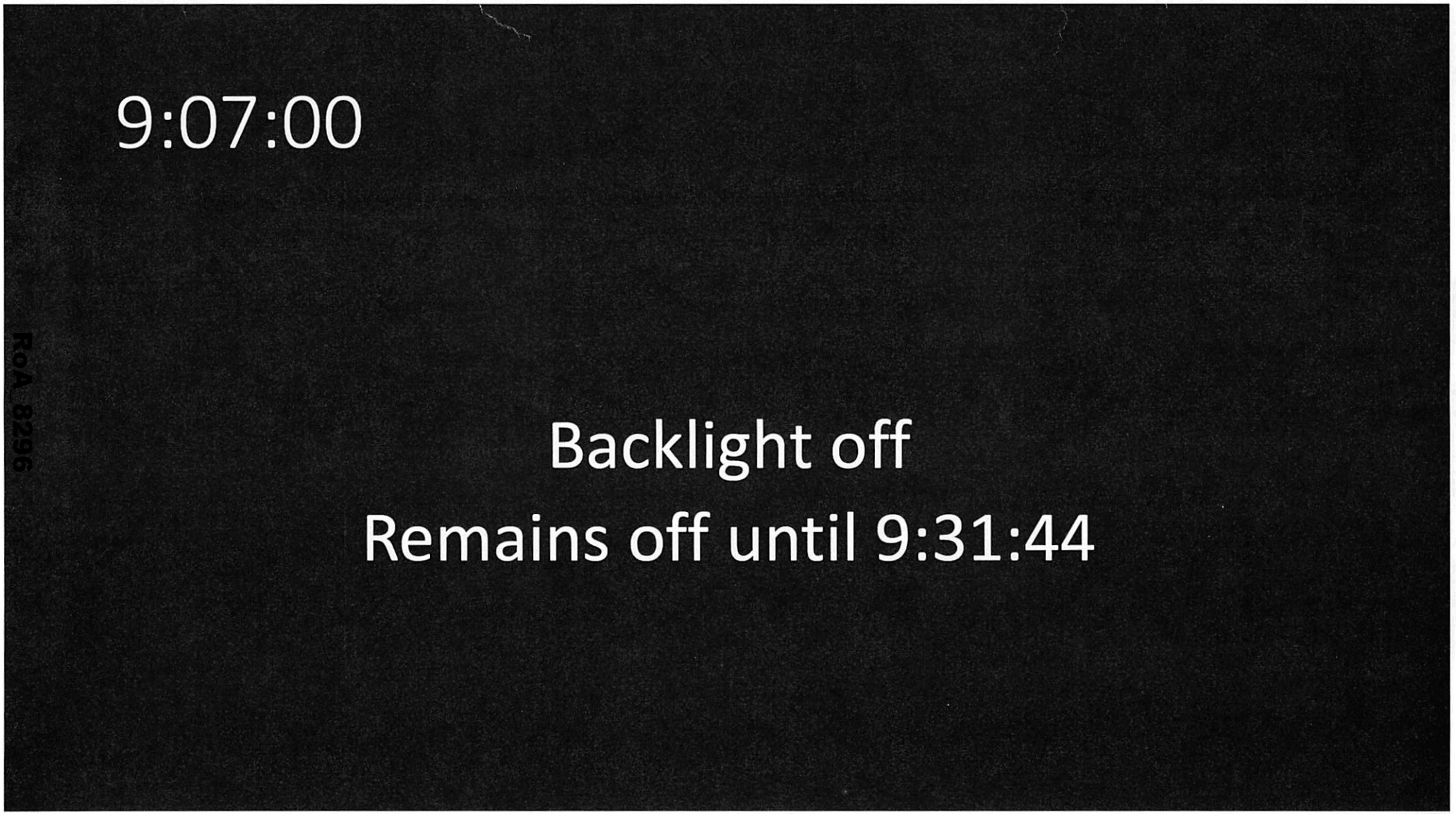
RoA_8294

Incoming call from Alex starts

9:06:59

RoA_8295

Incoming call from Alex ends



RoA_8296

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

HENRY D. MCMASTER
Governor

MARK A. KEEL
Chief

July 23, 2021

David Owen, III
South Carolina Law Enforcement Division
4400 Broad River Road
Columbia, SC 29210

FIREARMS DEPARTMENT
SLED LAB: L21-09074
Your Case No: 31210061
Incident Date: 6/7/2021
[V-Deceased] Paul Murdaugh
[V-Deceased] Margaret Murdaugh
[W] Richard Murdaugh

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

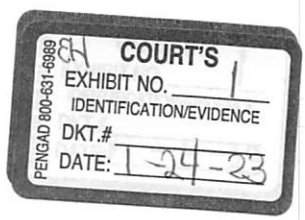
ITEMS OF EVIDENCE:

Item: 1 One shot cup and one wad component, listed as "...from Marker 1".
RESULTS:
See Item 69 results.

Item: 1.1 Reddish-brown debris swabbed from Item 1.
RESULTS:
Item 1.1 was returned without further analysis.

Item: 1.2 Fibrous material removed from Item 1.
RESULTS:
Item 1.2 was returned without further analysis.

Item: 2 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 2".
Item: 3 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 3".
Item: 4 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 4".
Item: 5 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 5".
RESULTS:
See Item 128 results.



CALEA

ANAB ACCREDITED ISO/IEC 17025 FORENSIC TESTING LABORATORY

Item: 6 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 6".
Item: 7 One fired 300 Blackout caliber cartridge case, listed as "...from Marker 7".
RESULTS:
See Item 128 results.

Item: 8 One fired bullet, listed as "...near tire tire impression at Marker 8".
RESULTS:
See Item 137 results.

Item: 9 One fired 12 gauge shotshell, listed as "...from Marker 9".
Item: 10 One fired 12 gauge shotshell, listed as "...from Marker 10".
RESULTS:
See Item 135 results.

Item: 11 One fired bullet jacket fragment, three bullet jacket fragments, and one piece of lead, listed as "...from defect in ground (gravel) (Marker 13)".
Item: 12 One fired bullet, listed as "...from bedding inside doghouse".
RESULTS:
See Item 137 results.

Item: 13 One buckshot pellet, listed as "...from table below storage room window".
Item: 14 Twenty-four birdshot pellets listed as "...from dog food storage room".
RESULTS:
See Item 104 results.

Item: 14.1 Reddish-brown debris swabbed from Item 14.
RESULTS:
Item 14.1 was returned without further analysis.

Item: 22 One Benelli Model Super Black Eagle 3 semiautomatic shotgun, 12 gauge, serial number U573210E17, with one unfired 12 gauge shotshell, one unfired 16 gauge shotshell, and accessory. *Please note that the accessory was not listed on the submission documents.*
RESULTS:
Item 22 was physically examined. The shotgun was test fired and found to be in working order. The 12 gauge shotshell was the correct gauge for use in the shotgun. The 16 gauge shotshell was not correct for use in the shotgun.

No analysis was performed on the accessory.

Item: 22.4 Reddish-brown debris swabbed from the right side of the Item 22 receiver.
RESULTS:
Item 22.4 was forwarded to the DNA Department.

Item: 22.5 Reddish-brown debris swabbed from the left side of the Item 22 receiver, above manufacturer information.
RESULTS:
Item 22.5 was forwarded to the DNA Department.

Item: 22.6 Test specimens fired by Item 22 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 22.7 The unfired 12 gauge shotshell submitted as Item 22 test fired in the Item 22 shotgun.
RESULTS:
This test specimen was used for comparisons purposes and was packaged for return with the other evidence.

Item: 22.8 Reddish-brown debris swabbed from under the forearm on the magazine tube and receiver area.
RESULTS:
Item 22.8 was returned without further analysis.

Item: 30 One Mossberg Model 835 "ULTI-MAG" pump-action shotgun, 12 gauge, serial number UM613411, with one unfired 12 gauge shotshell, listed as "...(previously on pool table)..."
RESULTS:
Item 30 was physically examined. During test firing, the first shotshell was loaded from the magazine tube and successfully test fired. After firing, the next available shotshell in the magazine tube had to be manually removed. The shotshell was then fed into the chamber with the lifter and fired. This issue did not prevent test firing and no further analysis was performed.

Item: 30.2 Test specimens fired by Item 30 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 31 One Browning Model Auto-5 Light Twelve semiautomatic shotgun, 12 gauge, serial number 03867NV211.
RESULTS:
Item 31 was physically examined. During test firing, the shotgun did not extract and eject the fired shotshells. The shotshells had to be removed from the chamber by manually cycling the firearm. This issue did not prevent test firing and no further analysis was performed.

Item: 31.2 Test specimens fired by Item 31 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 32 One Benelli Model Super Black Eagle II semiautomatic shotgun, 12 gauge, serial number U391148, with two unfired 12 gauge shotshells and one accessory .
RESULTS:
Item 32 was physically examined. The shotgun was test fired and found to be in working order. The unfired shotshells were the correct gauge for use in the shotgun.

No analysis was performed on the accessory.

Item: 32.2 Test specimens fired by Item 32 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 32.3 Debris swabbed from inside the choke of Item 32.
RESULTS:
Item 32.3 was returned without further analysis.

Item: 33 One Palmetto State Armory Model PA-15 semiautomatic rifle, 300 Blackout caliber, serial number PA068237, with accessory.
RESULTS:
Item 33 was physically examined. The rifle was test fired using the Item 34 magazine. During test firing, the first available cartridge in the magazine was fed and chambered correctly. The cartridge was successfully test fired, and extracted and ejected from the rifle. As the firearm cycled, the next available cartridge from the magazine failed to feed into the chamber. The bolt had to be manually cycled in order to feed the next cartridge. This issue did not prevent test firing and no further analysis was performed.

No analysis was performed on the accessory.

Item: 33.2 Test specimens fired by Item 33 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 33.3 Test specimens cycled through Item 33 using Laboratory supplied ammunition.
RESULTS:
The test specimens were packaged for return to your Agency for long term storage as evidence.

Item: 34 One magazine and twenty-six unfired 300 Blackout caliber cartridges.
RESULTS:
Item 34 was physically examined. The magazine was a correct magazine assembly for use in the Item 33 rifle and in other similar type firearms. The unfired cartridges were the correct caliber for use in the Item 33 rifle and in other firearms chambered for 300 Blackout caliber cartridges.

Item: 35 One fired 300 Blackout caliber cartridge case, listed as "...from ground at side entrance door".
Item: 36 One fired 300 Blackout caliber cartridge case, listed as "...from ground at side entrance door".
Item: 37 One fired 300 Blackout caliber cartridge case, listed as "...from ground at side entrance door".
Item: 38 One fired 300 Blackout caliber cartridge case, listed as "...from ground at side entrance door".
Item: 39 One fired 300 Blackout caliber cartridge case, listed as "...from ground at side entrance door".
RESULTS:
See Item 128 results.

Item: 66 Three fired bullet jacket fragments and seven pieces of lead, listed as "...from Margaret Murdaugh at autopsy".
RESULTS:
See Item 137 results.

Item: 67 Forty-eight birdshot pellets, listed as "...from left shoulder and head of Paul Murdaugh at autopsy".
RESULTS:
See Item 104 results.

Item: 68 One piece of plastic, listed as "...from left shoulder and head of Paul Murdaugh at autopsy".
RESULTS:
Item 68 was physically and microscopically examined. It could not be determined whether Item 68 was part of a wad or wad component at some prior time, or if it originated from another source. No marks of value suitable for identification were found, and it was concluded that Item 68 was unsuitable for identification.

Item: 69 One combination wad, listed as "...from left axilla of Paul Murdaugh at autopsy".
RESULTS:
Items 1 and 69 were physically examined and microscopically compared with each other and test wads fired by the Item 22 and 30 – 32 shotguns. Based on their observable, physical characteristics, Items 1 and 69 were most consistent with wads/wad components loaded into some 12 gauge shotshells. Items 1 and 69 bore some striated markings; however, their origin could not be determined and the results of these comparisons were inconclusive. It could not be determined whether Items 1 and 69 were fired by Items 22, 30, 31, 32, or by another firearm or firearms. Items 1 and 69 may not be suitable for identification with other firearms related evidence.

Sufficient differences in class characteristics were found to conclude that Items 1 and 69 were not fired by the Item 33 rifle.

Item: 104 One birdshot pellet, listed as "...found with Paul Murdaugh's clothing".
RESULTS:
Items 13, 14, 67, and 104 were physically and microscopically examined. From these examinations, the following conclusions were reached:

- Based on its observable, physical characteristics, Item 30 was most consistent with being a Number 0 or larger buckshot pellet. No marks of value suitable for identification were found, and it was concluded that Item 13 was unsuitable for identification with other firearms related evidence.
- Based on their observable, physical characteristics, Items 14, 67, and 104 were most consistent with being Number 2 birdshot pellets. No marks of value suitable for identification were found, and it was concluded that Items 14, 67, and 104 were unsuitable for identification with other firearms related evidence.

Sufficient differences in class characteristics were found to conclude that Items 13, 14, 67, and 104 were not fired by the Item 33 rifle.

Item: 108 One fired 300 Blackout caliber cartridge case, listed as "...from to the left of shooting chair (near field)".
Item: 109 One fired 300 Blackout caliber cartridge case, listed as "...collected from right front corner (near field)".
Item: 110 One fired 300 Blackout caliber cartridge case, listed as "...from in front of shooter's chair under table (near field)".
Item: 111 One fired 300 Blackout caliber cartridge case, listed as "...from in front of chair at table (near field)".
Item: 112 One fired 300 Blackout caliber cartridge case, listed as "...from under shooting table (near field)".
Item: 113 One fired 300 Blackout caliber cartridge case, listed as "...from in front of right shooting table leg (near field)".
Item: 114 One fired 300 Blackout caliber cartridge case, listed as "...from near right leg of shooting table in front of chair (near field)".
Item: 115 One fired 300 Blackout caliber cartridge case, listed as "...from the front of and to the right of shooting table leg (near field)".
Item: 116 One fired 300 Blackout caliber cartridge case, listed as "...from to the right halfway between leg and wall (near field)".
Item: 117 One fired 300 Blackout caliber cartridge case, listed as "...from near right leg of shooting table near chair (near field)".
Item: 118 One fired 300 Blackout caliber cartridge case, listed as "...from by right wall (near field)".
Item: 119 One fired 300 Blackout caliber cartridge case, listed as "...from right front part of front wall (near field)".
Item: 120 One fired 300 Blackout caliber cartridge case, listed as "...from right side of shooting platform (near field)".
Item: 121 One fired 300 Blackout caliber cartridge case, listed as "...from right of shooting chair by platform (near field)".

RESULTS:

See Item 128 results.

Item: 122 One fired 300 Blackout caliber cartridge case, listed as "...from right side near wall (near field)".

Item: 123 One fired 300 Blackout caliber cartridge case, listed as "...from right side chair platform (near field)".

Item: 124 One fired 300 Blackout caliber cartridge case, listed as "...from right wall near sandbags (near field)".

RESULTS:

See Item 128 results.

Item: 125 One fired 12 gauge shotshell, listed as "...collected near field". *Item 125 was originally submitted as "...8..." fired shotshells. This evidence was itemized for identification and reporting purposes. See Items 129 – 135.*

RESULTS:

See Item 135 results.

Item: 126 One fired 300 Blackout caliber cartridge case, listed as "...from right front corner".

Item: 127 One fired 300 Blackout caliber cartridge case, listed as "...from right and to the front of right table leg".

Item: 128 One fired 300 Blackout caliber cartridge case, listed as "...collected from right near front wall".

RESULTS:

Items 2 – 7, 35 – 39, 108 – 124 and 126 – 128 were physically examined and, where appropriate, microscopically compared with each other and test cartridge cases fired by the Item 33 rifle. From these examinations and comparisons, the following conclusions were reached:

- Matching individual identifying characteristics were found on Items 38, 109 – 110, 121, 126, 127 and test cartridge cases fired by the Item 33 rifle. It was concluded that these Items were fired by Item 33.
- Due to insufficient corresponding individual identifying characteristics, the results of comparisons of Items 2 – 7, 35 – 37, 39, 108, 111 – 120, 122 – 124, and 128 with each other and test cartridge cases fired by the Item 33 rifle were inconclusive. It could not be determined whether these Items were fired by Item 33 or by another firearm or firearms with similar rifling characteristics. These Items may or may not be suitable for identification with other firearms related evidence.
- Matching individual identifying characteristics were found in the mechanism marks of Items 111, 114 – 115, 118 – 119, 123, 128 to conclude that these Items were loaded into, extracted, and ejected from the Item 33 rifle at some previous time.
- Matching individual identifying characteristics were found in the mechanism marks of Items 2 – 7, 35 – 37, 39, 108, 113, 116 – 117, and 122 to conclude that these Items were loaded into, extracted, and ejected from the same firearm at some previous time.

Sufficient differences in class characteristics were found to conclude that Items 2 – 7, 35 – 37, 39, 108, 111 – 120, 122 – 124, and 128 were not fired by any of the Item 22, 30, 31, or 32 shotguns.

Item: 129 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 130 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 131 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 132 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 133 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 134 One fired 12 gauge shotshell, originally submitted as/with Item 125.
Item: 135 One fired 12 gauge shotshell, originally submitted as/with Item 125.

RESULTS:

Items 9 – 10, 125, and 129 – 135 were physically examined and, where appropriate, microscopically compared with test shotshells fired by the Item 22 and 30 – 32 shotguns. From these examinations and comparisons, the following conclusions were reached:

- Matching individual identifying characteristics were found, and it was concluded that Items 9 – 10 were fired by the same firearm.
- Due to insufficient corresponding individual identifying characteristics, the results of comparisons of Items 9 – 10 with test shotshells fired by the Item 22 shotgun were inconclusive. It could not be determined whether Items 9 – 10 were fired by Item 22 or by another firearm with similar characteristics. Items 9 – 10 may be suitable for identification with other firearms related evidence.
- Sufficient differences in class and/or individual characteristics were found to conclude that Items 9 – 10 were not fired by the Item 30, 31, or 32 shotguns.
- Due to their damaged and weathered condition, the results of comparisons of Items 125 and 129 – 135 with each other, Items 9 – 10, and test shotshells fired by the Item 22 and 30 – 32 shotguns were inconclusive. It could not be determined whether Items 125 and 129 – 135 were fired by the firearm that fired Items 9 – 10, the Item 22, 30, 31, or 32 shotguns, or by another firearm or firearms with similar characteristics. Items 125 and 129 – 135 may not be suitable for identification with other firearms related evidence.

Sufficient differences in class characteristics were found to conclude that Items 9 – 10, 125, and 129 – 135 were not fired by the Item 33 rifle.

Item: 137 One piece of lead, listed as "...from hair on the Item 92 dress".

RESULTS:

Items 8, 11 – 12, 66, and 137 were physically examined and, where appropriate, microscopically compared with each other and test bullets fired by the Item 33 rifle. From these examinations and comparisons, the following conclusions were reached:

- Based on their observable, physical characteristics, Items 8 and 12 were most consistent with bullets loaded into some 300 Blackout caliber cartridges.
- Marks of value were found on Item 8 and it was concluded that it may be suitable for identification with other firearms related evidence.
- Due to damage, Item 12 was unsuitable for identification with other firearms related evidence; however, it may be suitable for elimination purposes based on class characteristics.
- Due to damage and their size, the caliber or calibers of Items 11, 66, and 137 could not be determined.
- Due to damage and limited marks of value found on the Item 11 fired bullet jacket fragment and the Item 66 fired bullet jacket fragments, it was concluded that these Items may or may not be suitable for identification with other firearms related evidence.
- No marks of value were found on the Item 11 bullet jacket fragments, the Item 11 piece of lead, and the Item 66 pieces of lead, and it was concluded that these Items were unsuitable for identification with other firearms related evidence.
- Item 137 bore some striated markings; however, their origin could not be determined and it was concluded that this Item was unsuitable for identification with other firearms related evidence.
- Due to damage and insufficient corresponding individual identifying characteristics, the results of comparisons of Item 8, the Item 11 fired bullet jacket fragment, and the Item 66 fired bullet jacket fragments with each other and test bullets fired by the Item 33 rifle were inconclusive. Although some limited similarities were noted on Item 8 and one of the Item 66 fired bullet jacket fragments, it could not be determined whether Item 8, the Item 11 fired bullet jacket fragment, and the Item 66 fired bullet jacket fragments were fired by Item 33 or by another firearm or firearms with similar rifling characteristics.

Sufficient differences in class characteristics were found to conclude that Item 8, the Item 11 fired bullet jacket fragment, and the Item 66 fired bullet jacket fragments were not fired by the Item 22 and 30 – 32 shotguns.

Items 3, 9, 10, and 33 were entered into the Integrated Ballistics Identification System (IBIS). These exhibits will automatically be correlated with exhibits from SC, GA, NC, and VA. Should any investigative leads be developed, your Agency will be notified. Please retain the evidence for a minimum of two years in order to maintain its availability for future comparisons related to IBIS activity.

This report contains the conclusions, opinions and interpretations of the analyst whose signature appears below.

Technical records supporting the conclusions in this report are available upon request. Afford sufficient time for production.

Paul S. Greer

Paul S. Greer
Forensic Scientist

Carly Jewell

Per Chief Attorney Waters, please be advised that the attorney for juror X has told us that his client says that prior to the defendant's testimony, his client did hear Clerk Hill say words to the effect of, "looks like the defendant is going to testify, this is an important day" or "this is an epic day", and that there was some statement that it was rare for a defendant to testify.

Carly Jewell, Paralegal to Creighton Waters
South Carolina Attorney General's Office | State Grand Jury Division
Physical: 1000 Assembly Street, Columbia, SC 29201
Mailing: P.O. Box 11549, Columbia, SC 29211
Office: 803-734-4043 | **Cell:** 803-719-0995

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PENGAD 800-631-6989
COURT'S EXHIBIT NO. 1
IDENTIFICATION/EVIDENCE
DKT.#
DATE: 1-26-24

COURT'S EXHIBIT NO. 3
IDENTIFICATION/EVIDENCE
DKT.#
DATE: 1-29-24
PENGAD 800-631-6989

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

AFFIDAVIT OF [redacted]
JUROR #[redacted] 2

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

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

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

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

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

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

FURTHER AFFIANT SAYETH NOT.

[redacted]
Juror [redacted]

August 14, 2023

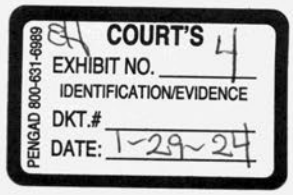
SWORN TO before me this 14 day of August, 2023

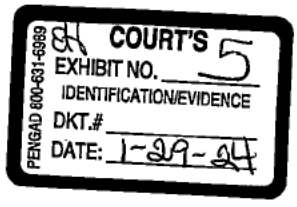
Notary Public for South Carolina
My Commission Expires: July 25, 2032

Q by Defense
to Juror F

During the trial did Becky Hill
either drive or ride with you
in a vehicle before or after court?

IF so what did Becky Hill
And you discuss.





STATE OF SOUTH CAROLINA)
) AFFIDAVIT OF [redacted]
COUNTY OF COLLETON) JUROR [redacted]

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

1. I was juror [redacted] in the case of *State of South Carolina v. Richard Alexander Murdaugh* tried in Colleton County, South Carolina. I was an alternate juror.
2. During the trial, I witnessed the clerk of court, Becky Hill, come to the jury room and she and the forewoman went into the bathroom. After Mrs. Hill and the forewoman exited the bathroom, she told the jurors that we could not ask the forewoman questions.
3. Before the defense put up their case, Mrs. Hill told the jurors "the defense is about to do their side, they are going to say things that will try to confuse you, don't let them confuse you or convince you or throw you off."
4. Mrs. Hill made the above statement warning that the defense would try to confuse us in the presence of all of the jurors, as we had assembled in the same jury room.
5. Mrs. Hill said, "if you get emotional, we want to see your face, because that is what they want to see." All jurors were assembled in one room when she made this comment as well.
6. Mrs. Hill also informed us that Alex Murdaugh was going to testify but I don't recall exactly what she said. All jurors were assembled in one room when she made this comment as well.

7. During the visit to Moselle, Juror [redacted] and I walked to the scene together. Then Juror [redacted] began walking with the Clerk of Court, Becky Hill. I could tell they were talking, but I could not hear what was said between them.

8. I also overheard discussions in the jury room that Mrs. Hill drove a juror home. I believe it was the juror whose nickname was [redacted]

9. Before the jury began deliberating, I heard a member of the Court staff say that the deliberations shouldn't take long. I don't remember specifically who made this statement, but it was made in the presence of the entire jury right after closing arguments in the jury room.

10. As the jury was deliberating, I believe Judge Newman came to the room I was in and told me the jury would have to spend the night at a hotel if they did not have a vote by a certain time. I do not recall the time deadline.

FURTHER AFFIANT SAYETH NOT.

[redacted]
[redacted] Juror [redacted]

January 29, 2024

SWORN TO before me this 29 day of January, 2024

Notary Public for South Carolina
My Commission Expires: 11/24/2030

DEFENDANT'S EXHIBIT
PENGAD 800-631-6989
1-29-24

STATE OF SOUTH CAROLINA COUNTY OF COLLETON	COURT OF GENERAL SESSIONS FOURTEENTH JUDICIAL CIRCUIT
State of South Carolina, v. Richard Alexander Murdaugh, Defendant.	Indictment Nos. 2022-GS-15-00592, -593, -594, and -595 **PROFFER OF TESTIMONY FROM JUROR Z**

Defendant hereby submits the attached affidavit of Juror Z as a proffer of her testimony that she would have been provided if the Court had permitted the Defendant to recall her to the stand.

Respectfully submitted,

/s/ Dick Harpootlian
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Phillip D. Barber, SC Bar No. 103421
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Attorneys for Richard Alexander Murdaugh

January 29, 2024
Columbia, South Carolina.

EXHIBIT A

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

AFFIDAVIT OF [redacted]
JUROR #630

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

1. I would like to clarify my testimony today.
2. As I testified, I felt influenced to find Mr. Murdaugh guilty by reason of Ms. Hill's remarks, before I entered the jury room.
3. Once deliberations began as I stated in paragraph 10 of my earlier affidavit, I felt further, additional pressure to reach the guilty verdict.

FURTHER AFFIANT SAYETH NOT.

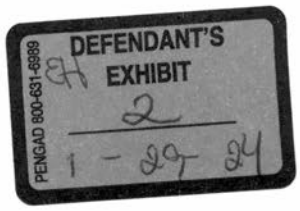
[redacted] Juror #630

January 29, 2024.

SWORN TO before me this 29th day of January, 2023.

Elizabeth Gantt
Notary Public for South Carolina
My Commission Expires: 12/7/25

From: Miho Takeuchi <takeuchi@topspincreative.com>
Sent: Monday, July 17, 2023 5:04 PM EDT
To: Rebecca Hill <rhill@colletoncounty.org>
Subject: Re: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial



Dear Rebecca,

That's what I thought. I haven't seen it in other media. I will erase it now.

What about the other bodycam video which we could see on many news documentaris?
Can you provide it? It seems the camera was on the other police personnel.

Please let me know.

Best,
Miho Takeuchi

Miho Takeuchi
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Tel: 212-532-0901 Fax: 212-532-2110
Cell: 917-698-9977
www.topspincreative.com

From: Rebecca Hill <rhill@colletoncounty.org>
Date: Monday, July 17, 2023 at 4:57 PM
To: Miho Takeuchi <takeuchi@topspincreative.com>
Subject: Re: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial

Miho,

The Buford McDowel Bodycam should not have gone to you. Please get rid of it and do not use it. The Judge, Judge Newman, specifically ordered that that Bodycam not be used if it got out. Apparently it is still on the videos that are saved.

I appreciate your attention to this.

Sincerely,

Rebecca "Becky" H. Hill
Clerk of Court
Colleton County
P.O. Box 620
Walterboro, SC 29488
(843) 549-5791 Ext. 1101
Cell: (843) 908-1462

On Mon, Jul 17, 2023 at 4:37 PM Miho Takeuchi <takeuchi@topspincreative.com> wrote:

> Hi Rebecca,
>
> Thank you very much for your great cooperation!
> I will wait for those more materials and please send them to me.
>
> I could download all of them you've kindly sent to Maki. Thank you very much.
> I quickly check them and have a few questions.
> The folder "MURDAUGH VIDOES", we have one bodycam video titled "Buford McDowell Bodycam Video", but it seems it's missing another bodycam video showing Alex talking about what happened (you could see this video: https://www.youtube.com/watch?v=nLAQtGBMslU).
> Can you send this video as well?
>
> And in the folder "Transfer", there is "Photos Library", which has photos showing some party held at the Rockefeller Center, and it seems it's not related. (or related??)
> I really appreciate it if you could check it again and let me know if you have other "Photos library" which related to this case.
>
> Thank you very much!!
>
> Best,
> Miho Takeuchi
>
> ---
>
> Miho Takeuchi
> takeuchi@topspincreative.com
> TopSpin Creative Corporation

118 East 28th Street, Suite 414
New York, NY 10016
Tel: 212-532-0901 Fax: 212-532-2110
Cell: 917-698-9977
www.topspincreative.com

From: "nakada@topspincreative.com" <nakada@topspincreative.com>
Date: Monday, July 17, 2023 at 4:19 PM
To: Rebecca Hill <rhill@colletoncounty.org>
Cc: Miho Takeuchi <takeuchi@topspincreative.com>
Subject: Re: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial

Hi Rebecca,

Thank you very much for sending files! We are down loading now.
Would you please send files to me and takeuchi@topspincreative.com next time?

We would sincerely appreciate it.

Best,

Maki Nakada
nakada@topspincreative.com
TopSpin Creative Corporation
118 East 28th Street, Suite 414
New York, NY 10016
Cell: 206-617-5522
www.topspincreative.com

From: Rebecca Hill <rhill@colletoncounty.org>
Date: Monday, July 17, 2023 at 4:08 PM
To: nakada@topspincreative.com <nakada@topspincreative.com>
Subject: Re: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial

Nakada ,

We still need to send you the defense exhibits. We are gathering those together and will send as soon as possible.

Sincerely,

Rebecca "Becky" H. Hill
Clerk of Court
Colleton County
P.O. Box 620
Walterboro, SC 29488
(843) 549-5791 Ext. 1101
Cell: (843) 908-1462

On Mon, Jul 17, 2023 at 2:45 PM Rebecca Hill <rhill@colletoncounty.org> wrote:

> Good afternoon,
>
> Please let me know that you have received the exhibits sent to you in re: State of South Carolina v. Alex Murdaugh.
>
> Sincerely,
>
> ***Rebecca "Becky" H. Hill***
> *Clerk of Court*
> *Colleton County*
> *P.O. Box 620*
> *Walterboro, SC 29488*
> *(843) 549-5791 Ext. 1101*
> *Cell: (843) 908-1462*
>
> On Mon, Jul 17, 2023 at 10:56 AM nakada@topspincreative.com <nakada@topspincreative.com> wrote:
>
> > Hi Rebecca,
> >
> > Thank you very much! We look forward to receiving it.
> >
> > Best,
> >
> > Maki Nakada
> > nakada@topspincreative.com
> > TopSpin Creative Corporation
> > 118 East 28th Street, Suite 414

New York, NY 10016
Cell: 206-617-5522
www.topspincreative.com

From: Rebecca Hill <rhill@colletoncounty.org>
Date: Friday, July 14, 2023 at 8:51 PM
To: nakada@topspincreative.com <nakada@topspincreative.com>
Subject: Re: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial

Good evening,

We have been out of town. We will send the documents as soon as possible on Monday.

Thank you for your patience. We have them on Dropbox and can send them to you.

Sincerely,

On Fri, Jul 14, 2023, 3:44 PM nakada@topspincreative.com <nakada@topspincreative.com> wrote:

> Hi,
>
> I am following up with requesting Court documents for Alex Murdaugh Trial.
> We would like to obtain any available court documents. Would you please let us know how we request them?
>
> Thank you very much. We are hoping to hear from you soon.
>
> Best,
>
> Maki Nakada
> nakada@topspincreative.com
> TopSpin Creative Corporation
> 118 East 28th Street, Suite 414
> New York, NY 10016
> Cell: 206-617-5522
> www.topspincreative.com

From: nakada@topspincreative.com <nakada@topspincreative.com>
Date: Tuesday, July 11, 2023 at 1:34 PM
To: clerkofcourt@colletoncounty.org <clerkofcourt@colletoncounty.org>, matwood@colletoncounty.org <matwood@colletoncounty.org>
Subject: [Follow-up] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial

Hello,

My name is Maki Nakada. I took over this project from my colleague, Shiori.
We would like to obtain any documents regarding to Alex Murdaugh cases. Would you please let us know how we could request documents?

We would sincerely appreciate it. Looking forward to hearing from you soon.

Best,

Maki Nakada
nakada@topspincreative.com
TopSpin Creative Corporation
118 East 28th Street, Suite 414
New York, NY 10016
Cell: 206-617-5522
www.topspincreative.com

From: Shiori Sameshima <sameshima@topspincreative.com>
Subject: Re: [Colleton County] Japanese TV Inquiry / Court documents etc. for Murdaugh Trial
Date: July 3, 2023 at 12:50:40 PM EDT
To: clerkofcourt@colletoncounty.org
Cc: matwood@colletoncounty.org

Colleton County
Clerk of Court

Good afternoon.
I'm following up on our inquiry sent to you a while ago regarding the Murdaugh cases.
Could you kindly advise us on how we can request or access to these documents/files regarding the case?

Thanks,

Shiori

Shiori Sameshima
sameshima@topspincreative.com

TopSpin Creative Corporation
118 East 28th Street, Suite 414
New York, NY 10016
Tel: 212-532-0901 Fax: 212-532-2110
www.topspincreative.com
*Note: Our office room number has been changed from #201 to #414 in the same building.

On May 26, 2023, at 2:07 PM, Shiori Sameshima <sameshima@topspincreative.com> wrote:

Colleton County
Mr. Mike Atwood,

Good afternoon.
My name is Shiori Sameshima and I work at TopSpin Creative Corporation, a Japanese television production company in New York City. Currently, we are working with Fuji Television Network, one of the major networks in Japan, in producing a documentary program entitled "Amazing Stories."

PROGRAM:
Title: Amazing Stories (Unbelievable)
Media: standard TV by Fuji Television Network, geographically restricted streaming (free non-subscription platform)
Territory: Japan only
Term: Twice in 2 years for TV broadcast, with 1 week (occasionally 1 month) of streaming each time.
This primetime weekly documentary series has featured interesting stories from around the world to educate, amaze, and inspire Japanese audiences for more than 20 years. The program is composed of actual footage, interviews, and brief reenactment scenes, as well as positive discussions among Japanese panels in the studio following the stories. Typically, shows introduce two to three stories in one hour.

We will feature the "Murdaugh Murder" Mystery in the upcoming segment and we would like to obtain any available court documents including photos/videos etc.
Could you kindly advise us on how we can request or access to these documents/files?

Thank you for taking your time and let me know if you need any additional information required.
Since it's a bit urgent, we hope to hear back from you very soon.

Thanks,
Shiori

Shiori Sameshima
sameshima@topspincreative.com

TopSpin Creative Corporation
118 East 28th Street, Suite 414
New York, NY 10016
Tel: 212-532-0901 Fax: 212-532-2110
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Please Consider The Environment Before Printing this Message…

Holli Miller

From: Holli Miller
Sent: Thursday, January 25, 2024 2:51 PM
To: Dick Harpootlian; Jim Griffin; Phillip Barber; Maggie Fox
Cc: Jaime Harmon
Subject: FW: State v. Murdaugh; Questions for Jurors & Witness

From: Creighton Waters <CWaters@scag.gov>
Sent: Thursday, January 25, 2024 2:06 PM
To: Diaz, Eva <ediaz@sccourts.org>; Don Zelenka <DZelenka@scag.gov>; Holli Miller <holli@harpootlianlaw.com>; Carly Jewell <CarlyJewell@scag.gov>; Jim Griffin <jgriffin@griffinhumphries.com>; Dick Harpootlian <rah@harpootlianlaw.com>; Eric S. Bland <ericbland@blandrichter.com>; TEAM <TEAM@blandrichter.com>; Alan Wilson <agwilson@scag.gov>; Phillip Barber <pdb@harpootlianlaw.com>; McCulloch, Joseph M. <joe@mccullochlaw.com>; liz@mccullochlaw.com
Cc: Toal, Jean <JToal@sccourts.org>
Subject: RE: State v. Murdaugh; Questions for Jurors & Witness

Chief Justice Toal and Ms. Diaz,

The State would have to object to "is that currently your verdict in this case" in Question 1 and the "and is" clause in Question 2. We believe the law clearly focuses the inquiry solely on the verdict as of March 2, 2023, the day it was reached. The law does not allow jurors continually to be polled days or years into the future about what they would vote on any given day long after the trial, but only whether their verdict *at the time it was reached* was based on evidence, testimony, and law and unaffected by any external influence. Rule 606(b), cmt., SCRE ("Subsection (b) is consistent with the general rule that a juror may not present testimony as to the deliberations in the jury room; as to any mistake, irregularity, or misconduct on the part of jurors; or which would impeach the verdict or contradict the record.").

See State v. Pittman, 373 S.C. 527, 553–55, 647 S.E.2d 144, 157–58 (2007) (citing Rule 606(b), SCRE, and affirming trial court's rejection of post-trial testimony from two jurors that they thought the defendant was not guilty, and holding that: "[t]he jurors' post-verdict testimonies are representative of many jury deliberations where individuals are persuaded, for whatever reason, to change their vote. As long as the reason prompting the change was not coercive or oppressive, the court should not disturb the finality of the verdict."); State v. Franklin, 341 S.C. 555, 534 S.E.2d 716 (Ct.App.2000) (finding juror's affidavit was insufficient to show that she was coerced to vote guilty as a result of internal misconduct where she was allegedly called derogatory names and screamed at by fellow jurors); Caines v. Marion Coca Cola Bottling Co., 196 S.C. 502, 14 S.E.2d 10, 11 (1941) ("Of course a juror may not testify as to the deliberations in the jury room, impeach the former verdict, or contradict the record.") Smith v. Culbertson, 43 S.C.L. (9 Rich.) 106, 112 (1855) ("After a verdict had been rendered, and the jurors have dispersed, a juror would not be heard who would say that his assent was forced, or was given under some misconception, or according to some chance, whose decision he had privately resolved to adopt. His public solemn act would refute all such after-thoughts; and his silence, when he should have spoken, would outweigh his subsequent assertions.").

See also United States v. Wettstain, 618 F.3d 577 (6th Cir. 2010) (quoting McDonald v. Pless, 238 U.S. 264, 267 (1915)) (in affirming rejection of juror's letter regretting voting for a guilty verdict, explaining the rule is that a juror is incompetent to impeach the verdict, and that "[i]f this were not so, the Supreme Court explained, 'jurors would be

harassed and beset by the defeated party in an effort to secure from them evidence of facts which might establish misconduct sufficient to set aside a verdict.'"); United States v. Gerardi, 586 F.2d 896, 898 (1st Cir.1978) (juror's second thoughts about conviction do not compel new trial); United States v. Weiner, 578 F.2d 757, 764 (9th Cir. 1978) (refusing to grant new trial after juror expressed second thoughts about verdict); Reames v. State, 497 N.E.2d 559, 565-66 (Ind. 1986) (quoting *Stinson v. State*, 313 N.E.2d 699, 704 (Ind. 1974)) (in affirming denial of motion for new trial based on juror comment of regret for verdict, explaining that if the juror's regret were considered "Jurors would be harassed by both sides of litigation and find themselves in a contest of affidavits and counter-affidavits and arguments and re-arguments as to why and how a certain verdict was reached. Such an unsettled state of affairs would be a disservice to the parties litigant and an unconscionable burden upon citizens who serve on juries."); Diaz v. Uniroyal Tire Co., 618 So. 2d 505, 508 (La. Ct. App. 1993) ("Furthermore, a final adjudication is just that, and, thereafter, any second thoughts of the jurors will not be entertained."); Com. v. Dias, 646 N.E.2d 1065, 1068 (Mass. 1995) ("When a verdict is received and recorded, and the jurors indicated their concurrence by affirming the verdict in open court, neither a juror's change of heart nor a juror's subsequent disclosure of a subjective disagreement with her apparent vote provides a basis for vacating the verdict."); State v. Buchmann, 380 N.W.1d 879 (Minn. 1986) (""[a]bsent a showing of juror bias or prejudice or outside influence, claims of second thoughts are too late and cannot be used to impeach a verdict ."); State v. Wells, 249 S.C. 249, 262, 153 S.E.2d 904, 910-11 (1967) (quoting 53 Am.Jur. 769, Trial § 1105) ("[I]t is a long-established and generally accepted doctrine, except where modified by statute, that testimony or affidavits of jurors impeaching a verdict rendered by them will not be received where the facts sought to be shown are such as inhere in the verdict.").

Thanks and regards,

Creighton Waters
S. Creighton Waters
Chief Attorney, State Grand Jury Division
Office of the South Carolina Attorney General
803-734-3693
P.O. Box 11549 | Columbia, SC 29211
cwaters@scag.gov

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From: Diaz, Eva <ediaz@sccourts.org>
Sent: Wednesday, January 24, 2024 4:23 PM
To: Creighton Waters <CWaters@scag.gov>; Don Zelenka <DZelenka@scag.gov>; Holli Miller <holli@harpootlianlaw.com>; Carly Jewell <CarlyJewell@scag.gov>; Jim Griffin <jgriffin@griffinhumphries.com>; Dick Harpootlian <rah@harpootlianlaw.com>; Eric S. Bland <ericbland@blandrichter.com>; TEAM <TEAM@blandrichter.com>; Alan Wilson <agwilson@scag.gov>; Phillip Barber <pdb@harpootlianlaw.com>; McCulloch, Joseph M. <joe@mccullochlaw.com>; liz@mccullochlaw.com
Cc: Toal, Jean <JToal@sccourts.org>
Subject: State v. Murdaugh; Questions for Jurors & Witness
Importance: High

Some people who received this message don't often get email from ediaz@sccourts.org. Learn why this is important

Dear Counsel,

Below in bold are the proposed questions Chief Justice Toal will use to examine the individual jurors during the evidentiary hearing and this Friday. She would like to allow any of the attorneys representing the jurors, the State, and defense, to provide any feedback or additional questions related to the jurors.

Additionally, she would like the State and counsel for Mr. Murdaugh to suggest questions and/or scopes of topics as to the examination of Ms. Becky Hill. She had not yet decided whether she will examine Ms. Hill exclusively, or question her first and then allow both the State and the defense to examine her.

She asks everyone provide her feedback or suggestions by tomorrow.

---

1. **The verdict of guilty you rendered on March 2, 2023, is that currently your verdict in this case?**
2. **Was and is your verdict based entirely on the testimony, evidence and law presented to you in this case?**
3. **Was your verdict influenced in any way with any communications by the Clerk of Court, Becky Hill, in this case?**
4. **Did you have any communication with Becky Hill about your verdict in this case?**
    a. **IF yes, what did Ms. Hill say?**

Eva Diaz
Judicial Law Clerk
South Carolina Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201
ediaz@sccourts.org
Office: (803) 734-0833

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January 25, 2024

RECEIVED
Jan 26 2024
S.C. SUPREME COURT

Chief Justice (Ret.) Jean Hoefer Toal
2418 Wheat Street
Columbia, SC 29205

In re: State v. Richard Alexander Murdaugh

Dear Chief Justice Toal,

I write in response to the email from Ms. Diaz dated January 24, 2024, communicating your desire for responses from counsel to the Court's proposed questions for jurors and for suggested questions and topics for the examination for Rebecca Hill. I have attached Mr. Murdaugh's proposed juror questions as **Exhibit A** to this letter.

Mr. Murdaugh objects to the Court's first proposed question, "The verdict of guilty you rendered on March 2, 2023, is that currently your verdict in this case?" The issue under the legal standard adopted by the court is whether Ms. Hill made comments during trial that affected the vote of any juror on March 2, 2023. Mr. Murdaugh objected to that standard, but even under it what a juror would or would not do a year after the trial has no possible relevance to any issue before the Court. Judge Hocker did pose a similar question to the jurors in *Green*, but he did so when polling the jurors *immediately* after the verdict and before they were discharged. Here, a year has passed since the start of Mr. Murdaugh's trial. Asking jurors how they feel about the verdict today is both irrelevant and prejudicial in that it invites jurors to consider a full year of post-trial media coverage when answering questions about events during trial. Further, if a juror did answer "no," the Court would be compelled to ask "why," which could have only two possible answers: some irrelevant consideration arising after the verdict, or reflection on some perceived defect in jury deliberations as to which the juror could not testify under Rule 606(b) of the South Carolina Rules of Evidence.

Mr. Murdaugh objects to the Court's second proposed question, "Was and is your verdict based entirely on the testimony, evidence and law presented to you in this case?" This question violates Rule 606(b), which provides in part, "Upon an inquiry into the validity of a verdict or indictment, a juror may not testify as to . . . the effect of anything upon that or any other juror's mind or emotions as influencing the juror to assent to or dissent from the verdict or indictment or concerning the juror's mental processes in connection therewith . . . ." This question violates the rule because it directly asks the juror what did or did not have an "effect" "upon that . . . juror's mind or emotions as influencing the juror to assent to or dissent from the verdict." Mr. Murdaugh understands the Court has decided to directly ask jurors about what affected their verdict because

it has held prejudice must be proven by evidence on that point rather than presumed based on the source and content of the illicit communications per federal authorities such as *Remmer v. United States*, 34 U.S. 227 (1958) and *Parker v. Gladden*, 385 U.S. 363 (1966), and state authorities like *State v. Cameron*, 311 S.C. 204, 428 S.E.2d 10 (Ct. App. 1993), and so he asserts this objection for preservation purposes.

Additionally, Mr. Murdaugh objects that the second proposed question is highly suggestive of an affirmative answer. It could (and likely would) cause a juror to reasonably believe the Court *prefers* he or she give an affirmative answer. *Cf.* § 2:21 *Questioning of witnesses by judge*, Trial Handbook for South Carolina Lawyers § 2:21 (5th ed.) ("The primary purpose of the trial judge's questioning should be to clarify and promote a better understanding of the witness's testimony, to elicit the truth, and to cover matters omitted by inadvertence or any other cause." *State v. Stroman*, 281 S.C. 508, 316 S.E.2d 395 (1984); *Fowler v. Laney Tank Lines, Inc.*, 263 S.C. 422, 211 S.E.2d 231 (1975)). This question is an unnecessarily convoluted and indirect way of asking the question that needs to be asked. Reserving his objection to the Court's rejection of the controlling legal standard and his Rule 606(b) objection, Mr. Murdaugh submits that under the Court's prior ruling on the legal standard the proper inquiry is (1) did you hear Ms. Hill say anything about the merits during trial, and, if so, (2) did it in any way influence your verdict decision on March 2, 2023. The Court should ask those questions plainly and directly, without language mirroring the judge's jury charge or otherwise suggesting a correct answer and without requiring additional inferences to get to the actual issue before the Court. Instead of asking a juror whether your verdict was entirely based on A to infer that it was therefore not influenced by B, the Court should just ask whether the verdict was influenced by B.

Mr. Murdaugh objects to the Court's third proposed question, "Was your verdict influenced in any way with any communications by the Clerk of Court, Becky Hill, in this case?" This question directly violates Rule 606(b) for the same reason the Court's second proposed question violates that rule. Mr. Murdaugh additionally objects that the language "your verdict" is unclear. It could be taken to mean the juror's own vote, or it could be understood more literally to mean the collective decision of the jury of which the juror was a member. Mr. Murdaugh also objects to asking this question before asking the juror whether he or she heard any comments on the merits by Ms. Hill. If a juror heard no comments by Ms. Hill, there is no reason to ask what effect Ms. Hill's comments had on the juror's verdict. Reserving his Rule 606(b) objection, Mr. Murdaugh therefore proposes this question be asked after the juror is asked if Ms. Hill made any inappropriate comments, and that it be rephrased to as "Did Ms. Hill's comments prejudice you against the Defendant Alex Murdaugh in any way?"

Mr. Murdaugh objects to the Court's fourth proposed question, "Did you have any communication with Becky Hill about your verdict in this case?" and the follow up "If yes, what did Ms. Hill say?" because "have any communication with Becky Hill" is an unclear statement. Mr. Murdaugh suggests a more clear and direct question: "Did you hear Ms. Hill make any comments about the testimony, evidence, or arguments presented by the State or defense during Mr. Murdaugh's trial?" If the answer is yes, in addition to asking what was said, Mr. Murdaugh believes the Court should ask when it was said, where it was said, and who else was present when it was said. And as explained above, Mr. Murdaugh believes what (if anything) was heard should be asked before the Court asks what effect it had.

Mr. Murdaugh again objects to including counsel for jurors participating in the merits of this proceeding, for the reasons previously briefed. He respectfully submits the Court should not have included Eric Bland in correspondence discussing what questions will be posed to his client. I am aware of no precedent for a court providing a witness's lawyer with an advance copy of the questions the witness will be asked during a criminal proceeding. Fortunately, there was no prejudice to Mr. Murdaugh because the Court granted Mr. Murdaugh's request to sequester the witnesses and Mr. Bland agreed to abide by the Court's decision.

However, if the examination of Juror 826 is held in public tomorrow, the attendant media coverage means the other witnesses will not be sequestered and will be given advance notice of the questions they will be asked and an opportunity to discuss their answers with others. Mr. Murdaugh therefore objects to holding tomorrow's hearing in public, and requests the courtroom be sealed, with the transcript and perhaps an audio recording released on Monday once the juror witnesses are assembled in the courthouse. The public interest in observing the examination of a single witness one business day in advance of the actual hearing is minimal and is outweighed by Mr. Murdaugh's interest in witness sequestration. For example, the juror witnesses are in communication with each other through a "chat group," for which Mr. Murdaugh can provide documentary evidence of such if the Court desires. Mr. Murdaugh should not lose the ability to seek sequestration of witnesses simply because he, the State, and the Court wished to accommodate an innocent juror's prepaid travel plans.

Mr. Murdaugh objects to the Court examining Ms. Hill at all. Rule 614(b) of the South Carolina Rules of Evidence provides, "*When required by the interests of justice only*, the court may interrogate witnesses" (emphasis added). This restriction is almost unique to South Carolina jurisprudence. It does not appear in the federal Rule 614 and Florida is the only other state with this restriction in its corresponding rule. Ms. Hill is an elected public official accused of wrongdoing, which she has denied by a sworn statement filed with this Court. She is the State's principal witness against Mr. Murdaugh. The prosecution and SLED agents just held a four-hour preparation session with her to coach her testimony even though they are supposedly investigating multiple criminal allegations against her. There is no reason the "interests of justice" would require her to be shielded from being asked questions in the same manner as almost every other witness in every other case in the history of this State. The Court has not stated any reasons for conducting the examination of Ms. Hill itself, and if the Court is determined to do so Mr. Murdaugh respectfully requests the Court state its reasons on the record prior to her examination.

Mr. Murdaugh has a right to present *any* evidence relevant to his claims which is not prohibited by "the Constitution of the United States, the Constitution of the State of South Carolina, statutes, [the South Carolina Rules of Evidence], or by other rules promulgated by the Supreme Court of South Carolina." Rule 402, SCRE. "'Relevant evidence' means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence." Rule 401, SCRE. Witness credibility is always relevant. Rule 611(b), SCRE ("A witness may be cross-examined on any matter relevant to any issue in the case, including credibility."); *see Holmes v. South Carolina*, 547 U.S. 319, 331 (2006) ("The point is that, by evaluating the strength of only one party's evidence, no logical conclusion can be reached regarding the strength of contrary

evidence offered by the other side to rebut or cast doubt.") (unanimous opinion overruling the South Carolina Supreme Court following the second trial of a capital case). Generally, "any matter is [a] proper subject of cross-examination which is responsive to testimony given on direct examination, or which is material or relevant thereto, and which tends to elucidate, modify, explain, contradict or rebut testimony given in chief by the witness." *State v. Taylor*, 333 S.C. 159, 174, 508 S.E.2d 870, 878 (1998). For that reason, "Considerable latitude is allowed in cross-examination to test a witness's credibility." *State v. Johnson*, 338 S.C. 114, 124, 525 S.E.2d 519, 524 (2000).

Whether Ms. Hill lied to the Court during trial about a member of the jury is probative of whether she is now lying to the same Court about her contacts with jurors during trial. For that reason, inquiry (by counsel) should be made into the "Facebook" matter. Plagiarizing the book that she purportedly wrote about the trial is probative of her truthfulness about her conduct during the trial. Inquiry should therefore be made into that matter. Whether Ms. Hill stated during trial that she had a financial interest in a guilty verdict is probative of the truth of her denial of allegations that she acted to secure a guilty verdict. Inquiry should therefore be made into that matter. Abusing the power of her office to steal money is probative of whether she at about the same time abused the power of her office for financial gain in other ways. "'Proof of bias is almost always relevant because the jury, as finder of fact and weigher of credibility, has historically been entitled to assess all evidence which might bear on the accuracy and truth of a witness' testimony.'" *State v. Pipkin*, 359 S.C. 322, 327, 597 S.E.2d 831, 833 (Ct. App. 2004) (Beatty, J.) (quoting *United States v. Abel*, 469 U.S. 45, 52 (1984)). An inquiry should therefore be made into the allegations that Ms. Hill sold access to the courthouse and otherwise misappropriated funds, to the point that during the trial she was not even allowed to have a county credit card.

The evidentiary rules prevent witness impeachment from turning into a trial-within-a-trial by prohibiting the introduction of extrinsic evidence regarding specific instances of conduct, instead generally limiting it to prior inconsistent statements and evidence of bias. *See* Rules 609(b), 609(c), 613(b), SCRE. Those rules are sufficient to contain the Defendant's examination of Ms. Hill. There is no need for the Court go further and rob Mr. Murdaugh of his right to cross examine the State's principal witness against him. Indeed, for most lines of questioning, the impeaching inquiry of Ms. Hill would be very quick. For example, she has already admitted publicly to plagiarism so that line of inquiry would be over in a minute. At a minimum, if she denies speaking with jurors about the merits of the case, Mr. Murdaugh should at least be allowed to call any percipient eyewitnesses who would contradict her. The testimony of those witnesses likely would take less than ten minutes. Whether those witnesses later deliberated with the jury is irrelevant. Ms. Hill, after all, did not deliberate with the jury either. She too is relevant only as an eyewitness to her actions.

When ruling that Mr. Murdaugh will be prohibited from calling percipient eyewitnesses to Ms. Hill's alleged jury-tampering statements, whether to corroborate jurors who testify Ms. Hill made such statements or to rebut Ms. Hill's sworn denial of making such statements, the Court stated, "The corroboration is something I don't think I need at this time. I think I'm perfectly capable of evaluating what the jurors tell me and I'll do that. I think I'm also perfectly capable of evaluating the credibility of Ms. Hill and the jurors, for that matter." Hr'g Tr. 51:16–21. Mr. Murdaugh objects to those statements. He has a right to challenge the credibility of the State's

principal witness against him through cross-examination, which is not contingent on how the Court perceives its own needs or capabilities. *See State v. Hester*, 137 S.C. 145, 134 S.E. 885, 899 (1926) (observing the "right to cross-examine is one which must remain inviolate," "[t]he power of cross-examination . . . certainly is one of the most efficacious, tests which the law has devised for the discovery of truth," and it is "[o]ne of the most inestimable rights by which a man may maintain his defense" (internal quotation marks omitted)). Respectfully, it is inappropriate for the Court to direct the parties' factual presentations based on its own opinions, formed before receiving any evidence, about what it needs to assess witness credibility. The parties decide and present, within the limits set by the South Carolina Rules of Evidence, what they believe the Court needs to make findings of fact. *Cf. Wolff v. McDonnell*, 418 U.S. 539, 566 (1974) ("Ordinarily, the right to present evidence is basic to a fair hearing . . . ."); *see also Ponte v. Real*, 471 U.S. 491, 495 (1985) (same); *Baxter v. Palmigiano*, 425 U.S. 308, 321 (1976) (same). It is Mr. Murdaugh's burden to prove his allegations, not the Court's. It is the State's burden to rebut Mr. Murdaugh's proof, not the Court's. This is an American adversarial proceeding in a trial court, not a European inquisitorial proceeding conducted by an investigating magistrate.

With warm personal regards, I am

Sincerely,

Richard A. Harpootlian

Exhibit A

DEFENDANT MURDAUGH'S PROPOSED JUROR QUESTIONS

Q. Did you hear Ms. Hill make any comments about the testimony, evidence, or arguments presented by the State or defense, or the anticipated length of your deliberations during Mr. Murdaugh's trial?

If the answer is no, then no further questions.

If the answer is yes, the ask the following:

Q. What comments did you hear Ms. Hill make?

Q. Who else was present when Ms. Hill made those comments?

Q. Did Ms. Hill's comments influence you in any way and if so, how?

Q. Did Ms. Hill's comments prejudice you against Defendant Alex Murdaugh in any way, however slight?

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

AFFIDAVIT OF [redacted]
JUROR [redacted]

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

1. I would like to clarify my testimony today.
2. As I testified, I felt influenced to find Mr. Murdaugh guilty by reason of Ms. Hill's remarks, before I entered the jury room.
3. Once deliberations began as I stated in paragraph 10 of my earlier affidavit, I felt further, additional pressure to reach the guilty verdict.

FURTHER AFFIANT SAYETH NOT.

[redacted]

January 29, 2024.

SWORN TO before me this 29th day of January, 2023.

Elizabeth Gutes

Notary Public for South Carolina
My Commission Expires: 12/7/25

RECEIVED
Jan 29 2024
S.C. SUPREME COURT

CONSCIOUSNESS OF GUILT

- Blanca Simpson:
  - Three shirts and tried to get her to say a fourth shirt
    - Just like when kennel video came out has to adapt
  - Never saw again
  - Changes of Shoes
  - Maggie: "Alex wants me to come home"
- Marian Proctor:
  - Maggie: "Alex wants me to come home"
  - Surprised Maggie didn't go along to Almeda
  - Alex: Whoever did this thought about it a really long time

RoA_8331

CONSCIOUSNESS OF GUILT

- Shelley Smith:
  - Tried to get her to say he was there longer
  - Unusual for him to come that late
  - Didn't stay long
  - After Randolph's funeral brought the blue tarp
  - High levels of GSR on interior

RoA_8332

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH.

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Tone of interview)

RoA_8334

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (I was at the house)

RoA_8335

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Wonderful)

RoA_8336

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (At the house)

RoA_8337

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (That was odd)

RoA_8338

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Tone of Interview)

RoA_8339

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Working on boat case)

RoA_8340

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Stayed in the house)

RoA_8341

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Maggie and Paul to Kennels)

RoA_8342

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Yes …. sir)

RoA_8343

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (didn't try to open Paul's phone)

RoA_8344

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Maggie and Paul to Kennels)

RoA_8345

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (changing clothes)

RoA_8346

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Rogan told him about tail)

RoA_8347

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (Rogan heard him up at kennels)

RoA_8348

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH.

CONSCIOUSNESS OF GUILT

- THE DEFENDANT ALEX MURDAUGH. (The Kennel Video)

RoA_8350

8:44:55 PM- Video extracted through Paul's phone at the kennels has Alex in the background talking along with Maggie. (PM Extraction)

CONSCIOUSNESS OF GUILT

- FAMILY ANNIHILATOR.

RoA_8351

GATHERING STORM

FAMILY LEGACY

PROMINENCE IN THE COMMUNITY

WEALTHY

SUCCESSFUL LAWYER

PART-TIME PROSECUTOR

RoA_8352

How is Alex's law practice?

- Plaintiff's lawyer
  - Lucrative – 33 to 40% of recovery
- Uninterested in firm management
- All "partners" are "employees"
  - All fees belong to firm
  - $125K salary
  - Overhead
  - 7.5%
  - Bonus doled out at end of year

RoA_8353

How are Alex's Finances?

- Lucrative, but . . .
- Money for Land deals with Barret Boulware
  - Conservation lawsuit, 2008 crash
    - Property doesn't sell
    - Leaves him with debt
- Intentional chaos
- Constant velocity of money
  - Service huge debt load
  - Six figure credit cards and unsecured loans
  - Constantly needs new money coming in
    - To stay one step ahead until the next due date
    - Exhausting hamster wheel

RoA_8354

How are Alex's Finances?

- With some big cases, his partners think he has straightened everything out and paid off all his debts
  - UPS/Badger
  - Michelin/Pinckney
  - Deon Martin
  - Others
- His fees were huge, but it still wasn't enough money to keep Alex's hamster wheel going
  - So he stole from his clients

RoA_8355

How does Alex Steal?

- How does Alex keep the hamster wheel going?
  - He borrows.
  - He steals.

- <u>Method One:</u> "PSB" Checks 2011-2015
  - Get trust account checks made out to "Palmetto State Bank"
  - Fast talks clients and staff through disbursements
  - Russell at PSB converts those to cash and money orders to pay Alex's debts
    - Plyler loans from Russel's conservatorship

RoA_8356

How does Alex Steal?

- How does Alex keep the hamster wheel going?
  - He steals.

- <u>Method Two:</u> "Fake Forge" 2015-2021
  - Created the "RAM d/b/a Forge" BOA account and simply gets trust account checks made out to "Forge"
  - Fast talks clients/staff through disbursements
  - Intentional chaos and last minute crises
  - Convinces staff "Forge" is just a different subsidiary of Forge Consulting and he will take check to his buddy Michael Gunn
  - Easier to steal when you are still giving the client a big check
  - Clients/Staff: TRUST

RoA_8357

How does Alex Steal?

- How does Alex keep the hamster wheel going?
  - He steals.

RoA_8358

- Method Three: Fake Business Expenses
  - Running the firm card for personal
    - Constant issue partners/staff have with Alex

How does Alex Steal?

- How does Alex keep the hamster wheel going?
  - He steals. Any way he can.

RoA_8359

- Method Four: From his family/partners
  - Partner Loan Check meant for Randy but issued to Alex for < $100K
  - Keeps first check, but asks girl in accounting to cut another saying he lost it
  - Deposits second check
  - Sits on first check for MONTHS and then deposits that one
  - Steals twice but it is detected and he pays back – "I had no idea"
    - Intentional Chaos

Alex's Gathering Storm

- Alex's constant velocity of money for a decade
- It fails when you can no longer bring in new cash fast enough
  - Alex reaches that point

RoA_8360

Alex's Gathering Storm

- February 23, 2019: Starting with the boat case, one thing after another started to go wrong for Alex
- Each one leading to an inevitable approaching day of reckoning for Alex
- All of which converge together in June of 2021

RoA_8361

Alex's Gathering Storm: Boat Case

- August 2020: Trial Lawyer's conference confrontation between Alex and Mark
  - "What are you doing man?"
- You're gonna pay $10m

RoA_8362

Alex's Gathering Storm: Boat Case

- Date: Mediation goes no where
  - very high numbers
- Alex has no umbrella coverage because Nautilus dropped him after paying out the Satterfield claim
- Only can get a commercial policy on Moselle with Philadelphia as a "hunting lodge"

RoA_8363

Alex's Gathering Storm: Faris Case

- One hope Alex has:
- Faris case against Mack Trucks – chance for big recovery
- Co-Counsel Chris Wilson
- Bench Tried in December 2020
  - Needs the money NOW
- February 4, 2021 Judge Hood award -- $792,000 in fees to Alex
- Alex has Chris send the fees to him directly rather than PMPED
  - "I'm gonna structure them"
  - All spent in no time

RoA_8364

Alex's Gathering Storm: Boat Case

- Alex's defense tells Mark Tinsley Alex has no money to pay
- Mark: "BS – prove it, show me your books"
- Alex of course cant show his books to anyone
  - They will see what we see
- Alex refuses
- Mark files motion to compel to get Alex's books – hearing is scheduled before Judge Hall in May 2021

RoA_8365

Alex's Gathering Storm: Boat Case

- May 2021: Alex's defense lawyer has cancer and asks for continuance on compel hearing
- Judge initially denies
- Even Mark has to intervene and ask Judge to continue
- Hearing on compelling Alex to disclose his finances is delayed to **June 10, 2021**

RoA_8366

Alex's Gathering Storm: Satterfield

- Leads to coverage on Gloria's death
- Defendant reaches out to Tony Satterfield in April 2021 to tell him the case id coming along but is complex
- Stole the money years ago
- Hasn't paid them a dime

RoA_8367

Gathering Storm: Faris Case

- Spring 2021: Alex's paralegal gets the expense check from Chris Wilson's office but not the fee check
- Asks Wilson's paralegal – "Alex got it already"
  - "Typical Alex, he probably lost it"
- Can't get straight answer from Wilson's office or Alex
- Paralegal goes to CFO Jeanne Seckinger
- Seckinger can't get straight answer from Alex
- Seckinger goes to partners
  - Worried Alex is trying to hide income because of boat case
  - Alex has been asking about structuring fees

RoA_8368

The Storm Arrives: June 7, 2021

- June 7, 2021 – It all is converging.
- **Boat Financial Disclosure Hearing is June 10, 2021**
  - Alex is working on it
  - Tinsley expects to win before Judge Hall
- Word comes that **Mr. Randolph is in hospital** and prognosis bad
- Judge Lydon's ruling of no ins coverage expected any day
- **Jeanne confronts him that morning demanding an answer about the Faris fees**
- **Alex tells her Mr. Randolph is terminal**

RoA_8369

Alex's Storm: It worked

- Alex is a victim of an unspeakable tragedy
- The community, formerly incensed by Mallory's death, rallies to his aid
- Lee, Mark, and Jeannie talk and of course put off the **Faris** matter given what Alex has suffered
- Everyone at PMPED is focused on helping Alex
- One of the **first** things Alex does after murders is get $750,000 from PSB (Russell) to send money back to Chris Wilson and take care of his six figure overdraft
- Chris sends email in July 2021 saying he has the Faris fees in his account
  - PMPED thinks Issue resolved
  - Alex lies to Chris to get him to cover $192,000

RoA_8370

Alex's Storm: It worked

- Hearing on Beach Motion to Compel is cancelled
- Mark Tinsley feels the case against Alex is "over"
- Defendants are now sympathetic
  - Something Alex as a lawyer understood all too well

RoA_8371

FINANCIAL TIMELINE

May 2007 Redbeard LLC Loan $756,076.60 Principal 0 United Drive LLC Loan $808,823.40 Principal

· **2008 - 2009** Global Recession

· **December 2011** Natarsha Thomas and HaKeem Pinckney Thefts $634,581.46

· **January 2012** Redbeard LLC and 0 United Drive LLC Loans charged off

· **2011 - 2014** ~$1 Million of Plyler Loans

· **2013 - 2014** Badger Thefts $1.325 Million

· **April 2014** Palmetto State Bank takes over deposits at Allendale County Bank

· **March 2015** Hannah Plyler turns 18 and Conservatorship account is closed the next month

RoA_8372

FINANCIAL TIMELINE

September 2015 Forge account is opened at Bank of America

· **October 2015** Deon Martin Theft $338,056.14

· **March 2016** $185k Loan Refinanced from prior loan Note 6979195

· **June - July 2016** Johnny Bush, Manuel Santis, Risher Thefts $255,000

· **September 2016** $1 Million LOC limit reached Note 6987336

· **October 2016** - December 2018 Deon Martin, Pamela Pinckney, Randy Drawdy, Jordan Jinks, Mary Duncan, Audreyauna Hay, and Barett Boulware Thefts $613,469.20

· **March 2018** $600k LOC limit reached Note 6991524 Cosigned by Randolph III

RoA_8373

FINANCIAL TIMELINE

· **February 2019** Boat crash

· **January - May 2019** Blondell Gary, Boulware, and Satterfield Thefts $3,757,782.60

· **February - December 2020** Christopher Anderson, Satterfield, Hershberger, and Sandra Taylor Thefts $1,112,733.50

· **January - May 2021** Thomas Moore, Wilson Fee, Hershberger Thefts $1,000,333.33

· **March 2021** Escalation of check amounts to Curtis Smith

· **June 2021** Double homicide

· **July - August 2021**

$750k loan to partially repay Wilson and remove -$347,000 checking balance

FINANCIAL TIMELINE

· **February 2019** Boat crash

· **January - May 2019** Blondell Gary, Boulware, and Satterfield Thefts $3,757,782.60

· **February - December 2020** Christopher Anderson, Satterfield, Hershberger, and Sandra Taylor Thefts $1,112,733.50

· **January - May 2021** Thomas Moore, Wilson Fee, Hershberger Thefts $1,000,333.33

· **June 7, 2021** Faris Confrontation and Double homicide

· **July - August 2021**

$750k loan to partially repay Wilson and remove -$347,000 checking balance

FINANCIAL TIMELINE

RoA_8376

Account/Loan	Balance	Notes
PSB 6092 (Checking)	$2,185.23	-$16,043.44 on 6/14/21
PSB 6649 (Checking)	$62,115.06	$3,453.06 on 6/17/21
PSB 5109 (Shared Acc. w/ Maggie)	$3,900.04	
PSB 1646 (Farm)	-$2,458.23	
PSB Loan 6978806 (Moselle)	$806,666.26	Principal Balance
PSB Loan 6974141 ("Redbeard")	$362,896.71	Principal Balance
PSB Loan 6974140 ("O United")	$307,761.82	Principal Balance
PSB Loan 6981524 (LOC Randolph III)	$599,400	Principal Balance
PSB Loan 6987336 (LOC Moselle)	$999,650.94	Principal Balance
PSB Loan 6979180 (Edisto House)	$195,171.64	Principal Balance
PSB Loan 6970489 (Islands)	$104,119.80	Principal Balance
PSB Loan 6995486 (Mercedes)	$91,368.90	Principal Balance

000 00069 01 PAGE: 2
ACCOUNT: 69406092 08/17/2021

RICHARD ALEXANDER MURDAUGH

PALMETTO CHECKING ACCOUNT 69406092

DESCRIPTION	DEBITS	CREDITS	DATE	BALANCE
CHECK # 5810	6,293.31		08/03/21	286,890.32-
CHECK # 5809	6,407.41		08/03/21	293,297.73-
CHECK # 5814	17,119.40		08/03/21	310,417.13-
OVERDRAFT CHARGE	5.00		08/03/21	310,422.13-
CHECK # 5832	2,000.00		08/04/21	312,422.13-
OVERDRAFT CHARGE	5.00		08/04/21	312,427.13-
OVERDRAFT CHARGE	5.00		08/05/21	312,432.13-
CHECK # 5805	25.00		08/06/21	312,457.13-
CHECK # 5806	35.00		08/06/21	312,492.13-
CHECK # 5802	254.00		08/06/21	312,746.13-
CHECK # 5833	335.00		08/06/21	313,081.13-
CHECK # 5834	1,963.00		08/06/21	315,044.13-
CHECK # 5821	12,753.54		08/06/21	327,797.67-
CHECK # 5830	19,982.00		08/06/21	347,779.67-
OVERDRAFT CHARGE	5.00		08/06/21	347,784.67-
DEPOSIT		400,000.00	08/09/21	52,215.33
Transfer to checking	20,000.00		08/09/21	32,215.33
CHECK # 5808	76.32		08/10/21	32,139.01
CHECK # 5825	2,528.82		08/10/21	29,610.19
CHECK # 5831	160.00		08/11/21	29,450.19
CHECK # 5826	90.00		08/12/21	29,360.19
CHECK # 5838	500.00		08/13/21	28,860.19
CHECK # 5837	1,350.00		08/13/21	27,510.19
CHECK # 5835	14,271.00		08/13/21	13,239.19
APPLECARD GSBANK PAYMENT 10234729	1,260.72		08/16/21	11,978.47
CHECK # 5827	75.00		08/16/21	11,903.47
BALANCE THIS STATEMENT			08/17/21	11,903.47

TOTAL CREDITS	(2)	403,738.03
TOTAL DEBITS	(55)	198,241.32

YOUR CHECKS SEQUENCED

DATE	CHECK #	AMOUNT	DATE	CHECK #	AMOUNT	DATE	CHECK #	AMOUNT
07/21	5791*	27,240.11	08/03	5804	21.40	08/03	5810	6,293.31
08/03	5799	281.57	08/06	5805	25.00	08/03	5811	188.84
07/21	5800	485.74	08/06	5806	35.00	07/23	5812*	20.00
07/21	5801	650.00	08/02	5807	10.65	08/03	5814*	17,119.40
08/06	5802	254.00	08/10	5808	76.32	07/27	5816	14,425.32
08/03	5803	6.64	08/03	5809	6,407.41	07/28	5817	17,452.00

* * * CONTINUED * * *

Alex's Gathering Storm: Opiate Pills

- Claims pill addiction for 20 years
- Says makes him paranoid
- Says makes him agitated
- Opiates give him energy
- But also says the withdrawals will make you do anything to get rid of them

RoA_8377

- But: Also lies to you in saying 1000 milligrams a day
  - Trying to blame all his theft on that
- -Still able to engage in work, court, travel, entertainment, travel, complex tasks to include designing workflow for criminal enterprise that would dupe legions of people and last at least 10 years
- Could never function at that level all that time with that amount of use.

Alex's Gathering Storm: Opiate Pills

- During each of 3 SLED interviews (June-August) and Savannah interview- he is not suffering from drug-induced paranoia (friendly, conciliatory, focused on events and getting information from LEO's);
- in Savannah-he is so focused that he can describe a mythical assailant to the forensic artist who then produced a composite

RoA_8378

- <u>But:</u> Also Paul is the "little detective"
  - Interesting he mentions that phrase in the June 10 interview
    - Marian said that is Maggie's name for Paul watching for pill use
- - Text in May where Paul says Maggie found pills and they need to talk
- Texts on Sunday June 6, 2021 where Alex has to be kicked out of his hotel room
  - Withdrawals will make you do anything to make them stop.

Alex's Gathering Storm

- He's running out of money
- Running out of options
- Doesn't get paid in any significant way again til December
- Already stole the Faris fees and spent that money in 2 months
- Has an expensive pill habit
- Accountability and consequences will undo everything
  - A legacy
  - Prominence
  - Wealth
  - Family

RoA_8379

FORENSIC TIMELINE

RoA_8380

Reference Guide:

PM Extraction = Paul Murdaugh' s Cellphone Cellebrite Extraction Report
AM Extraction = Alex Murdaugh' s Cellphone Cellebrite Extraction Report
MM Extraction = Maggie Murdaugh' s Cellphone Cellebrite Extraction Report
FBI Report = FBI Telemetry Report
FBI CAST = FBI Cellular Analysis Survey Team Report
AM AXIOM Extraction = Alex Murdaugh' s AXIOM Report
ALPR = Automated License Plate Reader/ Rudofski
PM Snapchat= Paul Murdaugh' s Snapchat Records
Reference: (00:00:00) Hours: Minutes: Seconds
Extractors: Lt. Britt Dove (SLED) /David Grubbs (AG) Dylan Hightower (14th Circuit)/ Paul McManigal (CCSO)

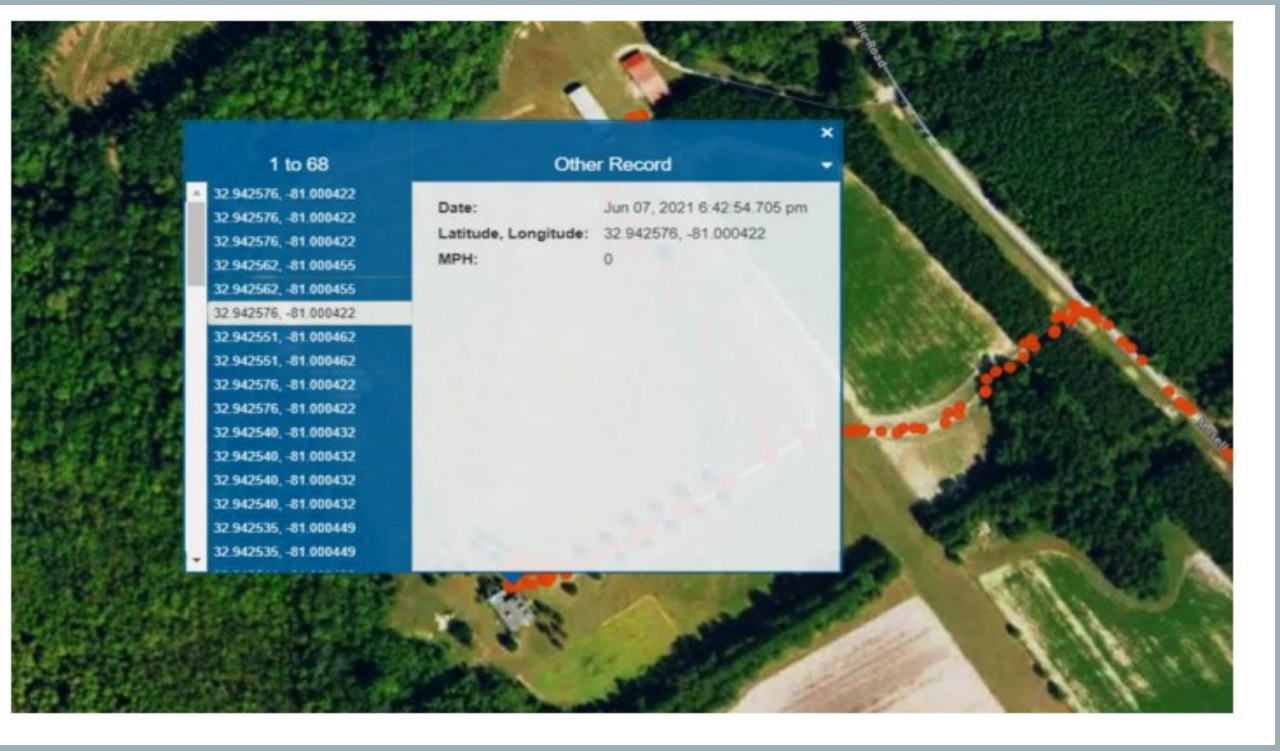
RG CDR's = Rogan Gibson's Call Data Records
PM CDR's = Paul Murdaugh' s Call Data Records
AM CDR's = Alex Murdaugh' s Call Data Records
MM CDR's = Maggie Murdaugh' s Call Data Records
BM CDR's = Buster Murdaugh' s Call Data Records
PM KnowledgeC Database = Paul Murdaugh 's Cellphone KnowledgeC. db file Records
MM KnowledgeC Database = Maggie Murdaugh' s Cellphone KnowledgeC. db file Records
PMPED Building Access Log = Building log for the PMPED Law Firm
911 Recordings= Laura Rutland/Colleton County
Dylan Hightower Extraction= 1st Cell Phone Extraction of Alex's Cell Phone (Advanced Logical)
GM/OnStar= GM/OnStar Data

FBI (CAST) FBI Cellular Analysis Survey Team Report Ledged:

2021 Suburban Log File Excerpt Key

FORENSIC TIMELINE

6:42:54 PM – Alex Murdaugh's suburban arrives at 4147 Moselle Rd (GM/OnStar)



RoA_8381

FORENSIC TIMELINE

Paul gets to Moeselle:

7:03:55 PM – 7:11:29 PM – Alex Murdaugh' s iPhone shows 165 steps traveled (AM Extraction)

7:04 PM – Paul Murdaugh at residence at 4147 Moselle Road (com.appl.routined/Cache.sqlite database and contained Lon/Lat coordinates) (PM Extraction)

RoA_8382

FORENSIC TIMELINE

On the property:

7:14:13 PM – 7:22:19 PM – Paul Murdaugh' s iPhone shows 208 steps traveled (PM Extraction)

7:15:35 PM 7:21:52 PM – Alex Murdaugh' s iPhone shows 200 steps traveled (AM Extraction)

7:25:03 PM – 7:34:47 PM – Paul Murdaugh iPhone shows 139 steps traveled (PM Extraction)

7:28:35 PM – 7:37:11 PM – Alex Murdaugh' s iPhone shows 47 steps traveled (AM Extraction)

7:35:10 PM – 7:41:43 PM – Paul Murdaugh' s iPhone shows 171 steps traveled (PM Extraction)

7:41:23 PM – 7:48:41 PM – Alex Murdaugh' s iPhone shows 29 steps traveled (AM Extraction)

RoA_8383

FORENSIC TIMELINE

Tree Snapchat Created 7:39:55

7:39:55 PM –Thumbnail picture created in Paul Murdaugh's iPhone in a data base related to a Snapchat video (PM Extraction

Date & Time	
Creation time	6/7/2021 7:39:55 PM(UTC-4)
Modify time	6/7/2021 7:39:55 PM(UTC-4)
Last access time	6/7/2021 7:39:55 PM(UTC-4)
Deleted time	
Change time	6/7/2021 7:39:55 PM(UTC-4)

xattr	
gallery-icon-snap-id	"gallery-icon-snap-id" : System.Byte[]

RoA_8384

FORENSIC TIMELINE

Snap Sent

7:55:44 PM – 8:05:28 PM– Paul Murdaugh' s iPhone shows 262 steps traveled (PM Extraction)

7:55:32 PM – 8:05:07 PM – Alex Murdaugh' s iPhone shows 270 steps traveled (AM Extraction)

7:55:28 PM – Paul Murdaugh' s iPhone shows 6% battery life (PM Extraction)

7:56 PM – Paul Murdaugh' s iPhone at caretaker house on Moselle Road (PM Extraction)

7:56 PM – Snapchat Video of Alex Murdaugh on Paul Murdaugh' s Snapchat Account

(PM Snapchat Return) (Video sent at this time)

RoA_8385

FORENSIC TIMELINE

8:08:45 Paul at Moeselle Residence

RoA_8386

FORENSIC TIMELINE

8:08:45 Paul at Moeselle Residence

RoA_8387

FORENSIC TIMELINE

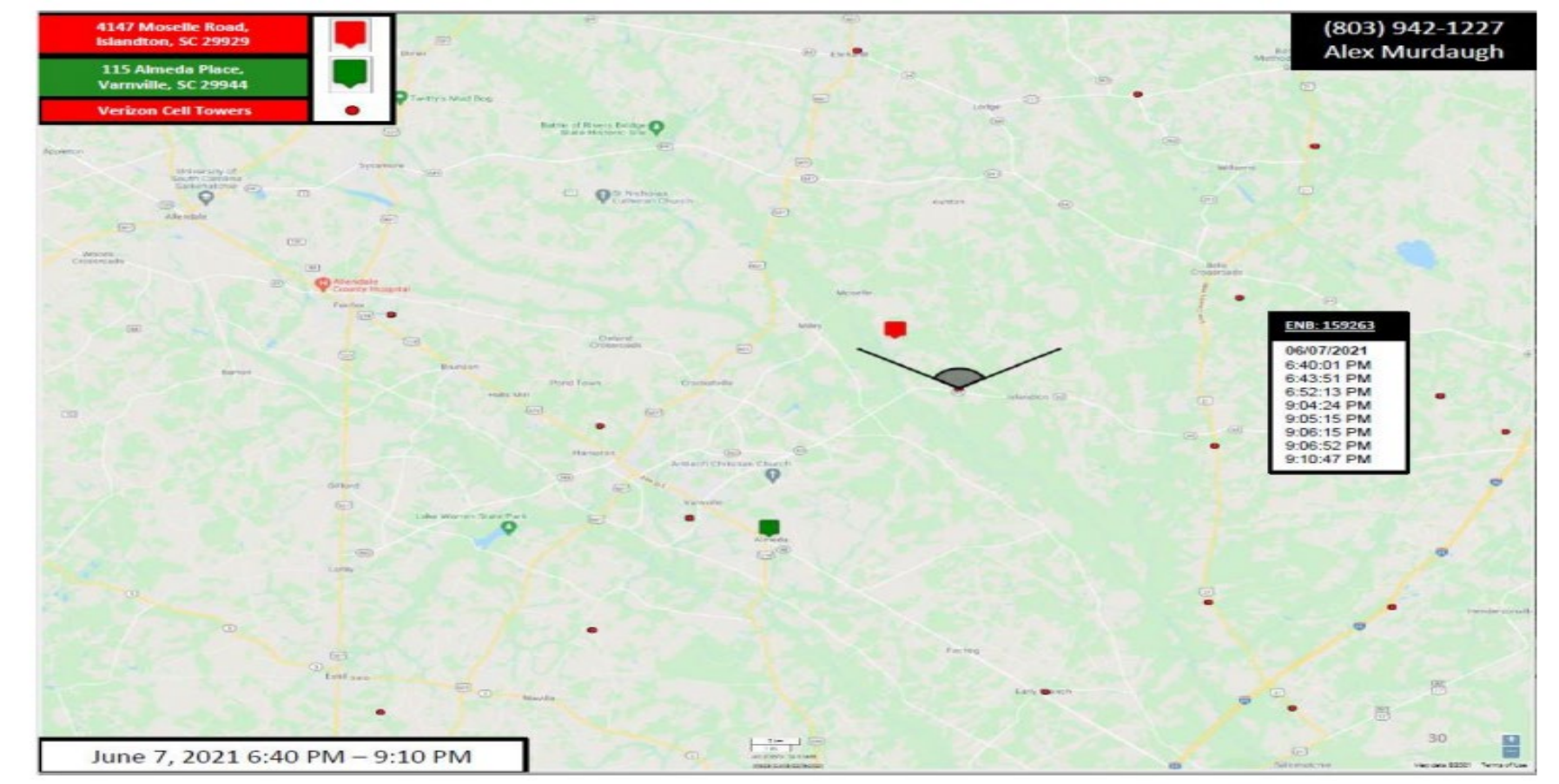
8:09:52: Alex last step activity until 9:02

8:05:35 PM – 8:09:52 PM – Alex Murdaugh' s iPhone shows 54 steps traveled (AM Extraction)

8:05:46 PM – 8:15:24 PM – Paul Murdaugh' s iPhone shows 303 steps traveled (PM Extraction)

FORENSIC TIMELINE

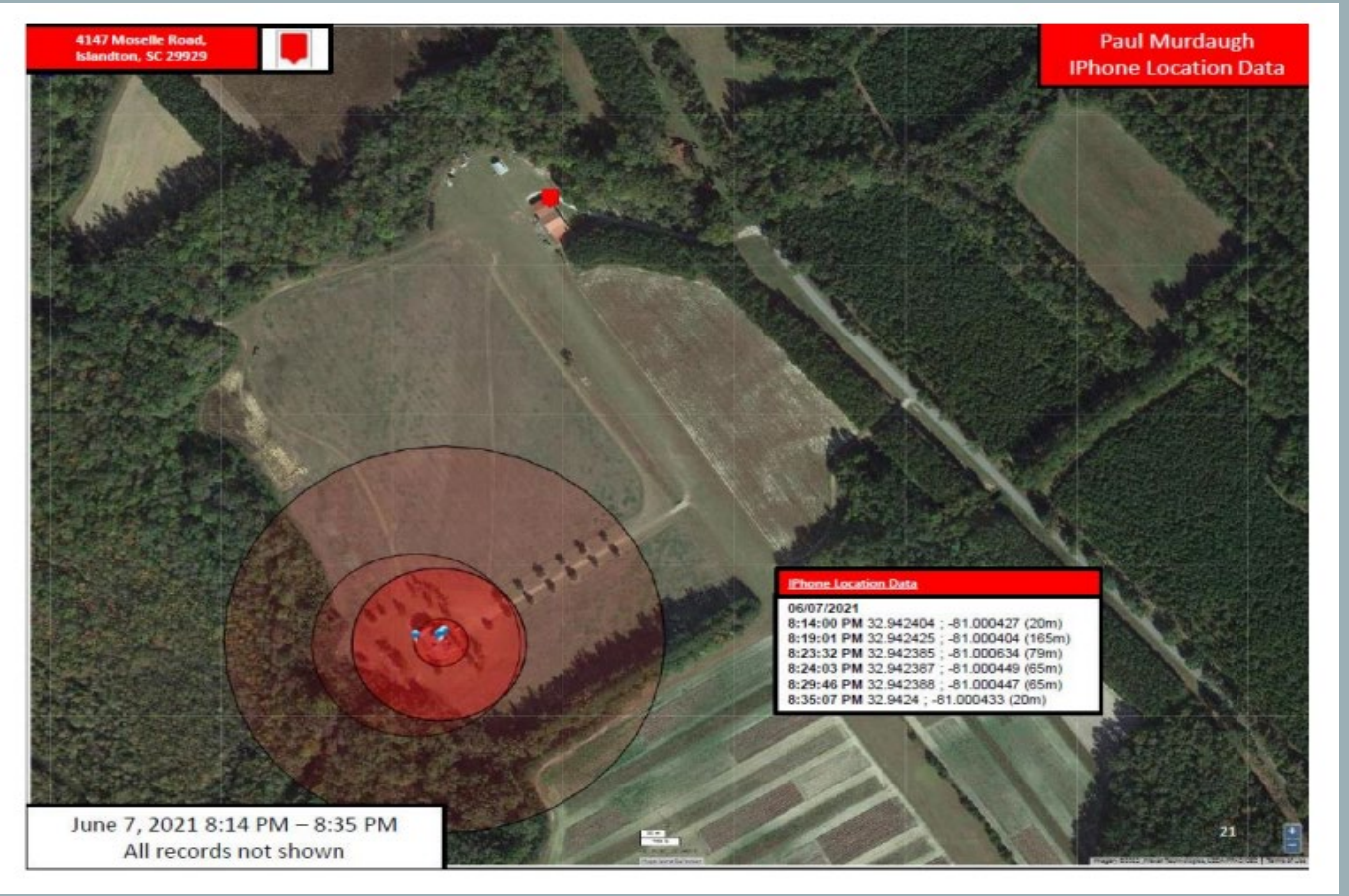
Alex: No cell activity from 6:52:13 to 9:04:24



RoA_8389

FORENSIC TIMELINE

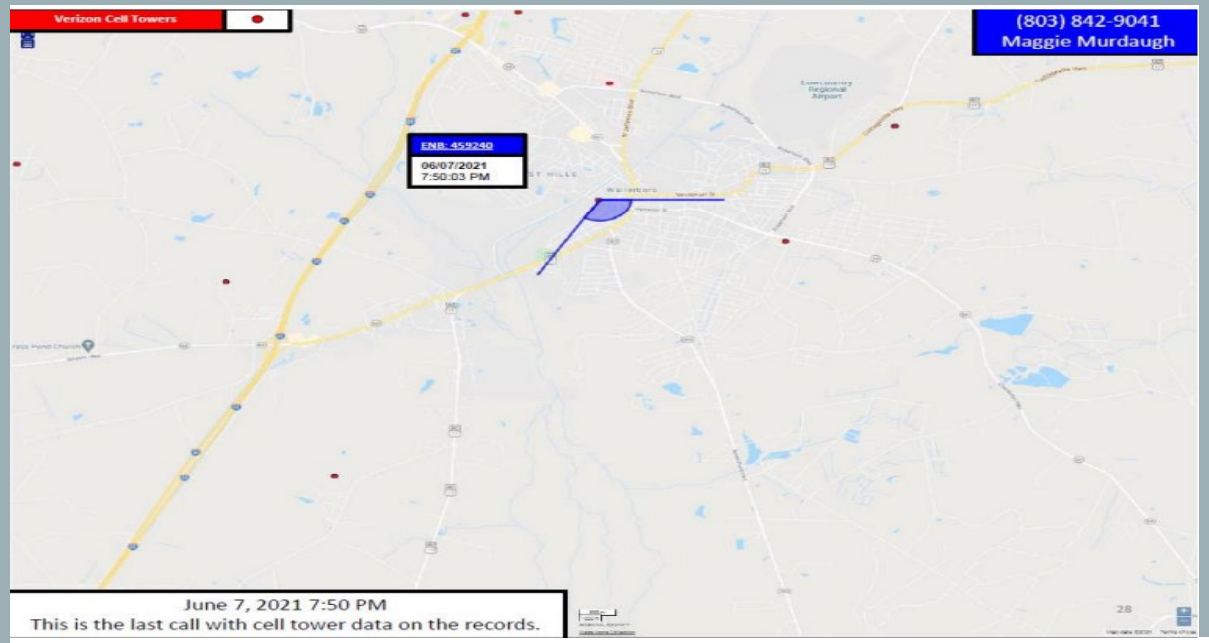
Eating Dinner: Paul from 8:14 to 8:35



RoA_8390

FORENSIC TIMELINE

8:17: Maggie Arrives at Moeselle



7:50 Maggie Pinging in Walterboro

8:17:14 PM-Maggie Murdaugh' s phone ends connection to "MBUX95224;" phone is unplugged (MM extraction)

8:17-8:18 PM-Maggie Murdaugh' s iPhone shows 38 steps taken (MM extraction)

RoA_8391

FORENSIC TIMELINE

Paul: using his phone like always

RoA_8392

8:17:44 PM – Paul Murdaugh' s iPhone shows 4% battery life (PM Extraction)

8:17-8:18 PM-Maggie Murdaugh' s iPhone shows 38 steps taken (MM extraction)

8:19 PM- Paul Murdaugh connects to Wi-Fi "PRTC_004B8178_2.4G" (PM KnowledgeC database)

8:19:23 PM – Paul Murdaugh receives a Snapchat message from "Ansley Wilson" stating, "He's got the magic touch" (PM Extraction)

8:23:33 PM – Paul Murdaugh sends outgoing Snapchat message to "Marlene Robinson" saying "He's hurt"

(PM Extraction)

8:24:08 PM – Paul Murdaugh sends an iMessage to "Meagan Kimbrell" stating, "Meagan" (PM Extraction)

8:28:07 PM – Paul Murdaugh receives an iMessage from "Meagan Kimbrell" stating, "We're u avoiding me" (PM Extraction)

8:28:35 PM – Paul Murdaugh responds to "Meagan Kimbrell" stating, "When?" (PM Extraction)

8:28:54 PM – Paul Murdaugh receives an iMessage from "972-741-2808" (Mrs. Morgan) stating, "I have not received anything back yet. Did you get the lease email?" (PM Extraction, Read)

8:29:06 PM – Paul Murdaugh receives an iMessage from "Meagan Kimbrell" stating, "You didn't send me any movie recommendations" (PM Extraction, Read 8:29:17 PM)

8:29:36 PM – Paul Murdaugh responds to "Meagan Kimbrell" stating, "Haha I didn't have a good one" along with "Wills might" (PM Extraction)

8:30:10 PM – Paul Murdaugh receives an iMessage from "Meagan Kimbrell" stating, "Omg" (PM Extraction, Read 8:30:13 PM)

FORENSIC TIMELINE

Maggie and Paul underway to kennels

8:30-8:33 PM - Maggie Murdaugh' s iPhone shows 43 steps traveled (MM extraction)

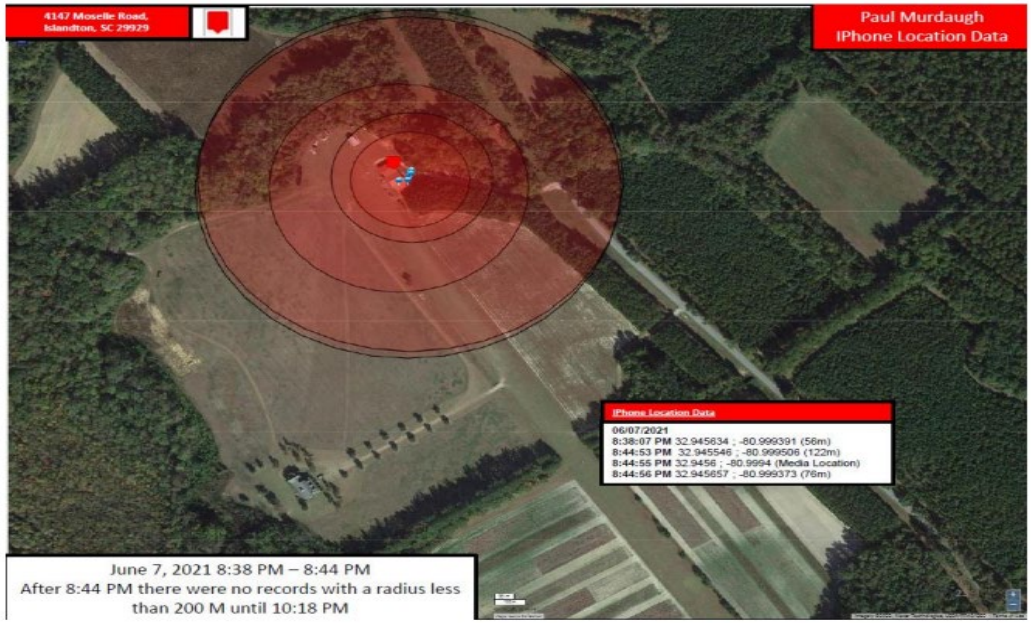
15

8:32:25 PM – 8:42:11 PM – Paul Murdaugh' s iPhone shows 283 steps traveled (PM Extraction)

8:33 PM

Paul Murdaugh's iPhone shows 283 steps traveled

Maggie Murdaugh's iPhone shows: Device Locked



16

Paul: Kennels at 8:38:07; last GPS at 8:44:56 until 10:18

RoA_8393

FORENSIC TIMELINE

Paul and Rogan: The Kennel Video

8:31:18 PM – 8:49:26 PM – Maggie Murdaugh' s iPhone shows: "Device Locked"

RoA_8394

8:38:36 PM – Paul Murdaugh' s iPhone shows 3% battery life (PM Extraction)

8:40:20 PM – Paul Murdaugh calls "Rogan Gibson" (Answered 04:14 long) (PM Extraction)

8:42:11 PM

8:41:38 PM – Paul Murdaugh receives a snapchat from "mrobinson" (PM Snapchat Records)

8:43:04 PM – Paul Murdaugh' s iPhone shows 2% battery life (PM Extraction)

8:44:34 PM – Paul Murdaugh initiates FaceTime Video call with "Rogan Gibson" (Answered 00:11 long) (PM and RG Extraction)

8:44:55 PM- Video extracted through Paul's phone at the kennels has Alex in the background talking along with Maggie. (PM Extraction)

FORENSIC TIMELINE

Paul keeps using his phone

8:47:55 PM – Paul Murdaugh sends an iMessage to "Meagan Kimbrell" stating, "Haha kidding" (PM Extraction)

8:48:05 PM – Paul Murdaugh sends an iMessage to "Meagan Kimbrell" stating, "Star was born is the movie" (PM Extraction)

8:48 PM- Paul Murdaugh' s iPhone: Display On (PM Extraction)

8:48:29 PM- Paul Murdaugh' s iPhone: Unlocked (PM Extraction)

RoA 8395

8:48:29 PM – Paul Murdaugh receives an iMessage from "Meagan Kimbrell" stating, "No I need something happy" along with "Don't like watching sad movies" (PM Extraction, Read 8:48:59 PM)

8:48:56 PM- 8:49:00 PM- Paul Murdaugh' s iPhone's backlight is on (PM Extraction)

8:48:58 PM to 8:49:01 PM - Paul Murdaugh' s phone was last unlocked - Next activity for the notification of a SMS from Rogan Gibson at 9:58:35 PM, stating "Yo." (PM KnowledgeC database)

FORENSIC TIMELINE

8:49: 01 Paul locks forever

8:49:00 PM – 10:18:08 PM – Paul Murdaugh' s iPhone's backlight is off (PM Extraction)

8:49:01 PM – 10:34:23 PM – Paul Murdaugh' s iPhone: Device Locked (PM Extraction)

RoA_8396

Never Responds to Rogan's 8:49:35 text

8:49:35 PM – Rogan Gibson sends iMessage to "Paul Murdaugh" stating, "See if you can get a good picture of it. MaryAnn wants to send it to a girl we know that's a vet. Tell him to sit and stay and he shouldn't move around to much." (Unread) (PM Extraction)

FORENSIC TIMELINE

8:49:31 Maggie locks forever

RoA_8397

Maggie reads Lynn's text response to group thread

8:49:26 PM – Maggie Murdaugh' s phone unlocks for a text message notification (8:31:47 PM Text) and implements orientation change to landscape (MM Extraction)

8:49:28 PM – Maggie Murdaugh' s phone accesses an application and implements orientation change to landscape (MM Extraction)

8:49:31 PM – 1:10 PM (6/8/21) – Maggie Murdaugh' s iPhone's is locked. (MM Knowledge C Database)

FORENSIC TIMELINE

8:49 PM: Paul and Maggie

RoA_8398

8:49:01 PM – 10:34:23 PM – Paul Murdaugh' s iPhone: Device Locked (PM Extraction)

8:49:31 PM – 1:10 PM (6/8/21) – Maggie Murdaugh' s iPhone's is locked. (MM Knowledge C Database)

FORENSIC TIMELINE

8:44:55 PM: Kennel Video

8:44:55 – Kennel Video 50 seconds
8:45:45 – Kennel Video Ends
~1 Minute: Put up Chicken and leave
~2 Minutes: Golf Cart Trip to Residence =

8:49

RoA_8399

His timeline doesn't work.

FORENSIC TIMELINE

8:53:15 – 8:55:32 PM: Maggie's Phone

RoA 8400

8:53:15-8:55:32 PM- Maggie Murdaugh' s iPhone shows 59 steps traveled (MM extraction)

8:53:08 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:53:12 PM- Maggie Murdaugh' s iPhone: Sideways Orientation (MM Extraction)

8:53:15 PM- 8:55:32 PM – Maggie Murdaugh' s iPhone: 02:29 Activity Duration (Minutes) (MM Extraction)

8:54:40 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:55:04 PM- Maggie Murdaugh' s iPhone: Sideways Orientation (MM Extraction)

8:55:32 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:55:32 PM

8:55:48 PM-Maggie Murdaugh' s iPhone took a snapshot of an open app (Facebook) running in the background (MM AXIOM extraction) *(iPhone will take random snapshots of accesses that are open when you change apps or swipe up for the home screen. The time does not reflect when the app was changed only when the phone takes the photo) (Britt Dove, SLED)*

8:55:36 PM -9:03:52 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

FORENSIC TIMELINE

8:53:15 – 8:55: Maggie's phone on the move

RoA 8401

8:53:15-8:55:32 PM- Maggie Murdaugh' s iPhone shows 59 steps traveled (MM extraction)

8:53:08 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:53:12 PM- Maggie Murdaugh' s iPhone: Sideways Orientation (MM Extraction)

8:53:15 PM- 8:55:32 PM – Maggie Murdaugh' s iPhone: 02:29 Activity Duration (Minutes) (MM Extraction)

8:54:40 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:55:04 PM- Maggie Murdaugh' s iPhone: Sideways Orientation (MM Extraction)

8:55:32 PM- Maggie Murdaugh' s iPhone: Vertical Orientation (MM Extraction)

8:55:32 PM

8:55:48 PM-Maggie Murdaugh' s iPhone took a snapshot of an open app (Facebook) running in the background (MM AXIOM extraction) *(iPhone will take random snapshots of accesses that are open when you change apps or swipe up for the home screen. The time does not reflect when the app was changed only when the phone takes the photo) (Britt Dove, SLED)*

8:55:36 PM -9:03:52 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

FORENSIC TIMELINE

9:02 - 9:06: Alex's phone on the move

RoA_8402

9:02:18 PM – 9:06:47 PM – Alex Murdaugh' s iPhone shows 283 steps traveled (AM Extraction)

9:03:22 PM - *See above photo* (FBI CAST)

06/07/2021 21:03:44	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP

FORENSIC TIMELINE

9:02 - 9:06: Alex's phone on the move; calls

RoA_8403

Alex Murdaugh's iPhone shows 283 steps traveled

Extraction)

9:03:52 PM – 9:04:23 PM – Maggie Murdaugh' s iPhone: Backlight On (notification of call) (MM Extraction)

9:04:23 PM – Alex Murdaugh calls Maggie Murdaugh (18 Seconds) (AM CDR's) (Does not show on Dylan Hightower or 2nd Extraction)

- Missed Call on Maggie's Phone (MM Extraction)

9:04:32 PM – 9:0:445 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

9:05:15 PM – Alex Murdaugh calls "Randolph Murdaugh" (18 Seconds) (AM CDR's) (Does not show on Dylan Hightower or 2nd Extraction)

9:05:44 PM – 9:07:00 PM – Maggie Murdaugh' s iPhone: Backlight On (MM Extraction)

06/07/2021 21:05:56	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP

9:06:12 PM – Maggie Murdaugh' s iPhone implements orientation change to portrait (MM Extraction)

9:06:14 PM – Incoming Call from Alex's on Maggie's iPhone (MM Extraction) (Shows on AM CDR, but does not show on Dylan Hightower or 2nd AM Extraction)

9:06:20 PM- Maggie Murdaugh' s iPhone: Sideways Orientation (MM Extraction)

9:06:15 PM – Alex Murdaugh calls "Maggie Murdaugh" (Not Answered 00:03 long) (AM CDR's) (Does not show on Dylan Hightower or 2nd AM Extraction)

- Missed Call on Maggie's Phone (MM Extraction)

9:06:47 PM

ESP?

FORENSIC TIMELINE

9:07: Alex's Suburban on the move

06/07/2021 21:06:50	VehicleParkedStatus	Vehicle Parked = false	FALSE
06/07/2021 21:06:50	VehicleParkedStatus	Vehicle Parked = false	FALSE

9:06:52 PM: Alex Murdaugh calls "Maggie Murdaugh" (00:07 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

9:06:53 PM – Alex Murdaugh' s Suburban shows "Device Connection" to "iPhone" (Shows three connections seconds apart to the same "iPhone" 9:06:53 x2, and 9:06:59 PM) (FBI report)

9:07:00 PM – 9:31:44 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

9:07:06 PM – Alex Murdaugh's suburban leaves 4147 Moselle Rd, enroute to Almeda (GM/OnStar)

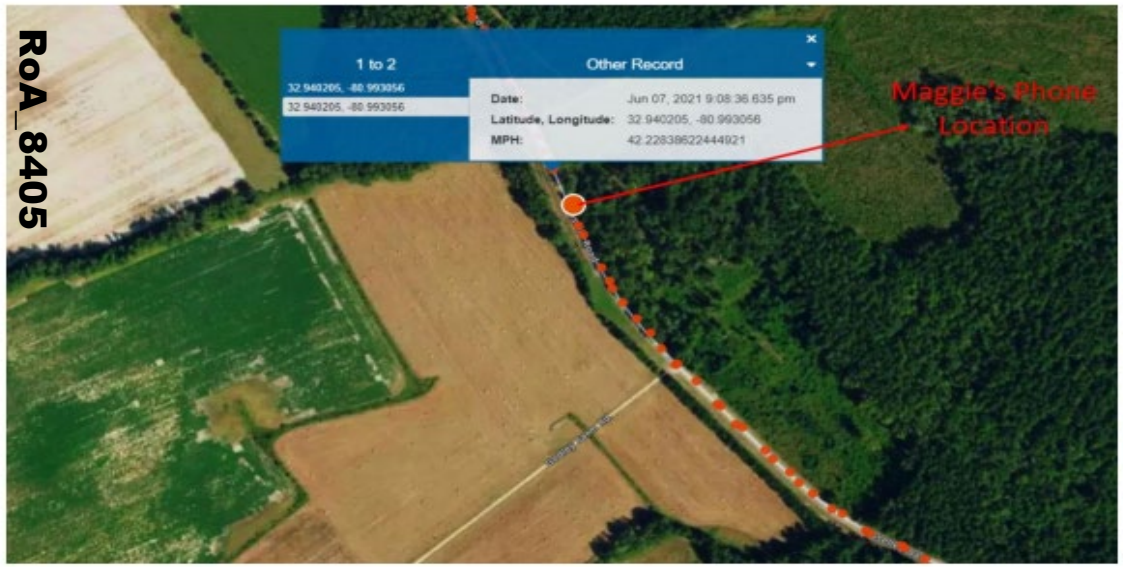
Alex connects to Suburban one second after missed call to Maggie, and is underway within 12 seconds

RoA_8404

FORENSIC TIMELINE

9:07-9:08: Alex's Suburban on the move

9:08:36 PM



9:08:42 PM

9:08:58 PM – Alex Murdaugh iMessages Maggie Murdaugh stating, "Going to check on Em be rite back."

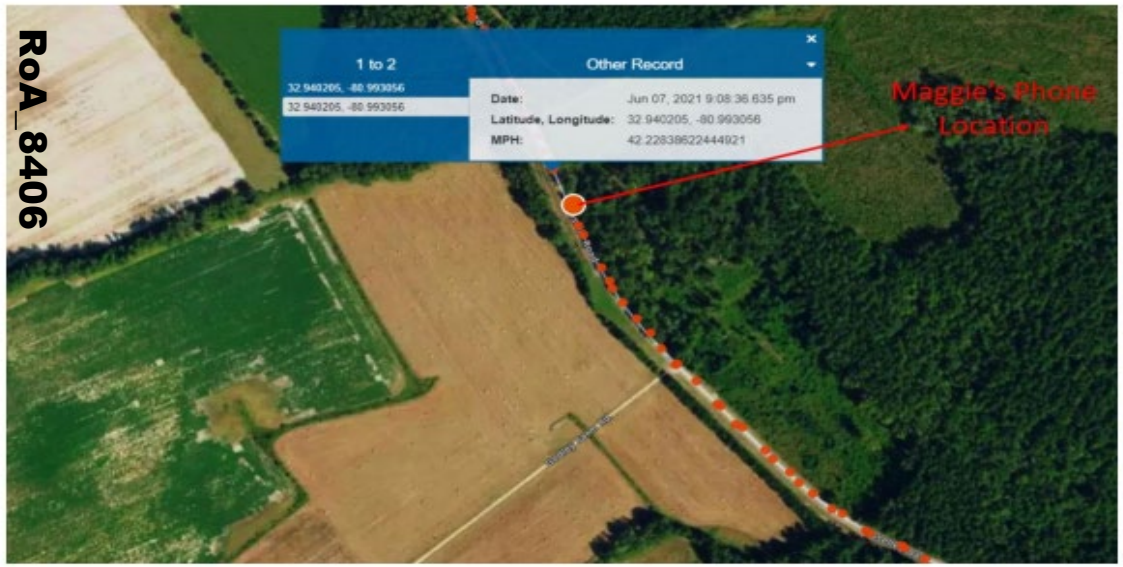
(*MM Extraction shows status of iMessage as unread*) (AM Extraction)

Passes by about 20 seconds before sending this text . . .

FORENSIC TIMELINE

9:07-9:08: Alex's Suburban on the move

9:08:36 PM



9:08:42 PM

9:08:58 PM – Alex Murdaugh iMessages Maggie Murdaugh stating, "Going to check on Em be rite back."

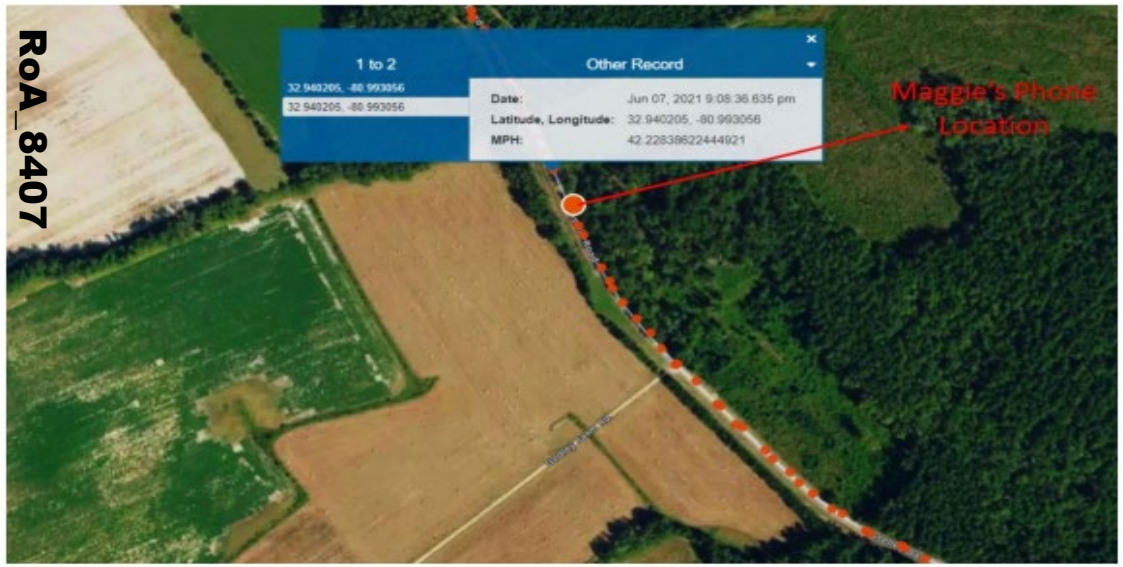
(*MM Extraction shows status of iMessage as unread*) (AM Extraction)

Passes by about 20 seconds before sending this text . . .

FORENSIC TIMELINE

9:07-9:08: Alex's Suburban on the move

9:08:36 PM



9:08:42 PM

9:08:58 PM – Alex Murdaugh iMessages Maggie Murdaugh stating, "Going to check on Em be rite back."

(*MM Extraction shows status of iMessage as unread*) (AM Extraction)

Passes by about 20 seconds before sending this text . . .

FORENSIC TIMELINE

9:07-9:22 : Trip to Almeda

RoA_8408

FORENSIC TIMELINE

9:10-9:22: Manufacturing Alibi – Making Short Calls

9:10:47 PM – Alex Murdaugh calls Buster Murdaugh (00:60 long) (AM CDR's) (Does not show in Dylan Hightower Extraction or 2nd Extraction)

9:10:28 PM – Rogan Gibson calls Paul Murdaugh (00:02 long) (RG/PM CDR's) (Does not show on PM Extraction)

9:12:14 PM – Alex Murdaugh calls "Chris Wilson" (00:42 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

RoA_8409

9:18:46 PM– Alex Murdaugh calls John Marvin Murdaugh (106 Seconds) (AM CDR's) (Does not show in Dylan Hightower Extraction or 2nd Extraction)

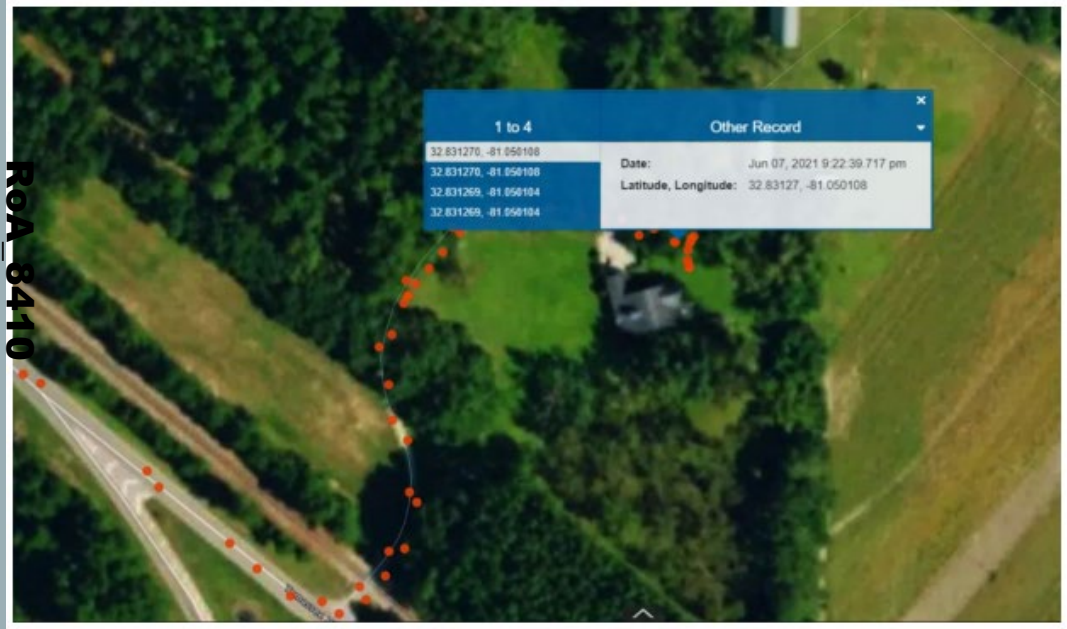
Call over at 9:22:45

9:20:34 PM– Chris Wilson calls Alex Murdaugh (131 Seconds) (AM CDR's) (Does not show in Dylan Hightower Extraction or 2nd Extraction)

06/07/2021 21:22:45	VehicleParkedStatus	Vehicle Parked = true	TRUE
06/07/2021 21:22:45	VehicleParkedStatus	Vehicle Parked = true	TRUE

FORENSIC TIMELINE

9:22: Arrival at Almeda



RoA_8410

9:22:39 PM – 9:32: 14 PM – Alex Murdaugh' s iPhone shows 195 steps taken (AM Extraction)

9:24:13 PM – Alex Murdaugh calls "Libby Murdaugh" (00:20 long) (AM CDR's) (Does not show in Dylan Hightower Extraction or 2nd Extraction)

06/07/2021 21:31:28	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP

06/07/2021 21:32:57	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP

Steps – Walking near car. 6 minutes between call and last system startup.

FORENSIC TIMELINE

9:29 – 9:42: Rogan trying to no avail

9:29:06 PM – Rogan Gibson calls "Paul Murdaugh" (00:01 long) (RG CDR's) (Does not show on PM Extraction)

9:34:14 PM – Rogan Gibson sends iMessage to "Maggie Murdaugh" stating, "Tell Paul to call me" (Unread) (MM Extraction)

9:42:17 PM – Rogan Gibson calls "Paul Murdaugh" (00:01 long) (RG Extraction)

FORENSIC TIMELINE

9:41: Leaving Almeda

9:35:55 PM – 9:45:37 PM – Alex Murdaugh' s iPhone shows 60 steps traveled (AM Extraction)

06/07/2021 21:36:48	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP

RoA_8412

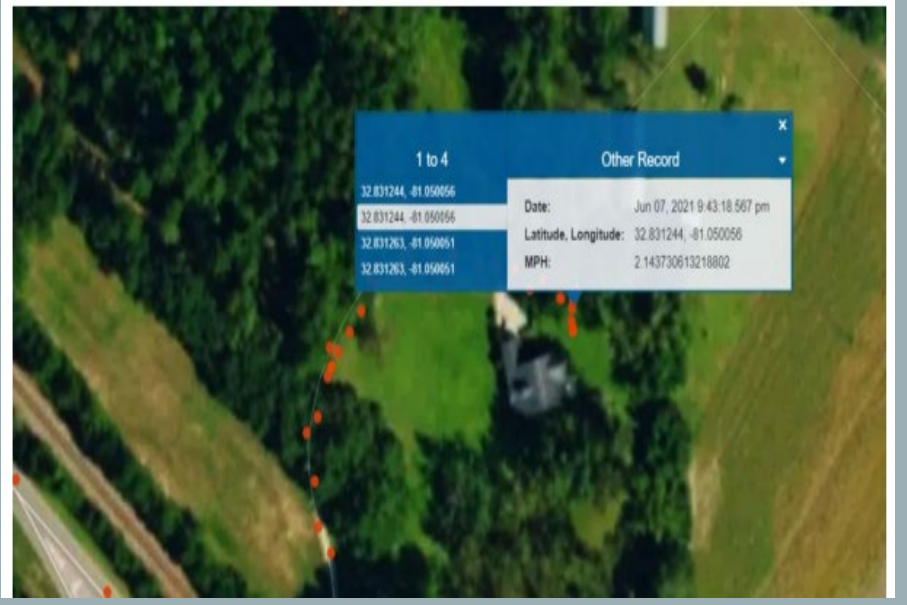
9:36 – 9:41

06/07/2021 21:41:26	UpdateService-SystemStartup	Current System State = SYSTEM_STARTUP	SYSTEM_STARTUP
06/07/2021 21:41:27	CurrentSystemState	Current System State = STATE_PROPULSION	STATE_PROPULSION

9:42:49 PM – Alex Murdaugh' s Suburban shows "Device Connection" to "iPhone" (FBI report)

06/07/2021 21:43:05	VehicleParkedStatus	Vehicle Parked = false	FALSE
06/07/2021 21:43:05	VehicleParkedStatus	Vehicle Parked = false	FALSE
06/07/2021 21:43:59	VehicleParkedStatus	Vehicle Parked = true	TRUE
06/07/2021 21:43:59	VehicleParkedStatus	Vehicle Parked = true	TRUE

9:43:18 PM – Alex Murdaugh's suburban leaves Almeda (GM/OnStar)



FORENSIC TIMELINE

9:44: Leaving Almeda – the Pause

06/07/2021 21:44:00	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 21:44:54	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 21:44:54	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 21:44:54	VehicleParkedStatus	Vehicle Parked = false

9:44:04 PM – 9:45:04 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

9:45:04 PM – Maggie Murdaugh iPhone: Backlight on (notification of call) (MM Extraction)

9:45:32 PM – Maggie Murdaugh received a call from "P A" (Alex Murdaugh) (Missed 00:00 long) (MM Extraction) (Does not show on AM Dylan Hightower Extraction)

9:45:37 PM

9:45:40 PM – 9:47:28 PM – Maggie Murdaugh' s iPhone: Backlight Off (MM Extraction)

9:46:35 PM – Alex Murdaugh calls "Paul Murdaugh" (00:18 long) (AM CDR's) (Does not show on AM or PM Extractions)

9:47:23 PM – Alex Murdaugh iMessages Maggie Murdaugh stating, "Call me babe" (Unread) (MM Extraction)

RoA_8413

FORENSIC TIMELINE

9:52: Manufacturing Alibi: Chris Wilson

9:52:15 PM – Alex Murdaugh iMessages Chris Wilson stating, "Call me if u up" (AM Extraction)

9:52:59 PM – Alex Murdaugh receives a phone call from "Chris Wilson" (00:42 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

9:53:55 PM – Alex Murdaugh receives a call from "Chris Wilson" (123 seconds) (AM CDR's) (Does not show on Dylan Hightower Extraction)

FORENSIC TIMELINE

9:52: Manufacturing Alibi: Chris Wilson

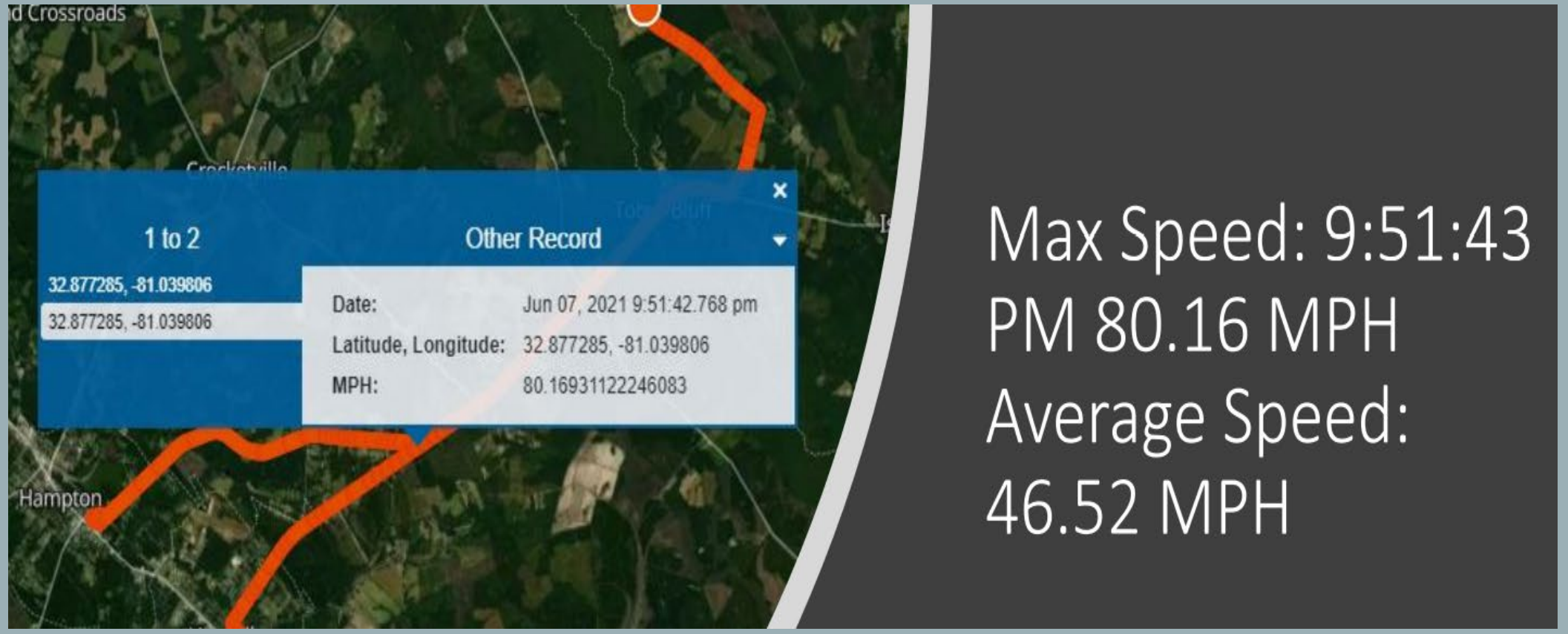
9:52:15 PM – Alex Murdaugh iMessages Chris Wilson stating, "Call me if u up" (AM Extraction)

9:52:59 PM – Alex Murdaugh receives a phone call from "Chris Wilson" (00:42 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

9:53:55 PM – Alex Murdaugh receives a call from "Chris Wilson" (123 seconds) (AM CDR's) (Does not show on Dylan Hightower Extraction)

FORENSIC TIMELINE

9:52: Manufacturing Alibi: Chris Wilson



RoA_8416

FORENSIC TIMELINE

10:01: Arrival at Almeda

9:57:09 PM – Rogan Gibson calls Paul Murdaugh (00:04 long) (RG CDR's) (Does not show on PM Extraction)

9:58:35 PM – Rogan Gibson iMessages Paul Murdaugh stating, "Yo" (Unread) (PM Extraction)

Rogan texts Paul at 9:58

RoA_8417

06/07/2021 22:00:36	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:00:36	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:00:38	VehicleParkedStatus	Vehicle Parked = true

06/07/2021 22:01:17	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:01:17	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:01:17	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:01:29	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:01:29	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:01:30	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:01:30	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:01:43	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:01:43	VehicleParkedStatus	Vehicle Parked = true

10:03:36 PM – 10:04:08 PM – Maggie Murdaugh' s iPhone: Backlight On (MM Extraction)

10:03:58 PM – Alex Murdaugh calls Maggie Murdaugh

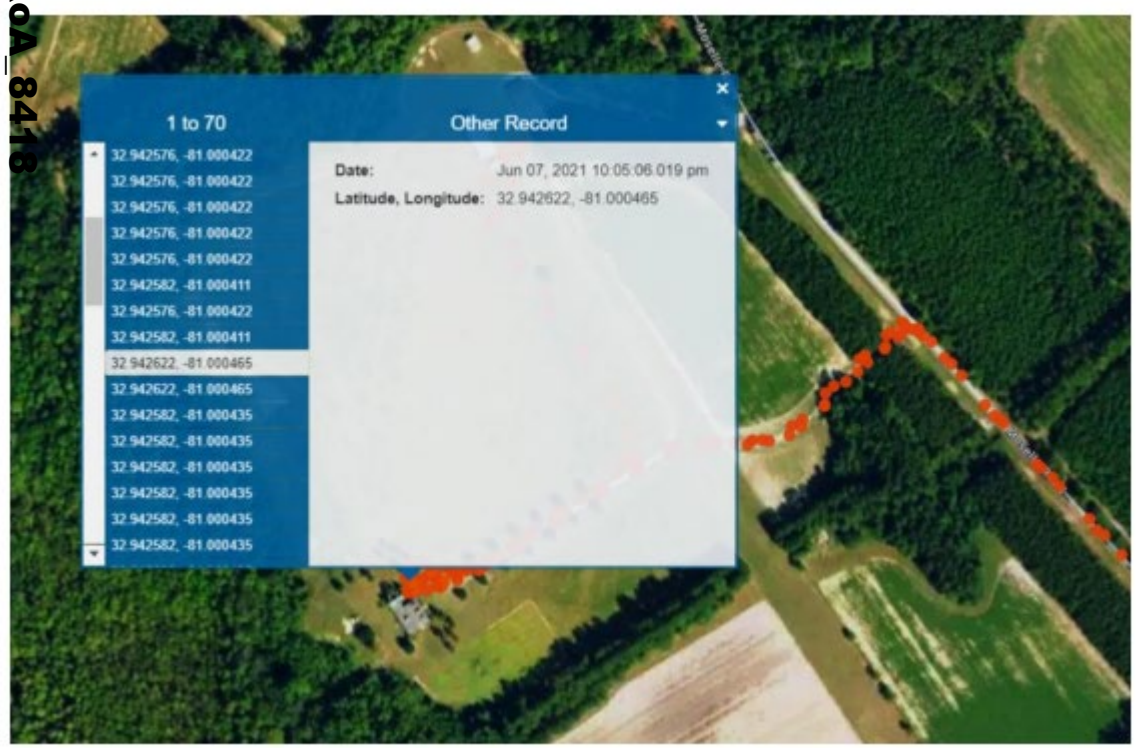
- Does not show on AM/MM CDR's, but shows as Missed call in MM Extraction

FORENSIC TIMELINE

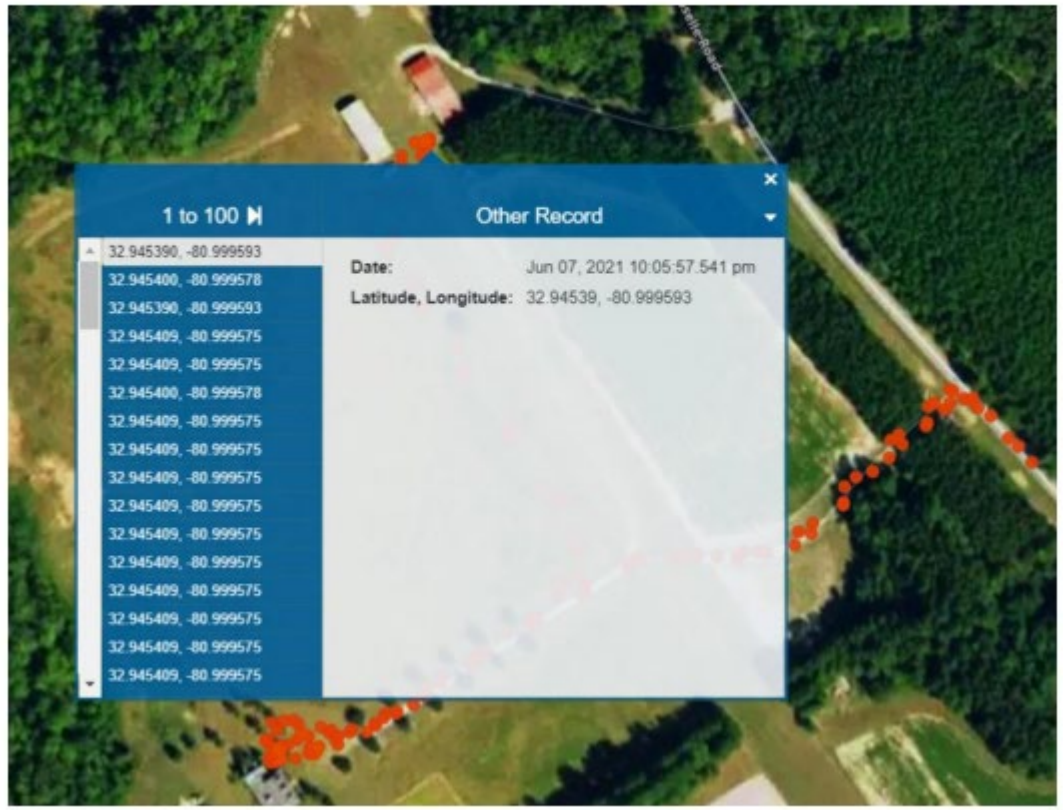
10:05:06 – 10:05:57: Leaving for Kennels

10:05:06 PM – Alex Murdaugh's suburban leaves the main house (GM/OnStar)

RoA_8418



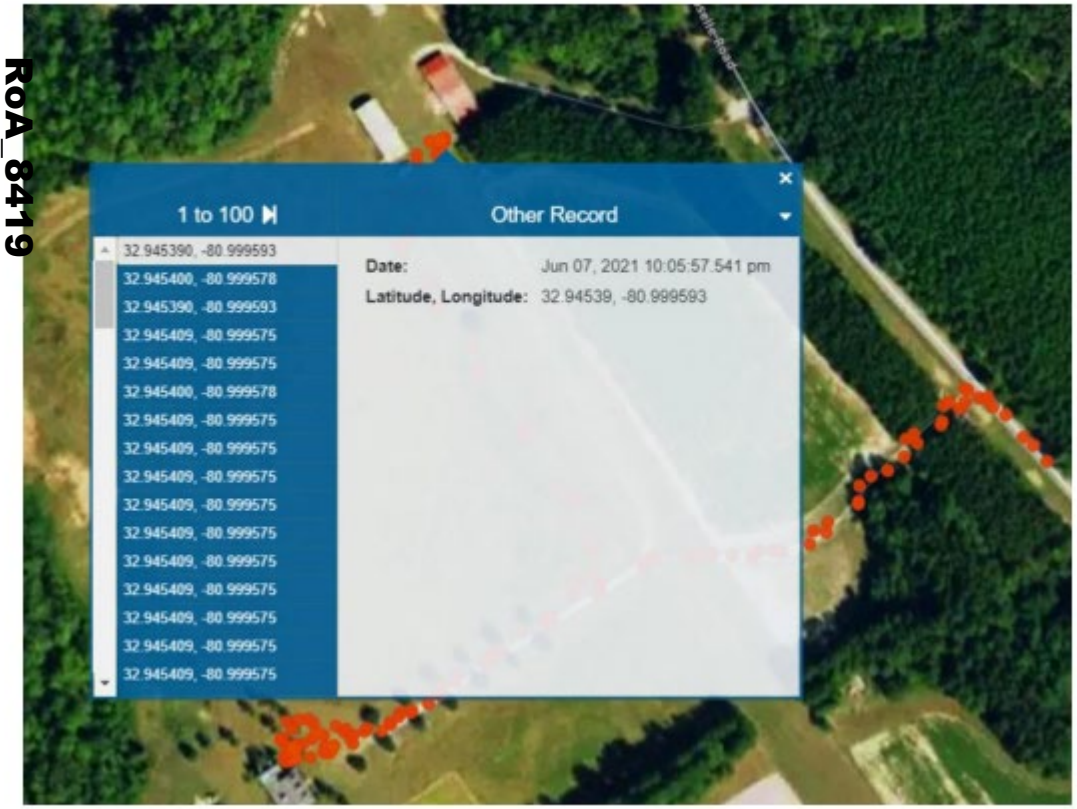
10:05:57 PM – Alex Murdaugh's suburban arrives at kennels (GM/OnStar)



FORENSIC TIMELINE

10:05:57: Arrives at Kennels to 10:06:14 – 911 Call

10:05:57 PM – Alex Murdaugh's suburban arrives at kennels (GM/OnStar)



RoA_8419

06/07/2021 22:05:55	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:05:55	VehicleParkedStatus	Vehicle Parked = true

10:06:14 PM - 911 Call – Alex Murdaugh (637 Seconds) (AM CDR's and CCSO 911)

19 Seconds.

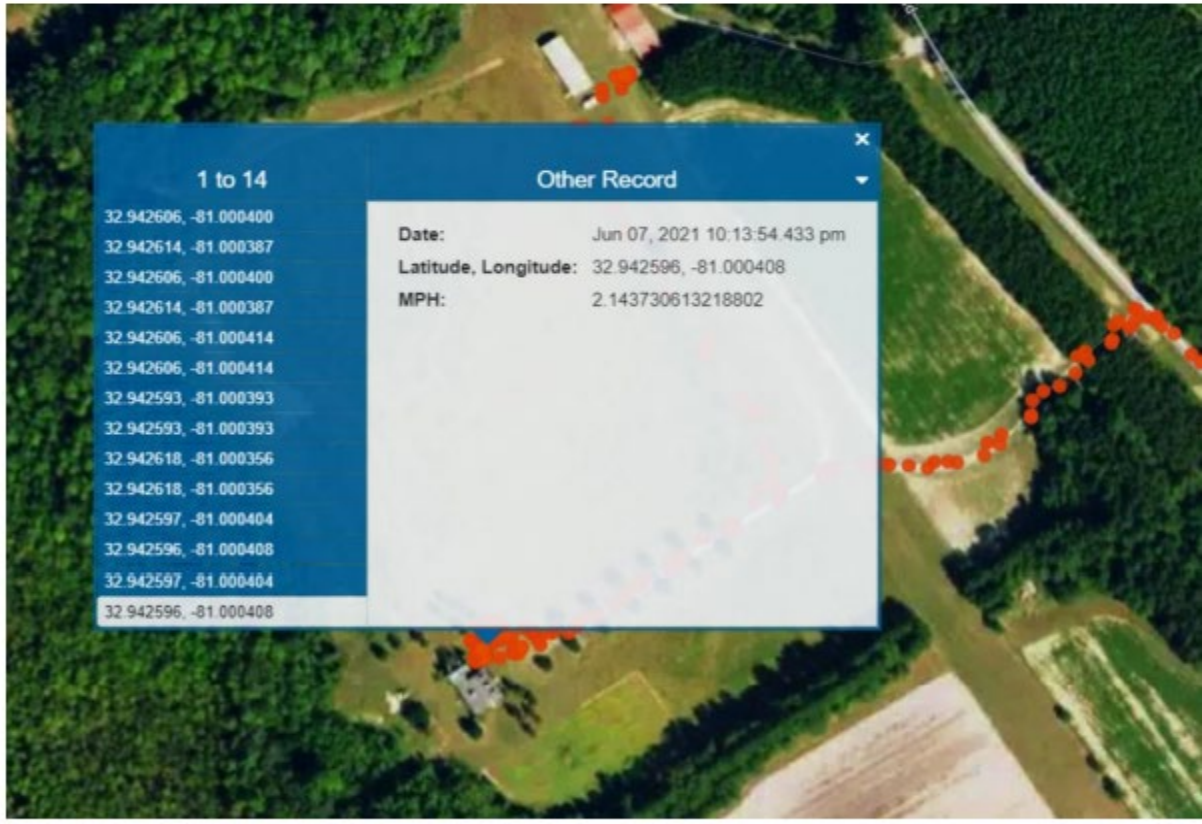
FORENSIC TIMELINE

10:11-10:14: Leaving for Residence and Returning to the Kennels

06/07/2021 22:11:45	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:11:45	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:12:38	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:12:38	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:12:40	VehicleParkedStatus	Vehicle Parked = true
06/07/2021 22:13:39	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:13:39	VehicleParkedStatus	Vehicle Parked = false
06/07/2021 22:13:39	VehicleParkedStatus	Vehicle Parked = false

ROA_8420

10:13:54 PM – Alex Murdaugh's suburban leaves the main house (GM/OnStar)



10:14:30 PM – Alex Murdaugh's suburban arrives back at kennels (GM/OnStar)

FORENSIC TIMELINE

10:11-10:14: Leaving for Residence and Returning to the Kennels

Max Speed:
10:12:19 PM
35.78 MPH

Max speed:
10:14:25 PM
30.78 MPH

RoA_8421

FORENSIC TIMELINE

10:17 -- 911 Call ends

10:17 PM- 911 Call Ends

10:17:46 PM – Alex Murdaugh calls "Randy Murdaugh" (Answered 00:16 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

10:18:45 PM – Alex Murdaugh iMessages Randy Murdaugh stating, "Pls call me. Emergency" (AM Extraction)

10:18:08 PM-10:18:20 PM – Paul Murdaugh' s iPhone backlight is on (PM Extraction)

10:19:32 PM – Alex Murdaugh calls Randy Murdaugh (1 Second) (AM CDR's) (Does not show on Dylan Hightower Extraction)

10:19:44 PM – Alex Murdaugh calls John Marvin Murdaugh (40 Seconds) (AM CDR's) (Does not show on Dylan Hightower Extraction)

RoA_8422

FORENSIC TIMELINE

10:20 – 10:30: Trying to call Rogan

10:20:08 PM- Paul Murdaugh' s iPhone: Display On/ Screen Autolock (PM Extraction)

10:21:25 PM – Alex Murdaugh calls "Rogan Gibson" (AM CDR's) (AM Extraction) (Does not show on Dylan Hightower Extraction)

RoA_8423

10:21:57 PM – Alex Murdaugh calls "Christy Murdaugh" (53 Seconds) (AM CDR's) (Does not show on Dylan Hightower Extraction)

10:24:33 PM – Alex Murdaugh calls "Rogan Gibson" (00:04 long) (AM CDR's) (RG Extraction)

10:24:43 PM – Alex Murdaugh iMessages "Rogan Gibson" stating, "Call me" (RG/AM Extraction)

10:25:49 PM – Alex Murdaugh FaceTime's "Rogan Gibson" (AM Extraction) (First phone call to show on Dylan Hightower Extraction)

10:25 PM: First Deputy on Scene

FORENSIC TIMELINE

10:20 – 10:30: Trying to call Rogan

10:25 PM: First Deputy on Scene

RoA_8424

10:29:17 PM – Alex Murdaugh calls "Randy Murdaugh" (Answered 00:42 long) (AM CDR's) (Does not show on Dylan Hightower Extraction)

10:30:31 PM - Alex Murdaugh FaceTime's "Rogan Gibson" (AM Extraction) (Shows on Dylan Hightower Extraction, does not show on RG CDR's)

10:34:24 PM – Paul Murdaugh' s iPhone shows "Device Power Off" event (PM Extraction)

Maggie's phone locked until recovered the next day.

FORENSIC TIMELINE

OPPORTUNITY.

RoA_8425

FORENSIC TIMELINE

RoA_8426

CONSCIOUSNESS OF GUILT.

Credibility

You are the sole judges of fact.

You are the sole judges of credibility.

You judge the believability of witnesses and evidence.

RoA_8427

Credibility

- You may consider many things in determining credibility, such as, but not limited to:
  - The demeanor or manner of the witness who testified;
  - Whether the witness has a reason to be biased;
  - Whether the testimony of a witness was contradicted on one hand, or supported or corroborated on the other hand;
  - Whether the witness has a history of dishonesty.

RoA_8428

Credibility

- You may believe a small portion of the testimony of a witness and disregard the larger portion, or vice-versa.
- You may believe one witness against many, or many witnesses against one.
- You judge the credibility of “experts” and weigh their testimony just the same as any other witness.

RoA_8429

Beyond a Reasonable Doubt

The State must prove the guilt of Defendant Richard Alexander Murdaugh **beyond a reasonable doubt**.

Beyond a Reasonable Doubt

Reasonable doubt is:

- A doubt which makes a reasonable, honest, sincere, conscientious juror hesitate to act.

RoA_8431

Beyond a Reasonable Doubt

Proof beyond a reasonable doubt **is** proof that:

- A reasonable person would not hesitate to rely and act upon in the most important of their affairs.
- Leaves you firmly convinced of the guilt of the defendant.

Proof beyond a reasonable doubt is **not** proof that:

- Overcomes every possible doubt.

RoA_8432

Direct & Circumstantial Evidence

There are two types of evidence:

Direct and Circumstantial

RoA_8433

Direct & Circumstantial Evidence

Direct evidence directly proves the existence of a fact and does not require deduction.

Circumstantial evidence is proof of a chain of facts and circumstances indicating the existence of a fact.

RoA_8434

Direct & Circumstantial Evidence

- The law makes **absolutely no distinction** between the weight or value to be given to either direct or circumstantial evidence.
- Nor is a greater degree of certainty required of circumstantial evidence than of direct evidence
- Circumstances must be consistent with each other, and when taken together, point conclusively to the guilt of the accused beyond a reasonable doubt.

RoA_8435

Murder

RoA_8436

Murder is the willful killing of any person by one with **malice aforethought**

Murder

Malice is:

- Hatred, ill will, or hostility towards another.
- Intentional doing of a wrongful act and with an intent to inflict an injury or under circumstances that the law would infer an evil intent.
- A general malignant recklessness of the lives and safety of others.
- A wicked or depraved spirit intent on doing wrong.

RoA_8437

Murder

Malice “Aforethought” means:

- No appreciable length of time.
- May be conceived at the very moment the act occurs.

RoA_8438

Murder

Malice and Drugs:

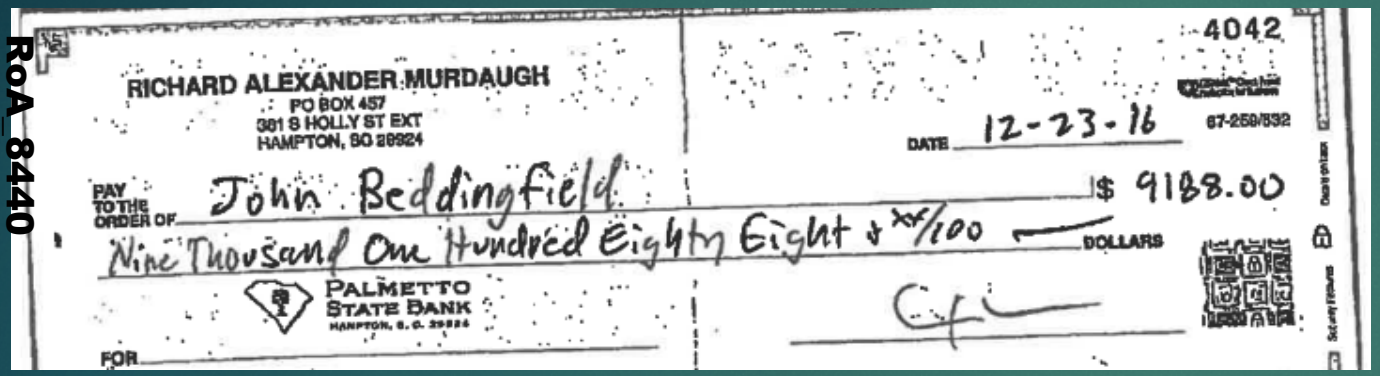
- Voluntary intoxication does not impair a person's ability to act with malice aforethought.
- Voluntary intoxication is not a defense to a crime.
- A person who voluntarily becomes intoxicated is just as responsible for their actions as when they are not intoxicated.

RoA_8439

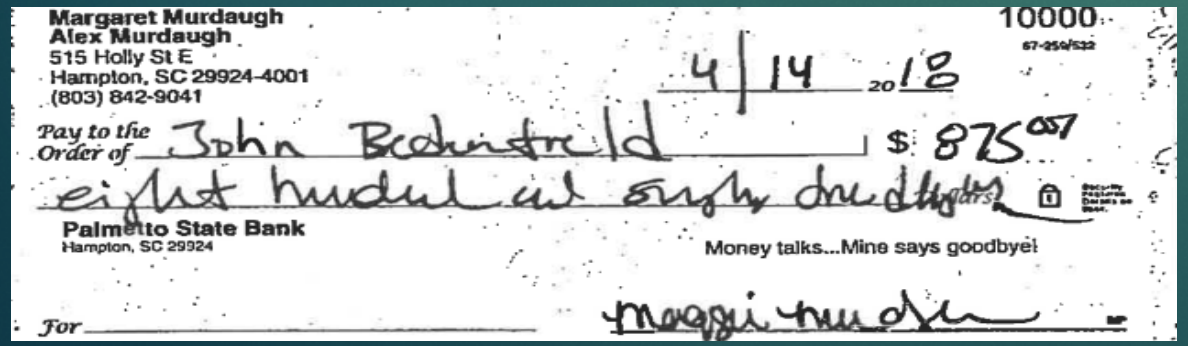
Means: Family Weapons -- The Blackout

- A Blackout belonging to Defendant was used to kill Maggie
- Defendant bought 2 Blackouts from John Bedenfield in December 2016

RoA_8440



- Tan one went missing around Halloween of 2017, Defendant bought a replacement without a thermal scope in April of 2018



Means: Family Weapons -- The Blackout

- Will Loving testified that he and Paul sighted in the replacement Blackout in turkey season (March-April) during 2021 outside the steps of the residence at Moeselle
  - Had a red dot optic sight – receipt from March of 2021
- Jeff Croft found weathered cases right where Will said he and Paul shot the gun in spring of 2021

Means: Family Weapons -- The Blackout

- Jeff Croft found S&B 147 grain Blackout cases right where Will said he and Paul shot the gun in spring of 2021
- And found S&B 147 grain Blackout cases at the shooting house across the way

RoA_8442

Means: Family Weapons -- The Blackout

- And you heard Forensic Scientist Paul Greer testify that the S&B 147 grain Blackout cases that killed Maggie were cycled through the same gun that cycled S&B 147 grain Blackout cases found by outside the residence and the shooting house

RoA_8443

Matching individual identifying characteristics were found in the mechanism marks of Items 2 – 7, 35 – 37, 39, 108, 113, 116 – 117, and 122 to conclude that these Items were loaded into, extracted, and ejected from the same firearm at some previous time.

Means: Family Weapons -- The Blackout

- The missing third Blackout – used by Paul and Will just weeks prior – a gun purchased by Defendant – murdered his wife.
  - A family weapon that Defendant cannot account for killed Maggie.
  - And S&B 147 grain Blackout was found all over the property – empty boxes, loaded clips

RoA_8444

Matching individual identifying characteristics were found in the mechanism marks of Items 2 – 7, 35 – 37, 39, 108, 113, 116 – 117, and 122 to conclude that these Items were loaded into, extracted, and ejected from the same firearm at some previous time.

Means: Family Weapons -- The 12 Gauge Shotgun

- The Shotgun – First, the Benelli Super Black Eagle 3 that belonged to Paul
  - That like the Blackout he favored
  - That the Defendant had with him when Daniel Greene responded – cannot be excluded – class characteristic but insufficient identifying characteristics

RoA_8445

Due to insufficient corresponding individual identifying characteristics, the results of comparisons of Items 9 – 10 with test shotshells fired by the Item 22 shotgun were inconclusive. It could not be determined whether Items 9 – 10 were fired by Item 22 or by another firearm with similar characteristics. Items 9 – 10 may be suitable for identification with other firearms related evidence.

Means: Family Weapons -- The 12 Gauge Shotgun

- The Benelli Super Black Eagle 3 (12ga)

  - Camo print, camo strap
  - Identified as Paul's shotgun by Nolen Tuten, Nathan Tuten, Will Loving, Rogan
  - Identified also by the strap that was Paul's (he would take strap off and put on other guns), favorite strap
  - "Retrieved" by Alex night of murders re 911 call
  - Has Maggie's DNA
  - Loaded w/12ga and 16ga ammo
  - In evidence

RoA_8446

Means: Family Weapons -- The 12 Gauge Shotgun

- Benelli Super Black Eagle 2 (12ga)

  - Black in color, "Mojo" sticker on muzzle
  - Identified as Buster's shotgun by Nolen Tuten, Nathan Tuten
  - Taken by SLED day after murders
  - In evidence

RoA_8447

Means: Family Weapons -- The 12 Gauge Shotgun

- Benelli Super Black Eagle 1 (12ga)

  - Black in color
  - Identified as Alex's favored shotgun by Nolen Tuten (their called witness), Nathan Tuten
  - MISSING
  - SLED searched Moselle for 12ga shotguns, not located during search

RoA_8448

- FAMILY WEAPONS.

- And, Federal 00 Buckshot and Winchester Drylock ammo recovered on property.

Means: Family Weapons -- The 12 Gauge Shotgun

- Defendant had the means to commit these murders.

RoA_8449

The Crime Scene: Dr. Riemer

- Paul:
  - NO DEFENSIVE WOUNDS
  - First blast to chest
  - Stippling
  - Arms down
  - Not fatal for a buckshot blast to the chest

RoA_8450

The Crime Scene: Dr. Riemer

- Paul:
  - Second injury to left shoulder, into cheek, brains out top of head
  - Instantly fatal, terminal collapse
  - 5500 autopsies
  - Independent autopsy
  - Could not have happened another way
    - Without destroying Paul's face which was intact
    - Abrasions on cheek from wadding
    - Brain largely intact
    - Ripping at bottom of brain stem
    - Oblong wound along the shoulder
  - HOMICIDE.

RoA_8451

The Crime Scene: Dr. Kenny Kinsey

- Paul:
- Kinsey establishes method/manner how Paul was killed (center of feed room, then near door threshold)
  - Largely agrees w/ Dr. Riemer
    - Only disagrees w/her re distance of shot to Paul's head
    - Paul's arms NOT up (not a stick up like defense said in opening)
    - Lack of stippling on Paul's shoulder could be chalked up to his black t shirt absorbing it, and soaked in blood & water
    - NO DEFENSIVE WOUNDS
  - Analysis of blood spatter locations
    - No high velocity blood spatter on ground at doorway – thus cannot be where Paul was shot execution-style as defense asserts
    - Spatter travels in upward trajectory, up door to ceiling
    - Void area in door jam shows where blood traveled; gap in ceiling where clean and where blood spray starts
    - Blood on ground around Paul is drops, and low speed spatter
  - Dents in feed room door / pellet lodged in door frame upper
    - Only possible if traveling through Paul's head
    - Defense theory not possible from a ricochet, not nearly enough energy
    - No damage to ground, door jam, siding on lower part of feed room – not possible with defense theory
    - Steel pellets bird shot vs lead pellets – steel much less malleable, harder metal

RoA_8452

The Crime Scene: Dr. Riemer

- Maggie:
  - NO DEFENSIVE WOUNDS
  - First two rifle rounds to abdomen and thigh
    - Parallel paths
    - Bending over/ hands and knees in pain
  - Third rifle injury to graze on abdomen, through breast, into head
    - 5500 autopsies
    - Actually performed the autopsy physically – saw the hole and trajectory into head
    - Skin tags not reliable
    - Diastatic fracture from entry wound into side of face
    - From behind
    - Instantly fatal, terminal collapse
    - Wrist wound **(5)** potentially associated with it

RoA_8453

The Crime Scene: Dr. Riemer

- Maggie:
  - NO DEFENSIVE WOUNDS
  - Fourth rifle injury to rear of head
    - Canyon effect
    - Would also have been instantly fatal but for third wound occurred prior
  - HOMICIDE.

RoA_8454

The Crime Scene: Dr. Kenny Kinsey

- Maggie:

RoA_8455

- Victim and shooter in motion, fluid scene
- NO DEFENSIVE WOUNDS
- Maggie running toward Paul
  - Maggie's sandals Footprints on far side of Hanger
  - **Stippling** on first 2 shots
- Established tire mark on Maggie's leg from Polaris
  - She is running near Polaris, toward Paul
- Shooter took an arc pattern from Paul's location around where Maggie last fell
- Shooter can easily be 6'4" or taller and fit all bullet trajectories; or crouch and shoot, only thing that matters is distance to Maggie
- Established Family owned weapon used (.300 BLK) to kill Maggie (ballistics, cycling of rounds)
- Possible bullet went through Maggie's hand, re-directed to Quail pen

The Crime Scene:

- GSR on Defendant's hands and seatbelt
- Maggie's DNA/blood on Benelli Super Black Eagle 3 (Paul's)
- DNA/blood on Suburban steering wheel
- No DNA or blood identified on floorboards

RoA_8456

Item 15: Swabs from camo Benelli 12 GA shotgun from receiver forward of the loading port

Results: Presumptive testing for blood was positive. The DNA profile was interpreted as a mixture originating from two individuals. The DNA profile is approximately 48 quindecllion times more likely if Margaret Murdaugh and Alex Murdaugh contributed to the mixture than if two unidentified unrelated individuals contributed to the mixture.

Item 56: Swabs collected from steering wheel (Chevy Suburban)

Results: Blood identified. The DNA profile was interpreted as a mixture originating from two individuals. The DNA profile is approximately 35 times more likely if Margaret Murdaugh contributed to the mixture than if an unidentified unrelated individual contributed to the mixture.

RECEIVED

Nov 06 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM COLLETON COUNTY
Court of General Sessions

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.

CERTIFICATE OF COUNSEL

The undersigned counsel certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully Submitted,

s/Richard A. Harpootlian
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