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STATE OF SOUTH CAROLINA
COURT OF COMMON PLEAS
COUNTY OF CHESTER
2017-CP-12-00079

Artavious Rice

Vs.

Chester County School District, et al.

Chester, South Carolina

January 7, 2021

Before the Honorable Eugene Griffith

APPEARANCES

For the Plaintiff: Artavious Rice, pro se; Tanya Murphy

For the Defendants: Andrea White (virtual courtroom)

Reported by: Michael C. Watkins

Official Court Reporter

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CLERK OF COURT
CHESTER CO S.C.

1 THE COURT: Good morning, everybody. We have got a
2 record. I am in the courtroom. Is there any of the
3 attorneys that -- Ms. Murphy and her son are in the
4 courtroom so they're present. Are any of the attorneys --
5 are we still waiting on anyone else to appear that's a
6 necessary attorney or a party? As far as the motions go,
7 the motion -- Ms. Murphy, you've got two motions, correct?

8 MS. MURPHY: I don't even know what I'm here for, sir.
9 I don't know.

10 THE CLERK: Yes, sir, Your Honor, she has two open
11 motions.

12 MS. MURPHY: She told me I was here for discovery.

13 THE COURT: Well, that's part of -- stand up, please,
14 I'm kind of catching you in the middle of a shadow. There's
15 motions pending. The defense has filed a motion, you've
16 filed two motions. But part of a request for discovery is
17 we've got to continue to work on the case and exchange
18 information about the case and the facts that are going to
19 support it or support against it, that's discovery.

20 MS. MURPHY: Okay.

21 THE COURT: So that was something we were talking about
22 is if this case goes forward and continues to move forward
23 we've got to know about how much court time we're going to
24 need to schedule it, and part of that is just asking lawyers
25 "What do y'all need? What are y'all wanting? Do you want

1 to get copies of a photograph or a drawing or list of
2 witnesses?" That kind of thing. And so that's what my law
3 clerk was trying to tell you is that there's an exchange of
4 information between both sides in every case, and I wasn't
5 sure that had been completed. So I'm going to ask the
6 attorneys, can y'all hear me? Because we're on the record.
7 Have you started the video, Lauren, recording? Now, we're
8 being recorded, but I have a record of that because the
9 court reporter is here and he is diligently typing up what
10 we're saying. Ms. Murphy, I've considered your motion for
11 asking me to recuse myself and I don't feel that's
12 appropriate and I will tell you why.

13 MS. MURPHY: Okay.

14 THE COURT: We set this hearing up in September or late
15 August to try to do exactly what I'm doing today, and I was
16 holding court in Greenwood County through Thursday at
17 lunchtime when we were setting it up and we were mailing
18 notices to you about the follow-up hearing. Unbeknownst to
19 me a bailiff in that courtroom in Greenwood had -- his wife
20 was covid positive and he didn't know it yet. She was put
21 in the hospital the following Friday, we didn't go back to
22 court on Friday. Tuesday following I was finally told, "Oh,
23 by the way, that bailiff you were with in very close
24 proximity for hours on Thursday has tested positive, and his
25 wife is positive and she's in the hospital." That was the

1 Tuesday following. So we're unaware until Tuesday at
2 lunchtime that we've been exposed; my law clerk, my court
3 reporter and me. Well, immediately court administration
4 says, "All right, the three of y'all are not allowed to go
5 back to a courthouse, go home, you're in quarantine," and
6 that's the reason for the hearing getting canceled, I mean,
7 as simple as. And so we were sent home by court
8 administration. If you want to see the letters for it
9 they're in there, but we were sent home and our schedules
10 were canceled.

11 MS. MURPHY: Yes, sir. In October of 2019, did you not
12 receive my contact information I emailed you?

13 THE COURT: Ma'am, I don't know. You're asking me
14 about something --

15 MS. MURPHY: Okay. Well, see, that's what I'm saying,
16 see, you don't know so I'm thinking that maybe you are
17 not -- you don't know so I don't understand why you're
18 hearing the case if you don't know. If you don't know that
19 simple thing that I emailed you --

20 THE COURT: Well, ma'am --

21 MS. MURPHY: Yeah. I emailed you everything. I
22 emailed you everything. And she's still requesting that I
23 email you my contact information, I'm not understanding it.

24 THE COURT: All right. So are you accusing me of being
25 an incompetent judge because I didn't recollect you sending

1 me an email?

2 MS. MURPHY: Oh, no, sir. I'm just telling you you're
3 kind of forgetful if you say you don't remember.

4 THE COURT: No, ma'am. If I say I absolutely remember
5 I would be telling you a story. If you say you emailed it
6 to my law clerk, I'm certain it's there --

7 MS. MURPHY: Yes, sir. Well, I --

8 THE COURT: Don't interrupt me.

9 MS. MURPHY: Okay. Go ahead.

10 THE COURT: I will get emails. Do you understand that
11 the circuit judges in South Carolina have an average --
12 members of the general assembly know this -- average about
13 5,000 cases per judge? 5,000. And if I say I can remember
14 every single email I got, I would be telling you a story.
15 So for you saying I'm forgetful, I kind of find that
16 insulting.

17 MS. MURPHY: Well, I'm so sorry, sir. I find it
18 insulting for her to do --

19 THE COURT: No, ma'am. You cannot interrupt me like
20 that because -- don't -- you're interrupting me again.

21 MS. MURPHY: Okay.

22 THE COURT: We're making a record and he's taking down
23 everything that's being said and if you keep interrupting me
24 what you're saying is not going to be on the record.

25 MS. MURPHY: Okay.

1 THE COURT: If I were to tell you I remember every
2 email from over a year ago, I don't think that would be
3 fair. This is your only case, I'm dealing with cases
4 everyday, and if I forget one I'm going to own that but that
5 doesn't make me incompetent. So if you suggest that again
6 I'm going to take exception to it. All right? Now, your
7 motion to have me recuse myself is going to be respectfully
8 denied because I think I've got a very reasonable
9 explanation, which I've told you. And if you want to appeal
10 my decision to not recuse myself because I can't say I
11 exactly remember your email from well over a year ago, knock
12 yourself out. Knock yourself out. I'll take that, I'm not
13 scared of that, it's up to you. Now, I've ruled on that and
14 you can appeal it but we're going to move forward from that
15 today. The defense has a motion that says your son is now
16 over 18. Now, I had my law clerk send to you a link to the
17 covid court operations on court administration's website,
18 and it allows courts, judges in particular, family court and
19 circuit court, to consider and hear matters without hearings
20 if the hearing would be unnecessary. Now, can you tell
21 me -- all of the facts I got is that your son is now more
22 than 18. He's now competent in the eyes of the law to
23 appear on his own behalf. Before he's 18? Not competent,
24 he's too young. Now he's old enough. Is there any reason
25 whatsoever that he shouldn't represent himself in this case?

1 MS. MURPHY: Yes, sir, he didn't file the lawsuit.

2 THE COURT: Well, you filed it on his behalf.

3 MS. MURPHY: Yes.

4 THE COURT: So he now doesn't need your behalf to do
5 that for him.

6 MS. MURPHY: Okay. Well, you can talk to him.

7 THE COURT: I think I will. But I want you to
8 understand, but it's a you are or you aren't. If you aren't
9 18 you're not able to go into court by yourself, if you are
10 18 you're allowed to. The law presumes you're competent.
11 Okay?

12 MS. MURPHY: Uh-huh.

13 THE COURT: Just because you started it, perhaps he
14 doesn't like the way you're handling it, perhaps he loves
15 the way you're handling it, I don't know. But the defense
16 made a motion since now he's 18, or more than 18, perhaps he
17 can present the case or hire his own lawyer and pursue the
18 case himself. Do you have any other reason other than he
19 didn't file it?

20 MS. MURPHY: Yes, sir, I have so many reasons. When he
21 wasn't 18 they gave him a guardian ad litem and they did so
22 much wrong, sir. So you do what you have to do and let me
23 do what I have to do. So, you know, I'm done with it. So
24 if you need to talk to Artavious, that's what you do. If
25 you're saying that you can go over me and talk to my son

1 then you do that, you're the judge.

2 THE COURT: I'm not saying I can't do that, I'm saying
3 he's old enough to be talked to, he's an adult in the eyes
4 of the law.

5 MS. MURPHY: Yeah. Okay.

6 THE COURT: All right. Let me talk to him.

7 MS. MURPHY: All right.

8 THE COURT: Young man, tell me your name.

9 MR. RICE: Artavious Rice.

10 THE COURT: And how old are you right now?

11 MR. RICE: Nineteen.

12 THE COURT: Nineteen? How far did you go in school?

13 MR. RICE: I graduated.

14 THE COURT: Graduated? Are you trying to get any
15 postgraduate; going to tech. school, college or anything
16 like that?

17 MR. RICE: Tech.

18 THE COURT: Very good. Education is the secret to
19 everything, the more education you get the more
20 opportunities you have. Now, your mama's been kind of
21 carrying the case for you up until now. You understand that
22 once you're 18 you're supposed to be able to carry your own
23 case, do you understand?

24 MR. RICE: Yes, sir.

25 THE COURT: Now, your mom and you had a lawyer or two

1 that are no longer involved in the case. I'm not certain
2 that -- I mean, I advise everybody to consult lawyers to get
3 good legal advice on their rights whatever the case, you
4 know, is, whether it's a civil case, criminal case or any
5 type of case, good advice from a good lawyer is hugely
6 helpful in helping resolve disputes. Now, presuming that
7 you're now old enough to be a part of this case, or a party
8 to the case without the benefit of a guardian ad litem
9 because you're no longer young enough to keep one, you're
10 past 18, do you think it would be appropriate for you to
11 find a lawyer to help you?

12 MR. RICE: I don't know.

13 THE COURT: You don't have to, but my suggestion is a
14 lawyer would be hugely helpful. And I know you don't have
15 one today, that's why I'm asking you. My thought would be
16 if you're going to be in the case to give you some time to
17 go find an attorney to talk to, and say, "Judge -- I mean,
18 "Lawyer, here is kind of what's going on, I'm in the middle
19 of this case, it was started many years ago, I need some
20 help. Can you help me? Here is where we are now." That's
21 kind of what I was envisioning for you.

22 MR. RICE: Yes, sir.

23 THE COURT: I mean, does that sound appropriate or --

24 MR. RICE: Yes, sir.

25 THE COURT: Okay. What was the other motion, Ms.

1 Murphy? You filed another motion --

2 MS. MURPHY: Sir, I filed several, I really -- I don't
3 know. So excuse me, Judge, I've got to ask you a question.

4 THE COURT: Yes, ma'am.

5 MS. MURPHY: So are you saying when I asked for a jury
6 trial, I'm denied my jury trial?

7 THE COURT: Well, you were acting through this case on
8 behalf of your son, not of your own individual, so it's not
9 you asking, it's you were asking on his behalf. And if
10 there is a question of fact for a jury to decide, a jury can
11 hear that type of case. And it's either -- I'm going to
12 give you my best example of a question of fact in a civil
13 case. A car accident, cars collide in the middle of an
14 intersection, both drivers get out and go, "Why did you run
15 that red light?" And the other says, "I thought you ran the
16 red light." So whoever had the green light would have the
17 privilege of going and whoever had the red light would have
18 the responsibility of stopping, but they both believed
19 because they jumped out and says you ran the red light to
20 the other driver, that's a question of fact as to who had
21 the green light, who had the red light, juries decide that.
22 Now, once it's decided, the question of fact, then juries
23 can award damages if that breach of the duty, the running
24 the red light, caused damages to the other side, juries
25 award that. Some cases don't have questions of fact,

1 they've got questions of law, they agree the incident
2 happened here. There was a tree that fell from property
3 over to this property and it caused damages, so there's no
4 dispute as to what happened, it's how much. Sometimes those
5 cases are not allowed to go to a jury because it's not a
6 question of fact. I understand this case probably has some
7 questions of fact, so you're not being denied a jury trial,
8 it's just I don't think this case is ready to go to a jury
9 because it's not thoroughly organized yet.

10 MS. MURPHY: Okay. So my jury -- they didn't take that
11 off the table.

12 THE COURT: No.

13 MS. MURPHY: Okay.

14 THE COURT: It's just today -- now, because of covid
15 there is not jury trials going on right now and so they're
16 kind of delayed, but getting a case organized so it can go
17 before a jury later, that was kind of my intent today. I
18 want to get the case organized.

19 MS. MURPHY: Okay.

20 THE COURT: I want to know what lose ends we've got to
21 tie up before we say, "Okay. Let's come into court and let
22 a jury hear it."

23 MS. MURPHY: Yeah, that's why I came to you. Because
24 the judge just dismissed the lawyer for no reason at all. I
25 mean, like I don't know, they didn't tell me anything, so,

1 you know.

2 THE COURT: Okay. Now, the attorneys that were
3 representing you and your son earlier, they asked to be
4 relieved to get out of the case, they weren't dismissed,
5 they asked to get out. Unless it's a criminal case I can't
6 order an attorney to represent somebody.

7 MS. MURPHY: So you can't try to ask that attorney to
8 find another attorney before he just dismisses it at the end
9 of a trial?

10 THE COURT: No. What you do is kind of what I
11 described to your son a moment ago is, look -- I'm going to
12 give you 90 days to go look for an attorney of your liking
13 and of your own choosing, that way you have an opportunity
14 to go get one. That's kind of what I was thinking is if
15 your son is old enough to be in the case, you and he can go
16 talk to an attorney, and you can go with him.

17 MS. MURPHY: I know that, sir.

18 THE COURT: And so that's kind of what I was thinking
19 is give y'all time to find an attorney and hopefully you can
20 find one that you like and can help you, and then that
21 attorney --

22 MS. MURPHY: He's has looked for an attorney. He's
23 asked his old attorney for the information, the attorney
24 won't release it. So you know what? I done did all I can,
25 so I guess I have to go to everybody. I guess I've got to

1 go ask somebody -- just go to the media. Maybe if I go to
2 the media and ask them, beg them for help since I can't get
3 it anywhere else, or he can't get it anywhere else, so I
4 just -- if that's all you have to say then, sir, then can I
5 go ahead and -- was that my last motion?

6 THE COURT: I think so.

7 THE CLERK: You have haven't addressed that motion,
8 have you?

9 THE COURT: I was reading it. Motion seeking a
10 competent judge, I think I've addressed that. She talks
11 about my law clerk's request for a pretrial brief and
12 discovery, and that was kind of an instructive email to Ms.
13 Murphy saying here is the process we go through, much like I
14 have described on the record today, is getting the case
15 organized and exchanging information that will be testified
16 to during the trial, that's what I was seeking. And so --

17 MS. MURPHY: Okay. I have another question, I'm sorry
18 if you done. It was -- the defendants' asked to add
19 Artavious to the case, so if he was already 18 why would
20 they ask to add him to the case?

21 THE COURT: Well, they want to change the caption name
22 that will say Artavious versus the school district as
23 opposed to Ms. Murphy, as guardian for AM or whatever, I
24 can't remember the initials, to change the caption to say
25 him versus the same parties.

1 MS. MURPHY: Okay. So everything I had done, that's
2 just out the window, like don't worry about that, just let
3 him start over.

4 THE COURT: No, it doesn't start over. Because the
5 allegations about the incident are still there. None of
6 that changes, just his name is in there. So no, it doesn't
7 go out the window. It just -- it resets the name of the
8 case to be him as an adult as opposed to him as an under 18
9 year old represented by his mother as guardian, that's what
10 it does. I think I'm answering your question. Does that
11 help?

12 MS. MURPHY: So did you also receive his paperwork I
13 sent in for about mental health? Did you receive that?

14 THE COURT: When did you send that in?

15 MS. MURPHY: I filed a motion for that -- there was an
16 answer, I'm sorry, it was an answer.

17 THE COURT: And when did you do that?

18 THE CLERK: The answer to -- about the motion.

19 MS. MURPHY: 10/9 of 2019. And I have another
20 question, Judge Griffith. If this attorney is not giving
21 him the information he needs -- and I've contacted different
22 attorneys on Artavious' behalf, I stated it was for
23 Artavious on his behalf, if that attorney is not giving me
24 the information I need and won't respond or telling me he
25 don't care, that's incompetent also. So what happens then

1 when the old attorney won't give the new attorney any kind
2 of information?

3 THE COURT: What kind of information are you asking for
4 in particular so I know what you're taking about?

5 MS. MURPHY: I contacted a few attorneys. They want to
6 know first of all why did he relieve himself, and they
7 wanted to know why did he dismiss some of the defendants
8 that was listed on the lawsuit.

9 THE COURT: All right. Most of the time -- and see,
10 the motion to be relieved, that was heard months ago, I
11 didn't do that, but most of the time an attorney is
12 responsible if he asked to be relieved of maintaining a file
13 of what he's done, and some of it is attorney work product
14 and he doesn't have to give that over, that's just his own
15 notes to himself. But anything he's done on your son's
16 behalf of the case, he can give your son, or you, I mean the
17 two of y'all, a copy of his file, and you should be entitled
18 to that.

19 MS. MURPHY: Yes, sir, I have a copy of the file. I'm
20 saying the reason for his -- why he was relieved.

21 THE COURT: I don't know that a lot of attorneys always
22 say that. When I practiced law and a person would leave me
23 and then the next thing -- "Why did you ask to be relieved
24 and say, "I was trying to give advice and they didn't want
25 to accept the advice I was giving and so we just kind of had

1 a parting of the ways because" -- that's kind of what I
2 would say.

3 MS. MURPHY: Or maybe they were corrupt and wanted me
4 to be corrupt and I didn't want to do it and they could have
5 just relieved me then, something like that?

6 THE COURT: Well, I don't know. But the new attorney
7 you're talking to knows they're coming into a case where the
8 prior lawyer left for some reason.

9 MS. MURPHY: Yes, sir.

10 THE COURT: And that's generally a reason to go in
11 cautiously.

12 MS. MURPHY: So if he has contacted different attorneys
13 and they're going cautiously or don't want to go in at all,
14 what is Artavious to do? See, the only reason I haven't
15 done anything major is because I want a jury trial for
16 Artavious, and I don't want to expose anything I have. I
17 don't want to expose how they broke his arm, how they sat on
18 him and how they didn't correct his arm, doctors and all of
19 that. So, you know, that's a lot of some of that I don't
20 want to go behind an attorney, so what is he supposed to do?

21 THE COURT: You said you didn't want to expose, you
22 don't want to tell anybody all of that?

23 MS. MURPHY: No. I wanted to show exactly what
24 happened to him, because that will like deter the jury, you
25 know. I don't want to make the jury aware of what happened.

1 I want them to be the whole jury. I want them to look at it
2 from the beginning to end of what happened; how the officer
3 wasn't trained, how he slammed him, how all of that
4 happened, and still, you know, nothing happened.

5 THE COURT: What you're describing is what most lawyers
6 that are plaintiff lawyers, they've got to tell the story,
7 "Here is what happened, this is what started, this is what
8 happened next," and kind of tell the story. That's what you
9 do. I mean, exactly what you described is what a jury trial
10 is, is telling the jury. And some things aren't allowed
11 like, you know, he made a bad grade that day or something,
12 you don't get into everything. But what happened that day
13 that caused the incident and the injuries he got, the
14 treatment or medical treatment or whatever, he got followed
15 up, that's exactly what you tell during a trial. That's
16 what a jury is supposed to hear is that.

17 MS. MURPHY: Exactly. So that's why I didn't want to,
18 you know, make it known to everybody yet unless they took my
19 jury off of the table for Artavious.

20 THE COURT: No. See, that's my problem is you've got
21 to tell the defense lawyers that story. They get to hear
22 that before the jury does, otherwise they don't know what
23 you're talking about. You've got to tell them ahead of
24 time, you can't just come in the courtroom and go --

25 MS. MURPHY: So you're talking about the defendant,

1 sir?

2 THE COURT: Yes.

3 MS. MURPHY: They know this.

4 THE COURT: No. They've got to know what you're going
5 to say, what your witnesses are going to say.

6 MS. MURPHY: Oh, I'm going to say everything. I'm
7 going to say how everything is corrupt, how the judges gave
8 him a guardian ad litem and he's still seeking -- I'm still
9 his guardian. Why would they just give him a guardian ad
10 litem over me? It's just a whole lot of stuff, and I don't
11 want to say anything because I don't want them to know what
12 information I have.

13 THE COURT: Well, you're a potential witness in the
14 case because he's your son and you watched him and the
15 injuries he had and the treatment he got, you're a potential
16 witness in the case, "This is what happened to my son when
17 he came home from school that day, he was injured and this
18 is what I observed," that probably would be your testimony,
19 you know, things along that line. Now, if somebody is
20 corrupt and hid something, that's probably not what you're a
21 fact witness for. And, ma'am, I don't know --

22 MS. MURPHY: Oh, yes, sir, I've got all of the
23 evidence. I've got the evidence.

24 THE COURT: I'm speaking kind of out of turn. I don't
25 know the facts of your case, I'm still warming up to them,

1 because I don't get to hear it before the jury does. But
2 the defense lawyers need to know what you're going to say
3 and which witnesses you're going to call, not what order you
4 are going to call them and exactly what they're going to
5 say, but a pretty good summary. Because if you've got a
6 witness who saw the incident take place, most of the time
7 they go take a recorded deposition of that witness, "All
8 right, what did you see? What did you do?"

9 MS. MURPHY: Well, Judge Griffith -- okay. So it has
10 been four years, so you don't think that somebody went to
11 the witnesses already by me not having a lawyer? That could
12 have been going on the whole time while I didn't have a
13 lawyer.

14 THE COURT: Now, I would -- I'm presuming that the
15 witnesses should have been talked to already, everybody
16 should have.

17 MS. MURPHY: Yes, sir. And I have the witness
18 statements and everything but that don't mean their story is
19 still going to be the same now.

20 THE COURT: You're correct. But, now, your lawyers
21 were from Charleston before?

22 MS. MURPHY: He was from Georgetown.

23 THE COURT: But he wasn't from here in the Chester
24 area.

25 MS. MURPHY: No, sir.

1 THE COURT: Okay. Now, have you consulted any lawyers
2 I'm going to say in Columbia, that area?

3 MS. MURPHY: Yes, sir. I done sought every -- in the
4 State of South Carolina, yeah, and drove everywhere
5 consulting a lawyer. And when they called the Chester
6 County Clerk's Office, I don't know what they tell them, but
7 they just pull away.

8 THE COURT: All right. Well, let me tell you this:
9 The clerk's of court are all elected, elected officials, and
10 Ms. Carpenter has been here for than 30 years I'm told.
11 Every clerk of court I've dealt with across the state in my
12 entire practice of law, in my entire sitting on the bench as
13 a judge, the clerk's of court are required to be neutral.
14 They just receive documents, whether it be a deed, a
15 mortgage, a lawsuit, a family court divorce action, they
16 receive those and maintain them as public records to the
17 extent they're public. Like a divorce decree is really not
18 public record, but they keep all of those records forever.
19 They don't take sides, they don't --

20 MS. MURPHY: Ms. Carpenter could easily look up and see
21 other lawyers that have contacted them.

22 THE COURT: Well, I don't believe --

23 MS. MURPHY: I'm not saying believe, I'm saying it's
24 facts.

25 THE COURT: That the other lawyers have contacted

1 somebody?

2 MS. MURPHY: Yes. The other lawyers contacted this
3 courthouse right here.

4 THE COURT: Well, I feel certain they would because
5 that's where the files are. They could see the pleadings,
6 like what's being said in the case, that's where you go to
7 get it.

8 MS. MURPHY: Okay. All right. So is this --

9 THE COURT: Let me ask you this: If you're talking to
10 a lawyer about a case that's filed in Chester County and
11 you're not familiar with all of the legal terms and legal
12 defenses, complaint, answer, reply, counterclaim, discovery,
13 those are the legal terms that are part of the rules. One
14 way a lawyer, after talking to a potential client, figures
15 it out is they call the clerk of court's office and say,
16 "What's all been filed over there on this case?"

17 MS. MURPHY: Right.

18 THE COURT: They do that, they've got to do that or
19 else they wouldn't be doing their job properly. So the fact
20 that they call the clerk of court to me is an absolute
21 necessity, they've got to call the clerk. If they didn't
22 call the clerk I would suggest they probably don't know what
23 they're doing.

24 MS. MURPHY: Right.

25 THE COURT: So the first thing I would do after talking

1 circuit, which is Newberry, Greenwood, Laurens, Abbeville,
2 those four counties predominately is where I've been holding
3 court, and I live in Newberry County. The order came out
4 around Thanksgiving that I've been assigned up here;
5 Chester, Fairfield and Lancaster, and I'm now going to be
6 holding court predominately around here for the next year
7 and not in my home county. Now, I was assigned this case
8 before I got assigned up here for all of the other types of
9 cases; the criminal cases and the other civil cases, that
10 kind of thing, so I'm going to be up here a lot. But I was
11 already assigned the case in particulars by special order
12 from the Supreme Court to keep the case, so I'm not going to
13 hold court without you.

14 MS. MURPHY: Okay. Sir, let me ask you, so the Supreme
15 Court know all that was done and they -- nobody was like,
16 "What the -- is going on?" Nobody said nothing.

17 THE COURT: No. The Supreme Court doesn't know, they
18 can't monitor all of the cases in local counties. What they
19 know is if there's a conflict with the case and the case is
20 more designated complex and it needs a judge that can get
21 warm to the facts, warm to the parties and keep it that way,
22 they kind of know what's going on and who's done what and
23 who --

24 MS. MURPHY: So, Judge Griffith, how long did you take
25 to get warm to the facts and see what all that was done?

1 How long did that take you?

2 THE COURT: Well, it has taken me about 20 minutes this
3 morning, but --

4 MS. MURPHY: Twenty minutes to see all of the
5 corruption that was done.

6 THE COURT: No, no, no, not that, just -- you keep
7 saying corruption and --

8 MS. MURPHY: Yes, sir, corruption, and I can prove it.

9 THE COURT: All right. You may get your chance to do
10 that. But where we go from here is I'm going to give your
11 son, because I believe it's his case now --

12 MS. MURPHY: Did you add him to the party? Are you
13 doing that now?

14 THE COURT: I'm going to do that now.

15 MS. MURPHY: Do you want him to handle your case now?
16 Do you not want me to do it?

17 THE COURT: Well, he can't say, "I want my mama to
18 represent me."

19 MS. MURPHY: No, because I'm not going to represent
20 him.

21 THE COURT: Because you're not an attorney.

22 MS. MURPHY: No, absolutely. That's why I'm wondering
23 why you're going to tell me something about a pretrial
24 briefing and stuff, you know I'm not an attorney.

25 THE COURT: All right. Well, look, you can't use my

1 attempt to tell you why we're having the hearing today to
2 get the case organized when I'm trying to help you
3 understand the rules, or the requirements of exchange of
4 information and telling who your witnesses are. My law
5 clerk did a pretty good job of that, I thought, and telling
6 you why the covid situation has really slowed down to a
7 crawl the court process. Now, that was an attempt to assist
8 you in understanding why we were going to come together
9 today. It wasn't to select a jury to try the case, it was
10 to try to get the case organized to get it moving forward.
11 I would like to see y'all get it organized, perhaps even
12 meet and mediate it, I would like to see that happen. And I
13 want to try to get that --

14 MS. MURPHY: How can he mediate something without even
15 knowing what his case is now?

16 THE COURT: There you are. That's why I've got you
17 here is I want to get y'all together, discovery exchange to
18 know what you're claiming, or your son is claiming happened
19 to him and what he wants to be paid for. I want the defense
20 attorneys to be able to say, "We don't think we're
21 responsible for that aspect of the case because of these
22 reasons," or, "We think that that party over there, not us,
23 may be responsible for those injuries but not us." That's
24 what they get to do. And I'm not saying anything in
25 particular, that's general organization of the cases; who is

1 claiming responsibility, who was denying responsibility,
2 that kind of thing. That's getting the case organized, and
3 it hasn't been well organized until yet, so we're going to
4 get it organized. Y'all, the two of y'all, would be so much
5 better served having an attorney, and if you can't hire one
6 we'll keep moving it forward without one. But he's old
7 enough that his name needs to be on the case not as a minor,
8 and that's the only aspect of the case that is changing
9 is --

10 MS. MURPHY: Well, since they're taking him off then I
11 just feel like I can do whatever I need to do and just show
12 what I know then. So now since he's handling his case I
13 know what you're doing.

14 THE COURT: Hang on one second. I've been dealing with
15 you the entire time and the defense attorneys have been
16 listening in, because they're here virtually, there's three
17 attorneys and my law clerk are on the virtual courtroom.
18 Now, I'm going to come back and tell you about the virtual
19 courtroom momentarily. All right. Any of the defense
20 counsel, have y'all had any trouble hearing Ms. Murphy's
21 responses?

22 MS. WHITE: Your Honor, Andrea White on behalf of the
23 school district. I have had some difficulty hearing Ms.
24 Murphy, you know, as far as what she's been saying as far as
25 her attempts to get an attorney. But I think you've done a

1 good job summarizing that as you responded to her. And, you
2 know, it's our position, and I think that Your Honor has
3 indicated that in your attempt to basically grant our motion
4 to have Artavious become the plaintiff in the case and that
5 Ms. Murphy no longer be part of the lawsuit (inaudible) at
6 this time.

7 THE COURT: Hang on, Ms. White, one more time. Ms.
8 Murphy, could you hear her?

9 MS. MURPHY: No, sir.

10 THE COURT: Okay. She says she had difficulty hearing
11 you during certain times because we're far away, but she was
12 hearing my responses to you and me explaining the court
13 system and thought we did a fairly good job of that, and
14 that she was -- based upon my comments she understood that I
15 was likely granting her motion to have the caption changed
16 from minor to an adult, or -- is it Artavious? How do you
17 say your name, young man?

18 MR. RICE: Artavious.

19 THE COURT: Artavious?

20 MR. RICE: Yes, sir.

21 THE COURT: Having Artavious' name on the lawsuit
22 itself. Okay. Now --

23 MS. MURPHY: Okay. I've got another question for you.

24 THE COURT: Okay. Hang on one second, I'm going to
25 deal with them and then I will come back to you. Any other

1 defense counsel, have y'all got any other comments or about
2 the same as Ms. White?

3 (Attorney talking is inaudible.)

4 THE COURT: Okay. So that motion is joint, that's
5 resolved. Okay. Anything else y'all have got pending other
6 than y'all see what I'm doing with the attorney matter? I
7 am trying to give them time to find an attorney so we can
8 get the case moved forward, and it will be kind of a
9 scheduling order in my eyes that the Court is imposing. Are
10 y'all okay with that?

11 MS. WHITE: We would be appreciative of that, Your
12 Honor.

13 THE COURT: All right. Fair enough. Ms. Murphy,
14 you've got one more comment and I told you I had one other
15 thing I'm about to tell you, and I'll tell you that in a
16 moment. What was your question?

17 MS. MURPHY: Okay. For all I had done for Artavious,
18 so you're telling me I can't get a lawyer for myself for
19 what I went through dealing with him?

20 THE COURT: All right. One more time, tell me that
21 again?

22 MS. MURPHY: I said I can get an attorney for myself
23 for what I've dealt with with him? I can't get an attorney
24 for them? Was I on the party at all? What are they saying,
25 they just add Artavious and don't worry about me? That's a

1 good question?

2 THE COURT: No, I think you're misunderstanding. The
3 lawsuit was filed originally Tanya Murphy, as natural mother
4 and legal guardian of the minor, AR, that's going to be
5 changed to Artavious Rice, that's all changed. Everything
6 that you've done up to that time still is good work.

7 MS. MURPHY: So I can get an attorney for me is what
8 I'm saying.

9 THE COURT: No, you really don't because you're more of
10 a witness. You're not a party to the action.

11 MS. MURPHY: No, sir, not a witness, I've taken care of
12 him. I've taken care of him. I did everything.

13 THE COURT: Right. Well, if you're going to bring an
14 action as his mother for betterments and support you've
15 given him so you can recover, that's asking -- you've got to
16 bring that so you could have an attorney for you -- I don't
17 know whether you're entitled to that or not.

18 MS. MURPHY: Okay. Well, I just want to expose it. I
19 really don't want anything, I just want everybody exposed,
20 that's all.

21 THE COURT: Okay. Well, so what I'm going to do, I'm
22 going to amend the caption so that the plaintiff will be
23 Artavious Rice. I'm going to enter a very short term
24 scheduling order, which means we're going to try to
25 comply -- I'm going to give y'all, since covid is going on,