



## EPISODE 20: Why the Good Ole Boys Don't Ever Give Up A Bowen Turner Update + Alex Murdaugh's Hysterical Reply to the Federal Government

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**Mandy Matney** 00:02

I don't know if the good ole boys of South Carolina will ever stop abusing the system. But after another punch to the gut for victims in the Bowen Turner case combined with more outrageous news from lawmakers Todd Rutherford and Deckard Poulin it's never been so clear how important all of you listening are as we shine sunlight on what needs to change our justice system. My name is Manny Matney. This is true sunlight a podcast exposing crime and corruption previously known as the Murdaugh murders podcast true sunlight is Aluna shark production written with journalists Liz Farrell. Well, I woke up angry today, so I hope you all are ready for it in today's show. On Wednesday, I got some awful news from Dallas dollars family thryce accused rapist Bo and Turner is set to be released from prison November 15 2023. Turns out they couldn't have picked a worse week for Bowens release, he will be released the day after the anniversary of Dallas dollars death in the day before victim Chloe best his birthday. November 15. is also Dallas his father's birthday. I'm sure the date wasn't on purpose, but it just rubs salt in the wounds of these victims who have been shown time and time again that the system does not care about them. The stallers received an automatic call to notify them of Turner's upcoming release. Could you imagine being Dallas's family in receiving that automated phone call that your daughter's alleged rapist will be released from prison on the day before the anniversary of your daughter's death. This is how our system treats victims. This is how our system treats our girls. They do not care. And at this point, we have to make them care. The state officials involved in this deal that initially gave Turner probation for the sexual assaults and after he violated his bond conditions 60 times they do not care. I'm talking about prosecutor David Miller, who is currently in the running to be a judge by the way, which we will get to

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in a minute. I'm talking about solicitor Bill weeks. I'm talking about Senator Brad Hutto. I mean it when I say if anything happens to another person after Bo and Turner's release, there will be blood on their hands. For a reminder, Bowen Turner allegedly raped three different teenage girls in three different South Carolina counties between 2018 and 2019. Six months before Dallas's assault in April 2018. Turner allegedly raped another teenage victim who has chosen to remain anonymous. Bowen was represented in court by South Carolina Senator Brad Hutto, a man who calls himself a champion for women's rights. During the bond hearing for Chloe's case, Brad Hutto, the champion slut shamed Chloe Beth and said, Guess what? You had sex on the ground with a boy you didn't know and you got up and felt ashamed. After that incident, as Bowens case dragged on, with no hope, and as Dallas continued to be bullied and victimized by people in her own community who took Beau inside. Dallas passed away to self-inflicted injuries in November 2021. After Dallas dollars death and April 2022 Boland Turner with the help of his state senator, Attorney Brad Hutto was given a sweetheart deal of just five years probation after pleading guilty to assaulting Khloe Beth. Even after he violated his court ordered ankle monitor over 60 times. The Solicitor's Office. Specifically, David Miller dropped the charges in Dallas his case and a closed door hearing with a judge who didn't usually appear in Orangeburg County, claiming that they didn't have enough evidence to go forward with the case because the witness was dead, essentially blaming Dallas for their failure or remember when we said David Miller is actually trying to get a promotion right now, I know these facts might seem repetitive, but it is so important as this man currently has the audacity to run for Judge, as you might remember, and as we all predicted, Bowan Turner almost immediately violated his probation and 2022 and was charged with public disorderly conduct.

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He was sentenced to 10 to 14 months in prison, which leads us to here and now in Dallas Stollers case last year, following a lot of public outcry and scrutiny, solicitor build weeks told the Stoller family to stay quiet and stay out of the media. If they did Weeks said his office would reopen Dallas's case. The stallers listened to that and stayed quiet for a year. The problem was that week's didn't bother to keep up his end of the deal. This spring Weeks office told the Stoller family a list of excuses as to why they wouldn't prosecute Turner, which is apparently what they were doing all of that time, instead of trying to build a case. It had been years since a sexual assault at that point, which was their fault in their fault, only that that much time had passed. And witness testimony gets trickier and trickier As years pass. The Solicitor's Office also claimed that they found in their taxpayer funded investigation that Dallas was intoxicated during the night of the assault, which everyone already knew. It should not ever be an excuse for dropping a rape case. Bill Weeks failed the Stoller family time and time again with his decisions he chose to hide in he chose to ask the family to hide he chose not to prosecute, he chose to keep David Miller on his team after he bought this case beyond belief. And Bill weeks chose to not apologize to the stallers for putting them through years of agony. The family told me that even after our call to action was issued months ago, Bill weeks has not bothered to reach out to the Stoller family. But Bill Weeks cowardice isn't even the biggest punch to the gut for the Staller family and the other victims as going Turner's anticipated release date weighs heavy on the minds of the victims. They have yet another gut punch to deal with prosecutor David Miller's run for Judge. South Carolina is one of two states where a special committee of lawmakers chooses its judges, not the people on that committee that makes the final say is Todd Rutherford. So yeah, we cannot trust them to do the right thing here.

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Miller was recently cleared in one of many hurdles he has to become judge. This month, he was deemed as qualified by the South Carolina bar, which is unfortunately not shocking at all, given what we know from the Murdaugh case. However, there are several rounds of the process that the public can participate in before he officially becomes a judge. The committee is now accepting complaints about Miller through October 23. And that link can be found in the description. In November, public hearings will be scheduled, and we will be sure to alert y'all when we find out about David Miller's hearing. We need the public. And it doesn't matter if you're a South Carolina citizen or not to voice your concerns about David Miller before this man who was shown he cares more about himself and his career than he does about public safety before he gets more power to do more harm. We're going to talk more about the process of electing judges later in this episode. We should be astounded by the news that David Miller is not only still working in his job as a solicitor for the people of South Carolina, but he has the audacity to run for Judge right now, even after he was dragged into the sunlight in front of the whole world. But we are not shocked the way the system is designed by and for good ol boys. These men are allowed to continue to fail up no matter how many lives are destroyed in the process. On Twitter, after I announced that David Miller is in the process for running for judge, someone pointed out something brilliant. They said no wonder Murdaugh keeps trying. This really hit me because of course the system does it stopped them. Those in power, choose time and time again not to stop them. But you know what, while they can keep trying, we can keep trying to, we have to keep trying to change our system to work for all not just a few good ol boys at the top, we can keep calling out those who choose to hurt victims in those who





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choose their career and their access to power over public safety. Their days in the darkness are limited, and we can ensure this with sunlight.

**Liz Farrell** 10:42

Before we get into it, let's start with some updates. Last week we told you about how Alex Murdaugh's best friend and co conspirator Cory Fleming seems to be missing. He had left Charleston County Detention Center on September 22. But as of October 2 still was not in federal custody. According to the Bureau of Prisons. It wasn't until after we began asking questions and after a reporter Drew Tripp with WCI V TV out of Charleston began asking questions at the same time. And after our episode aired on October 3, that Cory's location was finally known. It was yet another weird thing in this always weird case, something that our sources said well, that's not something I've seen before we wondered whether Korea's appearance in no man's land was an indication that he was finally speaking to law enforcement and playing his final card and trying to get a lower state sentence. We still don't have the answer to that question. Regardless, Cory is now in Atlanta, which is funny because from what sources have told us Atlanta was one of the areas where Alex Cory and Chris Wilson would hang out when they were in law school together and young attorneys, the three best friends that anyone could have apparently had a whole lot of fun there back in the day. I wonder if Cory is feeling that nostalgia right now. According to the Bureau of Prisons database, quarry is at the city's low security federal prison. A look through the prisons history shows that USP Atlanta was home to Al Capone at one point, along with Carlo poncey the father of the so called Ponzi scheme, which is interesting because one thought during the past few years has been that Alex got himself into some sort of Ponzi scheme with himself and the people

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around him. Some and law enforcement have told us that Alex got dug in deep with dead with bad investments and just couldn't get himself out of it. But we've sort of rejected that idea as being the motive for his actions. While we agree that Alex had gotten himself into major debt, we think something more sinister to it exists than simply not being able to pay back what he owed. Anyway, another Notable former resident at Korea's president includes Frank Abbott Nalli, the Czech forger who is played by Leonardo DiCaprio in the movie, Catch Me If You Can. If you saw that movie, you'll remember that all Frank had escaped from USP Atlanta in 1971 and was on the lam for several weeks. If that movie was on Korea's pre prison watch list. I hope it didn't give him false hope. Another notable former prison in Atlanta was Vincent Papa, the mafia guy involved in the French Connection heist in the 1970s. Unfortunately for Cory Vincent was murdered at USP Atlanta. So that's no fun. Korea's name has not yet been added to the Wikipedia list of famous prisoners yet, but give it time. It's also not clear that this will be his final prison home Korea had requested FCI just up in Georgia and Judge Gergel had agreed to recommend it. Russell Laffitte had also wanted Jessup it's interesting, though, that neither man seems to have gotten what he wished for. And we're not really sure why that is. Reporter Beth Braden called over to Jessup this week to find out whether they are experiencing some sort of issue of overcrowding, but a spokesperson from Jessup did not get back to her. It might not seem like a big deal. But Jessup is just over two hours from Beaufort and Atlanta is about four and a half hours if you're lucky. So that's going to be a Hall of Records visitors. Hopefully 14 circuit solicitor Duffy Stone has a generous vacation policy for at least one of his staff members who was faithfully at every hearing. Of course, even when sources told us she was supposed to be working on Grand Jury matters. One thing we haven't

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noted for you guys yet is that low security isn't actually the lowest form of federal imprisonment. There is there's also minimum security which is like a prison camp. Jessup has a prison camp but Cory is in Russells current presidents do not maybe it's something they have to ease into Okay, the next update we want to talk about is about state representative and judge sAlextor in busy attorney Todd Rutherford. You know, the guy who made headlines earlier this year by secretly negotiating an early release for murder or Jeroid Price with a solicitor he helped get elected and a retiring judge he helped put on the bench and then he made headlines again when Russell defeats suddenly hired him to sit in on his scheduling hearings, and then he made headlines again when he made it a point to shake Alex Murdaugh's shackled hands in the courtroom last month. Rutherford is back in the headlines again, because guess what, there's yet another case of him securing early release for a prisoner in a closed door hearing with a judge who let it happen. That brings us up to three prisoners so far whom Rutherford helped free using the substantial assistance law, which fine help free prisoners if they deserve to be freed. We're all for rebalancing the scales of justice when it's warranted, obviously. And the intent of the substantial assistance law is to encourage prisoners to cooperate with law enforcement. But why do it in a closed door hearing? And why is it that in two of the three cases, there isn't even robust evidence showing this meaningful assistance? By the way, we haven't talked about the Supreme Court opinion about the drawed price debacle that was finally published last month, which is a full five months after justices voted on voiding judge Casey Manning's secret order to free price. We're going to do that today. But let's talk about Alberto Romero Lopez, a 39 year old man who had been sentenced to 30 years in prison for shooting a man over and over again and

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kidnapping two women in in Aiken County home invasion. 17 years ago. Also Lopez assaulted Aiken County Sheriff's Office deputies. Lopez was a prisoner in McCormick you know, Alex prison home up until 2022 when Judge Courtney Clyburn Pope signed off on his release. Now, what else happened in 2022? Just one month before Judge Clyburn Pope signed off on Lopez's early release a right she was reAlexted to the bench and guess whose name was on the roster of I votes. Rutherford. It's not on the list of AI votes was her father, Representative William Clyburn, he had the good sense to recuse himself from that vote. Now. Here's David with a passage from an October 6 Posting courier story by reporter Glenn Smith about Lopez's release.

**David Moses** 17:41

The ruling by Circuit Judge Courtney Clyburn Pope at March 2022. That reduced Lopez's sentence makes no mention of what he specifically did to warrant such mercy. But court papers from the prison officers arrest indicate she was accused of providing an inmate with nude photos, candy and sunflower seeds. The officer faced charges of misconduct and furnishing contraband. Those charges were later dismissed. Court records show

18:11

nude photos, candy, sunflower seeds, and then the charges were later dropped. Thank you for your service. Mr. Lopez, Judge Clyburn Pope agreed to seal the details of the hearing to discuss Lopez's early release. So that's it. That's all the public gets to know about the discussion surrounding his so called meaningful assistance. Rutherford told the Post and Courier that love has come forward with this information that quote would have made him a marked man in a prison system that

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could not guarantee his safety. He said something similar in the drawed price case that this had to be done in secret because of how much danger Gerard was in for snitching so much danger that he not only survived his time on the outside, he's still doing fine today. Remember, sources have told us that your rod ran the prisons. Rutherford's worries about a safety is nothing more than false justification for operating in the dark. Oh, and this is a good one. Rutherford told the Post and Courier that Lopez's early release saved the state more than \$300,000 which he called real dollars. I believe this was about real dollars, just not the ones that go back into the government's pockets, though.

Rutherford told the Post and Courier that this case was by the book The Aiken County Sheriff's Office. Technically a victim in this said it had not been notified about Lopez's hearing. Okay, so let's talk about that Supreme Court opinion on the drawed price case, Todd Rutherford came out of that unscathed. Judge Casey Manning and Fifth Circuit solicitor Byron Gibson, however, were both found to have failed in their roles. Judge Manning was found to have acted outside his authority as a judge and to have made errors of law. Gibson failed to follow the law and failed to follow the victims Bill of Rights It's but that seems to be it. It wasn't even a tongue lashing. So here are some interesting things we want to note about the opinion and the dissenting opinion. One, the Supreme Court made it ultra clear that at least theoretically and on paper, it understands the value of public information and why it's so wrong with that the entire drawed price order was sealed and the alleged hearing was held behind closed doors. Here's David with a particularly poignant passage from Justice George James is dissenting opinion. We think it really underscores the entirety of the problem here. Here. Justice James was quoting former Justice EC Burnett in writing for the Court in a case called you drive it. Public Access

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### David Moses 20:43

discourages perjury and encourages bringing the truth to light because participants are less likely to testify falsely in a sunlit courtroom before their neighbors than in a private room before court officials public access promotes free discussion of governmental affairs by imparting a more complete understanding to the public of the judicial system and issues resolved by that system. Public Access serves as a check on inappropriate or corrupt practices by exposing judicial process to public scrutiny. Lawyers, witnesses and judges may perform their duties in a more conscientious manner, knowing their conduct will be subject to public scrutiny, either at the time of the proceeding or later through disclosure of court records.

### Mandy Matney 21:33

Beautiful, right. This is why we do the job we do. This is why we talk about sunlight so much. If there had been sunlight, then your rod price would not likely have been released from prison so early. So there are two more important things to note about this opinion. One is that the dissenting opinion left open a crack in the door in case another murderer wants to try using this provision of the law to secure an early release. In writing for the majority Justice John cannon few declined to weigh in on whether the substantial assistance law applies to sentences in murder cases, which are dictated by another law that doesn't allow for early release programs or good behavior credits to shorten up prisoners time behind bars. But in the dissent, Justice jeans decided to take on what he calls interpretive tension, which is a really lovely phrase for what we believe was the motivating factor all along. We have said this before a few times, but we believe that the drive price case is



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suspicious. Rutherford began working on prices early release in February 2022. During a time when it was becoming increasingly clear to Alex Murdaugh's defense team that the murder charges were coming in December 2022. Rutherford was able to get a judge to sign off on prices early release, but price wasn't released then. Nope. It wasn't until right after Alex was found guilty that the order was unsealed and somehow delivered to the Department of Corrections. I say somehow, because justice candidate view made it a point to mention this. It is not known how the Department of Corrections obtained that order. At oral argument, Rutherford stated he believed another circuit judge sent the order to the Department of Corrections. He said that they could not verify this as the event is not recorded in the Public Index. You heard that right. This order magically appeared out of nowhere apparently and your rod price a murderer was let go. This is our justice system. Ladies and gentlemen. The point here is this. The timing and circumstances of prices release. Plus Rutherford's brazen handshake of Alex Murdaugh raised suspicion as to whether this Gerard price plan existed secretly because it was only going to happen if Alex Murdaugh were found guilty. Was that the trigger to unsealing the order? It's a question worth asking because of this interpretive tension. Because it was this interpretive tension that had not been tested yet. Could a murderer get a shortened sentence by providing substantial assistance to law enforcement, the majority, the ones who voted to vacate Manning's order altogether didn't want to weigh in on whether or not the law allowed for this. But the minority the two Supreme Court justices who voted not to vacate Judge Manning's order, they got it on the record. And for the record, they believe that the law allows early release for murders. The reasoning they use is that substantial assistance law is neither a program nor a credit. It is something else all

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together. And if the General Assembly had an intended for this to apply to murder cases, then the General Assembly would have noted this. So like we said, the door has been cracked open. This is now on the record for the future. The last thing I want to say about the drawn price case for now, Justice James noted how janky the affidavits attach to judge Manning's order were remember how flimsy the reasoning was that was used to support the argument that your rod price should be released early. There were three pieces of so called Evidence attached to that order. First, there was an unsigned addendum, asserting that price had told prison officials at some point, the prisoner Jimmy Kazi had escaped. Second, there was an affidavit from an inmate who apparently witnessed drug price rescue a correctional officer, but not an affidavit from the correctional officer who was rescued. Third, there was an affidavit from the correctional officer to Rod prices, alleged ex girlfriend who swore that another officer had told her about prices rescuing of another officer. Justice James calls this rank hearsay. And again, there is no affidavit from the officer who was allegedly attacked. There's a great link in the dissent from Justice James, by the way, it says while the truth of prices alleged heroics is not before us, there suspect veracity is perhaps one reason for the state's regret over choosing to ask for a reduction. So an unsigned addendum an affidavit from someone who can't be trusted and an affidavit from someone who didn't experience the thing. Does that sound familiar to y'all? Because it should. It has the same flavor of the so called evidence that Deckard Polian and Jim Griffin attached to their motion about the alleged jury tampering from clerk of court, Becky Hill. First, there was an affidavit from the dismissed a juror that focused on a Facebook post that had nothing to do with her dismissal as a juror, then there are two affidavits from Dick's assistant who talked to jurors, but no affidavits from those actual jurors



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themselves. Then, there was an affidavit from Bill Barber about how he downloaded the computer of a man to find a Facebook post that has nothing to do with the actual reason a juror was dismissed. Then there is an affidavit from a juror who was rumored to be a friend of the juror who got dismissed. Finally, an affidavit from a man who has nothing to do with the case, or the reason why the a juror was dismissed. It's a stack of nothing that barely contains actual evidence of the assertions being made the thing they want the court to believe. Interesting, right.

28:41

We're not conspiracy theorists. But we are basically Murdaugh scholars at this point. And in our scholarly opinion, nothing is a coincidence in the drawn price case. Speaking of coincidences one more quick update what is going on with Judge Bentley price. Judge price is the judge assigned to the Satterfield case and the civil conspiracy case against Parker's kitchen owner Greg Parker, who stands accused of orchestrating a campaign against the beach and Murdaugh families in an effort to lessen his business liability and the boat crash case. This alleged orchestration resulted in confidential court documents getting released to a third party and photos of Mallory beaches dead body showing up in a sizzle reel for a tabloid documentary. It seems like someone wants judge price off the bench. Two days ago, the Post and Courier published a story about how judge price has been deemed unqualified by the legal community. This is a very unusual occurrence, a sitting judge in South Carolina being labeled on Fit by the Bar Association. Now we don't know a whole lot about Judge price. We do know that there are legitimate concerns about his sentencing practices. According to another story in the Post and Courier about Spanish speaking interpreters judge price allowed an accused child rape Just to

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go free because the court couldn't find anyone to interpret for the man's hearings. That's not a solution. But we haven't yet heard anything from anyone that would put Judge Price in a category beyond tell me more about how South Carolina judges make stupid decisions about sentencing, especially when their friends are the defense attorneys. Literally, that's like telling us that judges in South Carolina wear robes. Yeah, duh. I mean, it's not like we have a recording of Judge Price trying to coerce a sheriff's deputy into making up a reason to a rest of man to get him out of his neighborhood, because that would be something to raise hell about. Judge Carmen Mullen, who is still on the bench, where was the South Carolina Bar Association on that one? It's awfully quiet and quiet town. That's where they were. And that's where they still are. So why is this different? Why are they going after Judge Price? sources have told us that even though there are people who say they have legitimate concerns about Judge Price's behavior on and off the bench, especially when it comes to how Judge Price treats victims of crime, there appears to have been some sort of coordinated effort in the way of a letter writing campaign to have Judge Price removed. Now, reporter Beth Braden has reached out to the South Carolina Bar Association to get more information, including copies of the letters that were sent, but they have not responded. Okay. So what does this mean? It means that, once again, it appears that attorneys in this state are doing what they think they're entitled to do, which is choose the judges who hear their cases, if they don't like a judge's rulings, they have gone to the ends of the earth to change that outcome. That said, we don't know for certain that there was a coordinated effort to take down Judge Price. The reason we don't know that is because guess what, this was a secret process. Apparently, it only takes a quarter of an unknown number of bar members who are asked about whether a judge should be

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removed to result in a public disqualification like this one. According to the Post and Courier. It's not clear how the bar determines how many people to ask or who to ask. It's all in the dark. And it's anonymous. Imagine a system in which judges are constantly worried about not pissing off the wrong people. That is the system we have in South Carolina judges live with a constant awareness that they are either protected because the right people are on their side or they're in peril because they've ruled against someone with an unlimited legal budget. So we are greatly concerned about what's happening here. Is judge price not qualified to be on the bench as these unknown bar members say he is, if so, let's hear those reasons. And those reasons better be worse or as bad as, quote, instructed a deputy to arrest a man for no reason. Because anything less than that is a joke, or is Judge price the victim of unscrupulous actors using their easily purchase power to manifest their desired outcome. If you know the answer to either of those things, then speak up. Now. You know how to contact us say something because look at what is happening here. You have one set of powerful attorneys blowing apart the sacred process of jury deliberations. And you have someone because someone has to be coordinating this in some way trying to blow up a judge's career anonymously and without much evidence that it needs to be done. That said, let's talk about Alex Murdaugh's federal case because we are now fully in Moby Dick territory. Like for real and neither of us is a Herman Melville fan. We'll explain that in a second. So last week, when we were finishing up that episode came the inevitable and very predictable Wednesday evening, Murdaugh breaking news. The government had filed its response to dig and gems motion to order US marshals to seize Alex Murdaugh's assets immediately. Let me just point this out from the start. Dick and Jim seem particularly rushed

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about this, right. Like they're trying to make their hopes and dreams come true on the federal level as fast as they can, right. That's because they're on a deadline.

### **Mandy Matney** 34:12

They've got to extract the state of South Carolina from Alex's case before the state can dig any deeper with a financial trial. And they have to get the federal government more fully entrenched in Alex's case so that the feds end up with far more interest in seeing the matter through and the way they want. Again, we believe much of this is about Alex getting out of state prison and into federal prison, but there might be more to it. It's clearly a race and they're getting more and more agitated as the days go on. Think of it visually. Dick and Jim have Alex stuffed in a big red wagon and they're trying to take him from the Attorney General's office in Columbia, South Carolina all the way to the The US Attorney's Office in Charleston. Phil Barber is pulling the heavy wagon in a slow jog and Jim and Maggie Fox are helping to push it from behind. Meanwhile, Decart boolean is walking behind them carrying on a profanity laden conversation with various members of the media. Well Alex offers them ideas on his case strategy while he guzzles cups of noodles from the commissary and asking Jim to borrow his cell phone. If this were a political cartoon, that is what it would look like. So the situation goes like this. Dick and Jim make an emergency motion to get the federal government to seize Alex's assets from the receivership then the government is like calm down girl. Org good. We're not trying to do that right now. Then Dick and Jim are like, Oh my God, what? You've got to picture them being pulled over on Interstate 26. Hot and sweaty with Alex munching away on B sticks in his red wagon. They are hands on head and kicking at the air. They are indignant. And it's funny, because



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when you read the amount of indignance, they've injected into their response, which comes in the form of 19th century ruffled colored prose like, Dear Sirs, I am but beside myself, Tis a mockery, it almost makes you forget that they filed an emergency motion to make this thing happen. Meaning they foresaw this scenario, if it's a bygone conclusion that the federal government only has one option, as they claim and that option is to immediately seize Alex's assets, then there would be no need for Dick and Jim to intervene. Right. But they did. They not only are trying to make sure this seizure happens, they are trying to hasten it. Now. I only got to briefly talk to you about the government's response last week. So let's start there, because it was good, or rather, the exhibits attached to the response were good. So one thing to note about the government's response, which was basically we're not going to seize the assets, because they're under the jurisdiction of state court is the phrase at this time. They're not saying they're never going to seize Alex's assets. They're saying we're not doing it on your timetable. Dick And Jim, we talked about this in our last episode and on cup of justice, but the response made a point of saying that a number of the victims and Alex's federal crimes and it listed Palmetto State Bank and PNP D among those victims had already been made whole The implication being that this money the Dick and Jim say they want for the victims that supposedly once sees for the victims wouldn't even necessarily go to the victims. Additionally, Alex has victims beyond the crimes he's been charged with federally, and this federal seizure would only apply to the victims of those cases. So is it possible that Dick and Jim want to preemptively seize the assets before the public can learn more about Alex Murdaugh's victims? Is this what it's about? Anyone who thinks they're owed money by Alex has until this month to petition the court to get in line for it is Tim Murdaugh trying to prevent that from

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happening? Because Dick and Jim's reply to the government response borders on hysterical like they wrote the filing through tears of self pity and defeat. Now, the most interesting thing to us about the government's response was how many times it's pointed out the team Murdaugh lied to the court, for one Alex's motion wasn't truthful about how the process would work for the victims if the government took over the reimbursement of assets. Surprise, surprise, Dick and Jim want the court to believe that the process would be better for the victims if the government took the money and the government is basically like not really though. The government also noted that teen Murdaugh wrongly claimed that private attorneys will unnecessarily spend the assets. That's Dick and Jim's second big noble argument, by the way that the lawyers are the problem here. We'll get to that. In its response, the government pointed out to the court that the CO receivers have already been paid, and quote these fees were approved by the State Circuit Court Judge absent objection from Murdaugh or any potential claimants or creditors, meaning they clearly didn't have an issue with this before. And I have to point this out Elek waived his right to object to the receivership when he signed off on Buster settlement with the beach family. But here we are. Again. These guys have routinely made a seemingly written and stone decision only to get their way on something in the moment only to say psych afterward, like they did with the Satterfield confession of judgment and the decision to allow the receivership to have more than \$400,000 from Alex's 401k in exchange for Alex getting to keep \$600,000 to pay for expert witnesses at his murder trial. So as a part of the government's response, we have affidavits. One is from Walter Tolson, the third, the lawyer who has been assigned to manage the distribution of Alex's assets to his victims and creditors. In their emergency motion. Dick and Jim told the court that

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this man plan to charge hundreds of 1000s of dollars to do this here, told us and tells the court that is not true.

### **David Moses** 41:11

I am aware of the assertion that my involvement as special referee would result in my fees totaling several \$100,000 based upon the facts known to me at this time, and my experience with state and federal receivership matters. I am currently unaware of any facts or circumstances that would require or warned by fees coming remotely close to this assertion.

### **Liz Farrell** 41:39

So another lie from T Murdaugh. Now for the most telling part of the government's response, the affidavit of the CO receivers John T. Lai and Peter M. McCoy, it's a doozy on the very first page lay in McCoy pointed out one of Deckard Portland's famous lies when he told the court on September 16 2021. That Alex was, quote, essentially broke. The word Dick would later use for that during their bond hearing redo with a second judge because the first judge didn't give them what they wanted was impecunious meaning the entire reason for the receiverships existence was because a there was evidence showing that Alex was wasting and hiding assets and B because Alex and his team insisted he had no money, which wasn't true because here Dick and Jim are arguing about who gets to control the more than \$2 million that belongs to Alex let's take a look at some of the curious things mentioned in this affidavit. One the receivers use the word purported when talking about busters appointment in September 2021 as Alex's Power of Attorney it's not clear why they use that word meaning whether they're indicating that Buster was named POA in name only



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and Alex was still acting on his own behalf. We're whether they're hinting at this act being part of an overall fraudulent scheme to they don't just say that they were appointed as call receivers as a result of Alex hiding and wasting assets. They came with receipts for instance, they note that on September 23 2021. The same day that Hampton county recorded Alex Power of Attorney filing all bluster for gave an almost million dollar loan that Alex allegedly had given two alleged drug trafficker Barrett bowlers wife, that alone was somehow attached to Moselle property that Alex had gotten from bowler property that Alex didn't own because he transferred it into Maggie's name. Then on October 1 Alex sold his stock in Green Swamp club and sold his Grady White 306 boat for \$115,000. Then he transferred his quote, beneficial interest in other real property to a friend and former law partner visa vie a deed in lieu of foreclosure. What were they doing with that money? Apparently they were paying down debt owed by Randolph Murdaugh's estate and allegedly conspiring with Palmetto State Bank to do so. Why? Because the less money Randolph state owed the more Alex got in his untouchable multimillion dollar trust that Randolph had left to him. Isn't it amazing how team Murdaugh acts like we can't see them, unlike their past just simply doesn't exist. They are constantly rewriting history, but it's like spraying a cow pasture with a can of blade Hawaiian breeze, we can still smell it guys. Three Alex apparently owed back taxes on the Edisto Beach home so much so that the home was set to be auctioned off if the taxes weren't paid by December 10 2021. Did Alex use the money he'd gotten from the sale of his boat or the stock and Green Swamp to pay off those taxes? No. Was he going to let the house go up on the auction block so a pal could buy it back and keep it for safekeeping in the Murdaugh economy, who knows because for the receivership stopped the underbelly You'd sale of a number of

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Elux properties meaning elegant his family were allegedly trying to offload his properties at below market prices. And were it not for the receivership stepping in, that money would have been lost. And again, it's so sickening what these guys keep doing. I'm going to remind you again that Palmetto State Bank and PNP ad partners played roles in all of this, and yet the federal government sees them as victims victims. After everything came to light Alex chose to pay off an unsecured bank loan that he and his father owed to PSP alone that was written off fast after word on the street was that Alex was in some trouble? He chose to do that instead of paying down the loans that were attached to his properties. What bank considers itself to be a victim when the person in question who owed them money seems to have worked with them to give them priority standing in repayment. And what bank testifies it was about to give Alex a loan for a beach house that was in danger of going to public auction. In the affidavit John T. And Peter wrote, quote, the goals of our involvement are to ensure transparency, do our part to restore confidence in the justice system, ensure assets are protected and while not picking winners and losers make sure creditors and victims stand shoulder to shoulder so that no one unfairly gets ahead of anyone else in collection of monies. Oh, hey, remember when a federal judge ordered Cory Fleming to pay restitution to pm PD in a case that he hadn't even been charged with? That's the same judge Dyk and Jim want to grant them an immediate seizure of Alex assets. Judge Richard Gergel a man who says he has great respect for Alex attorneys and who Phil barber Dix associate and the apparent author of Dick and Jim's reply used to clerk for. That's right. Phil Barber was a law clerk for Judge gargle, which explains why he did a few verbal pirouettes and a big ballet bow in his latest filing that impress that former boss now Deacon Jim have degraded the receivership to judge Gergle and have done

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their best to paint the receivers as greedy attorneys just after a big payday. The payday is big, by the way, it's more than \$600,000. Here's what the receivers have to say about that, quote, The complexity of Murdaugh's vast network of financial property and business interests, as well as extensive legal maneuvers employed by Murdaugh to undermine the receivership and by others seeking to maximize their claims have required that the CO receivers and their counsel expend more than 3000 hours of work in furtherance of the receivership meaning this cost more because of the games Alex Dick and Jim played throughout the past two years trying to get at that money to counter Dick and Jim's depiction of them the receivers listed 25 of the things they've done in those two years to increase the value of Alex state. Some of those things included keeping an eye on PMP D and their civil claim against Alex to, quote, ensure that any judgment entered in favor of PMP D would be supported by competent evidence and reflective of Murdaugh share of civil liability for the misconduct. Murdaugh committed against PMPED clients they successfully thwarted Alex attempt in March 2022. To just claim interest in Maggie's state. This was another scheme in which Alex was trying to move assets out of his name in violation of a court order that had frozen his assets. The receivership also successfully negotiated down Alex alleged mortgages with Palmetto State Bank mortgages that some saw as invalid because of how lacks the bank had treated Alex payback plan. And because the bank hadn't made a move to collect on those loans until after it became clear that Alex was in trouble. Okay, now we're ready to talk about Alex reply to the government from Dick and Jim and apparently written by Judge Gergles former Head Boy, Phil Barber. Now one thing that team Murdaugh has been really good at and their replies is being petty every chance they have to phrase something in a petty

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way they go for it and every chance they have at re characterizing something in a negative way that benefits them. They go for it. In this reply they are treating the federal government like a roided out boyfriend who is trying to do the right thing and not punch the little guy who his girlfriend is annoyed with. In this scenario, Dick and Jim and Phil are the girlfriend being like, Oh, you're gonna let this wimp of a guy tell you what to do. Hmm, I thought you were strong. He's making a fool out of you. But okay. Now first, I want to point out that on page one of their reply in a footnote, they erroneously tell the court that the quote Satterfield claims against Mr. Murdaugh have been reduced to judgment which has been satisfied by offsets from other settling defendants. We'll let Eric handle that one.

### **Eric Bland** 50:00

I mean, it's laughable. If it wasn't so serious, it really would be truly laughable. But it's very serious what they continue to do now they have usurped the function of a judge and a jury. And I've unilaterally declared that the Satterfield had been made whole, without really acknowledging what our claims were, they lose, and they continue to use the justice system to Alex's advantage, and it's to the disadvantage of his victims.

### **Liz Farrell** 50:32

Okay, now for the stand up comedy portion of their reply. I'm going to try to get through this next bit without laughing but there's no promises, quote, no criminal defendant convicted of financial crimes against the United States has ever before had to beg a court to force the United States to seize his own assets to preserve them for the benefit of his victims and the public treasury. You know, that Alex





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Murdaugh trying to preserve assets for victims and the public treasury, are we supposed to believe he's in his cell right now wringing his hands about how his money needs to go back into the government's coffers. This man confessed judgment in the Satterfield case to make it look like he was sorry. And when this bit of nonsense didn't convince a judge that he should be let out on a personal recognizance Bond. He then tried to rescind the confession of judgment. So the Satterfield can't get money from him. And when his insurance company came after him for the stolen Satterfield settlement, he literally asked the government, he asked the same judge to make the insurance company go after the Satterfield for the money instead. And still team Murdaugh comes out this like no one is ever going to question the veracity of their words. They are that confident that Judge Gergle won't consider their past lies and the current context. This is the sheer arrogance that exists in South Carolina's legal system. Another funny line, and the reply is when they tell the court that quote, a lawsuit against Mr. Murdaugh and the beach case has nothing to do with any criminal conduct by Mr. Murdaugh, a really how about those murders? Alex we know what was on your mind that night. Here's another good one. Quote, when his many financial crimes were revealed, it was apparent that his assets would not be sufficient to satisfy all claims against him. And there was fear that he would attempt to hide assets before his victims could obtain and execute judgments against him. There was fear, fear that he would do something that he would do the thing he actually was caught doing several times. Perhaps the most hilarious part and the reply came in the form of this sentence where they explain the coal receivers role to the court, quote, their duties are somewhat like the duties of the personal representative of a decedent estate, which include locating and taking control of the decedent assets. I mean, guys, can you believe this? They

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are literally talking about the scheme Alex used to steal money as if this isn't the way he stole money. And beyond that, they are purposely likening what the CO receivers did to this much more simple role because in normal circumstances, a personal representative is only entitled to a small percentage of the estate. Again, they are overlooking the giant amounts of money that Alex allowed Russell the feet to keep as personal representative in Alex cases in exchange for allowing Alex to treat Palmetto State Bank, which is apparently a victim as his personal piggy bank. Yet another good one for you. And this is Rich quote in the approximately two years since their appointment, the CO receivers have marshaled \$2,159,981.29 In liquidated assets, including \$424,941.34, voluntarily paid into the receivership by Mr. Murdaugh from a retirement account outside the CO receivers authority. I don't say this often. But y'all notice what wasn't mentioned there. That a the only reason that 401k came within reach of the CO receivers authority is because Alex wanted to cash it out. But here was the problem. The second he cashed it out, it would become in the domain of the CO receivership and the reason he wanted to cash it out so that he could use more than \$600,000 of it to pay Dick and Jim in order to get that money to pay Dick and Jim he had to negotiate with the CO receivers so that they wouldn't take all the money the call receivers agreed to a 6040 split of the cash. It was when when Alex got to keep his money to pay Dick and Jim and the receivership got even more money that the victims otherwise would not have gotten. But then Alex asked for that portion to dig in. Jim came back after the murder trial and asked the receivership to give them some of that money to is this mentioned in the reply? Nope, sure isn't. Instead, they're presenting it like Alex did this selfless, noble thing. And here, the ungrateful receivers, these private attorneys are trying to get more money from him will judge

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Gergle by this nonsense. No, seriously, will he? Because we just don't know these guys, whether it's Alex Murdaugh or David Miller or Russell feet, or Bowen Turner or Cory Fleming every single one of them acts like they are entitled to more understanding and benefits of the doubt and that they're entitled to being believed and trusted and given more things. It's insane.

### **Mandy Matney** 56:08

So, T Murdaugh's argument is primarily that and we're quoting here, the Murdaugh's assets to which the United States holds title pending distribution to Mr. Murdaugh's victims are in imminent danger of waste, quote, The court could order Mr. Murdaugh's assets to be deposited in the registry of the court to preserve the status quo safekeeping until such time as the government is inclined to follow the law. Then they go on to quote, Herman Melville, quote, but the statute does not contemplate the Attorney General giving the Bartleby response to a forfeiture order, the government requested and seen Phil barber and Moby Dick her politely and everyone, let's give them a round of applause. Could there be a bro earlier moment, quoting Melville? What is a Bartleby response you ask? It's from Bartleby, the Scrivener a story of Wall Street, Bartleby response to things he's not inclined to do with I would prefer not to. I really hope this is peak Dick and Jim, y'all because I don't know how much more we can take of this. Okay, to wrap this up for the PS de resistance, the part we all knew would be there.

Remember, when we told you the government's response kind of through Dick and Jim of bone by vaguely indicating that this whole CS LX assets now thing couldn't really be about funneling money to Palmetto State Bank or PMPED? Ed by saying that victims and they listed them among them who have already been made whole wouldn't



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be entitled to funds if the federal government took over the money. The government said this to say, basically, you're telling us this is about the victims. And we're telling you this really wouldn't do anything for the victims while also trying to sneak PMPED and Palmetto State Bank in there as if they'd already been made whole. Even though the government did leave that open. Here is why it was left open.

### **David Moses** 58:21

Under federal remission procedures, all Murdaugh assets will go to the victims of Mr. Murdaugh's Financial Crimes until they are all fully compensated. Victims already fully compensated receive no further payment, but the persons who compensated them may themselves seek compensation if they otherwise qualify. If there is not enough money, it will be allocated pro rata. If there is a surplus of money, it will be used for public purposes like funding law enforcement agencies, unsecured creditors, get

### **Mandy Matney** 59:00

nothing. And then there's a footnote.

### **David Moses** 59:04

unsecured creditors cannot seek remission of forfeited funds. But since Mr. Murdaugh's entire estate has been seized Fourth Circuit precedent allows them to recover in ancillary proceedings. Nevertheless, Murdaugh's attorneys have stated publicly that they will seek no funds from the Murdaugh assets to pay their attorneys fees, and they make the same representation to the court. Mr. Murdaugh's position is that no attorneys should receive any more legal fees from the Murdaugh assets.



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**Mandy Matney** 59:34

So one, the man whose grandfather got him into law school and who used his law license to steal suddenly has a moral code of conduct when it comes to attorney fees. And to notice the wording there. Murdaugh's attorneys have stated publicly that they won't seek fees. That is a fact but Do they actually intend to not seek funds? They'd gone back on just about every noble promise they've made publicly. And it is exhausting. It is truly amazing how expert they are at reframing the truth in their favor with absolutely no fear of getting called out on it, or maybe not no fear, maybe without caring when they get called out on it. No matter how many times we call these men out on their bad behavior. They bounce back, like Eric Bland once said back in the early days of MMP, there is no bottom to Alex Murdaugh. We believed him then in 2021. But we had no idea how far these men were capable of going. It will be something to see how Judge Gergle rules in this because they're right about one thing. It is extraordinary to have a criminal begging the federal government to seize his own assets. But it's the federal government's own fault that they are in this weird position. They are the ones who decided to do all of this meaning LX flip floppy plea deal on Dick and Jim's timeline. They are a part of the system that continues to allow this behavior from good ol boys and power. You give these guys one inch and they will take the entire world. These men like David Miller like Brad Hutto, like Dick Harpootlian, like Bill Weeks for example, they will keep going as long as the system keeps giving them the green flag. But as the justice system carves out an easy road for the good ol boys and allows them to victimize everyone beneath them. It is up to us to create resistance and sunlight. Just because the bad guys continue to keep bouncing back like Wacom walls does not mean the solution is to give up hope. Remember,

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