



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

**Mandy Matney** 00:02

I don't know what Mark Keel or Duffy Stone were thinking last week but the Chief of SLED recently issued a joint statement with Solicitor Duffy Stone's office in which they both doubled down on Stone's initial involvement with the double homicide investigation and now we're questioning everything. My name is Mandy Matney. I have been investigating the Murdaugh family for more than three years now. This is the Murdaugh Murder's Podcast with David Moses and Liz Farrell. In Episode 38, we talked about exactly why Solicitor Duffy Stone's investigators presence at the scene of the double homicide last June was such a huge problem. I realize that there was a lot of news related to the Murdaugh murders in the past week. but Liz and I felt this piece is the most important because it goes straight to the heart of why all of this matters. It's much bigger than a few crooked lawyers, there are rotten tentacles of corruption polluting every corner of our justice system. And we're focusing on this because we actually live here in the 14th Circuit, unlike everyone else who is podcasting about this. Our goal is not to entertain you every week, although Liz's jokes, Eric's outburst and David's amazing voice acting skills definitely fit the bill, our mission is to expose the truth. Our mission is to fix what is broken here. Our mission is to hold powerful people accountable. Our mission is to change the justice system here in the low country for the better and that's why this podcast will always be different and we hope that more journalists will help us in our mission. Stay tuned for more announcements on that last bit. So on Thursday, the day after episode 38 aired, 14 Circuit Solicitor Duffy Stone's office and South Carolina Law Enforcement Division Chief Mark Keel issued a shocking joint statement in an apparent attempt to address the concerns we raised both on the podcast and in FITS News. Jeff Kidd, Chief of Staff for Stone's office sent the statement to the media with a fiery message

Transcribed by <https://otter.ai>

COPYRIGHT © 2022 LUNA SHARK PRODUCTIONS, LLC - ALL RIGHTS RESERVED.



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

attached. Also I have to mention this because I want you to know how small the circles are here in South Carolina. Jeff Kidd, Liz and I all worked together at the Island Packet before Jeff left for the solicitor's office. When we work together I consider Jeff to be a person of integrity and I was surprised that he took the statement up a notch by including this message which I will have David read:

**David Moses** 03:18

To you media members, please find attached a joint statement from the South Carolina State Law Enforcement Division Chief Mark Keel and 14th Circuit Solicitor Duffy Stone regarding erroneous reporting about our office's role in the investigation of Paul and Maggie Murdaugh. Best regards, Jeff Kidd.

**Mandy Matney** 03:40

Erroneous reporting. What is Jeff Kidd, a former journalist, talking about exactly? Here's a little tip about public figures who claim reporting is erroneous, but don't cite specific errors. There are no actual errors. They just don't like the optics of what they did. Attached to the email was a five paragraph press release which we will have David read in pieces. The letter starts out by explaining that they don't comment on specifics of the investigation, and the purpose of the letter was to instill public confidence.

**David Moses** 04:16

In recent days some media outlets have published unfounded and ill informed speculation regarding the role of the 14th Circuit Solicitor's Office in the investigation of the murders of Paul Murdaugh and his mother Maggie Murdaugh. Per long standing policies SLED and the 14th Circuit Solicitor's Office will not comment on specifics of any case while it is still under investigation. However, given the persistence of



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

unsubstantiated assertions, both fairness and public confidence in the integrity of the process requires a limited response.

### **Liz Farrell** 04:54

So I'm just going to say it. This statement seems like it was written by Dwight Schrute, the character from the office who lived to impress those in power. It has a very assistant to the regional manager Bob to it. The words unfounded and ill informed are interesting given that the piece I wrote for FITS News was founded on an informed by John Marvin Murdaugh's explanation to the Island Packet about what he was doing with Stone's investigators in the Post and Courier photos. His explanation was that he and Duffy Stone's investigators were directly involved in retrieving and unlocking Maggie's phone. There was no speculation in the piece I'd written for FITS News. There were questions. The kinds of questions a smart person asks when she sees a photo of investigators who should not have been on the scene in the first place, and whose connections to the Murdaugh's both individually and institutionally were more than concerning. At that time, there was an open investigation by the state grand jury into the Murdaugh's and members of law enforcement who together are suspected of attempting to obstruct justice in the boat crash investigation. One other note, something tells us that Duffy Stone cares less about public confidence than he does public perception of him. The letter went on to state that SLED officials notified the 14th Circuit Solicitor's Office known as the DA's office and a lot of places to tell them about the murders and to request assistance in the investigation.

### **David Moses** 06:19

In the hours following the murders of Maggie and Paul Murdaugh on June 7th 2021, SLED notified 14 Circuit Solicitor's Office officials to inform them of what had transpired in Colleton County and to request their



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

assistance in the investigation. SLEDs notification and the solicitor's office's participation in investigations are routine in the 14th Circuit.

### **Mandy Matney** 06:45

This is true the Solicitor's Office does communicate with investigating agencies and is sometimes asked to assist during investigations. However, what is not routine is that Duffy Stone and his office had a long list of conflicts of interest with the Murdaugh family that were all apparent on day one. Also not routine is Duffy Stone committing several of his investigators from the start of a criminal investigation. Stone has a six year backlog of cases that need to be prosecuted. That means there are literally 1000s of victims in the low country waiting and hoping the Duffy Stone's office dedicates resources to their case. Solicitor's Office investigators are hired to shore up cases for prosecution. Their jobs are to interview witnesses and find additional information that might be helpful to the case and do whatever the assistant solicitors need them to do in preparing a case for a plea deal or a trial. What is mind boggling is that Duffy Stone would dedicate three of his investigators to the scene of a double homicide that he would likely have to recuse himself from talk about a waste of taxpayer resources, but of course taxpayer resources on a murder investigation that has yet to produce an indictment. Those are not addressed in this joint statement. And neither are all of Duffy Stone's conflicts of interests that were apparent on day one and here's where the statement gets very concerning.

### **David Moses** 08:36

From the first hours of SLEDs investigation Chief Mark Keel was in direct and regular contact with both 14th Circuit Solicitor, Duffy Stone and South Carolina Attorney General, Alan Wilson. All agreed that should evidence emerge establishing a potential conflict Chief Keel would contact solicitor Duffy Stone and Attorney General Wilson



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

immediately. Chief Keel did so and Stone immediately recused himself from the case on August 11, 2021.

### **Mandy Matney** 09:09

Okay wow. There is a lot to unpack here. Let's start by talking about conflicts of interest. There are no hard and fast guidelines in South Carolina for solicitors about what a conflict of interest specifically looks like. It looks like they're largely left to please themselves on this but there is a rule for lawyers in the South Carolina Rules of Professional Conduct that addresses conflicts. David is going to read from that rule. When you're following along remember that South Carolina residents are Duffy Stone's clients in every case he prosecutes.

### **David Moses** 09:52

Loyalty and independent judgment are always essential elements of the lawyer's relationship to a client even where there is no direct adverseness. A conflict of interest exists if there is a significant risk that a lawyer's ability to consider recommend or carry out an appropriate course of action for the client will be materially limited as a result of the lawyer's other responsibilities or interests, the lawyer's own interests should not be permitted to have an adverse effect on representation of a client. For example, if the probability of a lawyer's own conduct in a transaction is in serious question, it may be difficult or impossible for the lawyer to give a client detached advice.

### **Mandy Matney** 10:39

Duffy Stone was hired by the 14th Circuit's voters to represent them in the prosecution of crimes against the community. We are his client, the public should be his number one concern. Think of it this way. If you were to hire an attorney to represent you, in a case against another lawyer, would you choose that attorney from the same law firm you were suing? Absolutely not. Duffy Stone was essentially Alex



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

Murdaugh's boss, whatever the relationship looked like, however, it worked. It was important enough and official enough for Duffy to sever it with a formal letter on September 7 2021. You don't break up with people who aren't connected to you. According to the joint statement Keel and Stone apparently agreed at one point that they needed to find evidence of a potential conflict of interest and in that case, Keel would need to tell Stone about the supposed evidence and tell him to recuse himself. The problem is according to a number of law enforcement and attorney services Stone's recusal should not have required establishing evidence. From everything we are hearing about the investigation, Alex Murdaugh was immediately a person of interest. Remember, FITS News, founding editor Will Folks reported Alex was a person of interest less than 48 hours after the double homicide. Here's Will:

### **Will Folks** 12:14

This was immediate. This was within 48 hours of the shootings, law enforcement sources, prosecutable Toriel sources with direct access to that investigation identified him as a person of interest immediately, almost immediately. And so it wasn't like we had to wait all this time for a picture to become clear that people who were on top of this case from the beginning immediately knew what was going on. And in fact out. Murdaugh's own attorneys later confirmed that so the fact that Duffy Stone didn't get the picture right away is disappointing. And I also know for a fact that Duffy Stone was told by several of his colleagues, you got to get away from this case, there was no shortage of people come in from all angles to this case, telling Duffy Stone you have got to get away from this case, you are going to compromise or at the very least complicate this inquiry.

### **Mandy Matney** 13:13

Alex was a badge carrying member of Duffy Stone's office. He was a volunteer solicitor a position that no one we've spoken to in South



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

Carolina has heard of Duffy Stone was reportedly handpicked by the Murdaugh family for his position as Solicitor and there's another conflict of interest that will point it out in his latest article and fits news Duffy's relationship with a certain powerful string pulling senator who happens to be Alex Murdaugh's attorney.

### **Will Folks** 13:47

And don't forget the other conflict here: guess who Duffy Stone's mentor was? Duffy Stone was a protege of Dick Harpootlian in the Fifth Circuit Solicitor's Office. In fact, he toyed with the idea of running to succeed Harpootlian in that office as a Democrat back in the early 1990s. So those two go way back.

### **Liz Farrell** 14:08

The point here is that Stone absolutely had something to gain by Alex not getting charged in this investigation. It's not a good look to have someone under investigation working for the solicitor's office, but this is a look that Duffy Stone is unfortunately familiar with. He's proven in the past that he's not made the best choices when it comes to employee related issues. In 2013, Duffy fired an employee for stealing \$525 from the worthless check unit. SLED conducted an investigation into the incident, but Duffy allegedly sat on the file until news of it emerged during his 2016 run for reelection. The day after Duffy won the primary, charges were finally filed against the woman when the theft was first made public in May 2016 debate, Duffy told the audience:

### **David Moses** 14:55

The SLED investigation is underway and I told them to turn that over to the Attorney General's office because the solicitor's office was the victim in the case. It wouldn't have been proper for the victim to be the one prosecuting the case. And when I conflict the case out, I don't know



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

anything about it after that. It's improper for me to go back in and try to find anything out about it.

**Liz Farrell** 15:18

But this actually wasn't the case. The investigatory file had apparently been sitting on his desk. According to a report in the Island Packet at the time, Beaufort County Sheriff PJ Tanner, whose wife was running against Duffy in the primary, was told by SLED that the investigation had been finished in 2014, and it was never turned over to the Attorney General's Office. Duffy Stone, however, told the Packet that the date on the investigation was August 2015. Stone's story changed several times during the papers investigation into why he appeared to have sat on the investigation for so long. In the end, he chalked it up to his office having never been a victim of a crime before and said the report had gotten lost on his desk because he was so busy prosecuting murders. Sadly, this is not the only employee related issue he's had in October 2020 Duffy Stone fired an assistant solicitor named Kimberly Smith, who was disbarred by the state Supreme Court for dishonesty. Smith had worked for his office since January 2017. Before that, she had worked for Cory Fleming's former law firm Moss, Kuhn and Fleming for nine years. While she was at Moss, Kuhn and Fleming she got into some trouble, she was fired, and one of the partners reported her to the Office of Disciplinary Council. The ODC found some very egregious transgressions. Specifically, Kimberly Smith had lied to clients. Duffy Stone hired her and put her on the career criminal unit years. Prior Smith had worked for the solicitor's office under Randolph Murdaugh. Before that she was a law clerk for Judge Perry Buckner, another associate of the Murdaugh's. No known analysis has been done of the cases Smith worked on while at the Solicitor's Office, and no sufficient explanation in our opinion was given for why she was hired. Duffy Stone is a very connected man. It is inconceivable that he would not have known that Smith had been fired from Moss, Kuhn and Fleming and it

Transcribed by <https://otter.ai>

COPYRIGHT © 2022 LUNA SHARK PRODUCTIONS, LLC - ALL RIGHTS RESERVED.



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

is difficult to believe that word had not leaked out that an extensive investigation was being conducted on an assistant solicitor. A cynical person might think that Duffy offered up the Solicitor's Office as a paid waiting room for Smith, a place where she could hang out and work until she was inevitably disbarred. Those are just two more reasons why anyone paying attention in the 14th circuit, and anyone who truly wanted justice for Maggie and Paul would have realized that Stone and his entire office should not be anywhere near this investigation. And for those who didn't know his history, there's still that issue of there being a conflict of interest.

### **Mandy Matney** 17:52

And we'll be right back. Defense attorneys love discovering conflicts of interest and investigations. Stone and Keel are trying to say here that conflicts of interest only matter when a suspect is established through evidence and that the prosecutor has a clear relationship with that suspect. But that isn't necessarily true. Think about it. What if a random Joe Blow was arrested for the double homicide and Alex's former co-workers were actively involved in that investigation. The first thing a good defense attorney would tell the jury would be that Stone was clearly on a mission to pin the murders on somebody who didn't work in his office and the investigation was tainted because of his involvement. A good defense attorney would rip Stone's involvement to shreds and make the jury question every piece of evidence involving his office. Even Stone himself said that conflicts of interest are a problem for prosecutors back when he was president of the National District Attorneys Association. Here are his own words and a 2020 press release:

### **David Moses** 19:13

A prosecutor with a conflict of interest should not provide advice to law enforcement or to other prosecutors on whether or not there is a probable cause for arrest. Nor should a prosecutor give a lengthy



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

analysis of the facts and the law that may prejudice a case in a court of law or in the court of public opinion.

### **Mandy Matney** 19:35

It would be one thing if this were a do as I say not as I do situation with no harm done in the end. But that doesn't seem to be the case. The fact that we're having this conversation right now points to the problem at hand. And let's not forget what sources were telling FITS News about Stone's alleged behavior in the double homicide investigation.

### **Will Folks** 19:59

From the very beginning of the investigation, the sources I spoke with, and again, law enforcement sources, prosecutorial sources, folks on the ground there in Hampton and Colleton counties and it was just a chorus. Everyone pointing to Stone's office just refusing to accept any eventuality in any situation in which Alex Murdaugh could have been involved. They just didn't want to accept that again according to all these sources. In fact, one of the sources I spoke with, a very well placed prosecutorial source, used the term "refused to entertain". Refused to entertain any scenario in which Alex Murdaugh might have been involved in this. And again, that's understandable considering how at Murdaugh was a badge carrying member of their office, of course, they're going to not suspect the worst of one of their own. That just points to the even bigger problem, which is for two months after this homicide. You've got Stone's office investigating one of its own for three months after the homicides. You've got Alex Murdaugh continuing to be a badge carrying member of the office. It just absolutely defies credulity. It defies any ethical standard for conducting an inquiry like this and which is why I go back to the fact that from the very moment that call came in Stone in his mansion had been within a country mile at that crime scene.



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

**Mandy Matney** 21:24

And remember, Stone recused himself in the boat crash case, just a day after the crash before Mallory Beach's body was even found and almost two months before Paul was charged in the crime. Was Stone aware of evidence in that case so soon after the boat crash? And then there's the part about Stone immediately recusing himself after evidence emerged establishing a potential conflict on August 11th. To many that sentence signifies that Stone became aware of damning evidence against Alex Murdaugh, a badge carrying prosecutor for the Solicitor's Office on August 11th. Perhaps that was the physical evidence that we reported on back in January tying Alex to the murders. And yet, Alex was still able to keep his position with the solicitor's office up until September 7th. After admitting to having a drug problem in his law firm accusing him of stealing millions of dollars following his little alleged suicide for hire incident. You would think if there was evidence against Alex and a double homicide the Duffy Stone was aware of, he would have taken his Solicitor's Office position and privileges and power away because that could put the public, his client, in danger. And if Stone had a conflict of interest in August, he had a conflict of interest in June and he should have recused himself earlier. Also, Stones office wasn't exactly forthcoming about the recusal. Stones team told the Post and Courier newspaper of the Solicitor's Office's recusal more than two weeks after it actually happened. If Stone was doing everything by the book, and he had nothing to hide with a recusal, why wouldn't he inform the public sooner especially knowing that there were several public calls asking for him to step away from the case. All that did was raise suspicions and speaking of raised suspicions for the first time in the investigation, Stone and Keel addressed a big elephant in the room. On June 8th, a day after the double homicide, a Post and Courier photographer snapped several photos of John Marvin Murdaugh, Alex's brother walking alongside three investigators who worked for Duffy's office. That photo caused concern for obvious reasons. The investigators on

Transcribed by <https://otter.ai>

COPYRIGHT © 2022 LUNA SHARK PRODUCTIONS, LLC - ALL RIGHTS RESERVED.



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

scene were essentially Alex's co-workers and they were spotted at the crime scene with Alex's brother who later told the Island Packet that they had worked together to retrieve Maggie Murdaugh's cell phone. Here is what Keel and Stone had to say about this in their joint statement:

### **David Moses** 24:22

At the scene and in subsequent days, the Solicitor's Office acted solely under SLED's direction. At no time did the Solicitor's Office conduct a separate or parallel investigation or act in any manner to undermine SLED's role as the lead investigative agency. On a related note, much has been made about media photographs taken at the scene on June 8th that deputy Solicitor's Office investigators speaking with a member of the Murdaugh family not only was the depicted action undertaken at SLED's request, the photographs were taken after the crime scene had been processed and after SLED had cleared the Murdaugh family to return to the property. Other law enforcement agencies including SLED were present at the time. Any speculation to the contrary is simply false.

### **Mandy Matney** 25:17

SLED told Alex's colleagues that they should be working the scene and handling evidence in the case. A case where Alex was immediately a person of interest. Think about it, Alex would have likely have been the number one suspect early on in the investigation. The spouse is always looked at immediately. And so is the person who found the bodies Why would fled think that this is appropriate? Why would SLED want Alex's coworkers anywhere near this investigation? The press release did not address the main issue here. If Stone recused himself in August, he should have recused himself earlier. And another thing if you recuse yourself from a case, as a prosecutor, you are saying my partiality could weaken this case and you're supposed to immediately separate yourself from the investigation. A source of mine told me that having a conflict



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

means it's lights out, you're supposed to put up an imaginary wall between yourself and the case. You're not supposed to talk about the investigation again. And guess what Duffy said this himself in 2020.

### **David Moses** 26:37

The problem is when you recuse yourself, once you say I cannot objectively handle this case, you have to stop. You cannot seek to influence the case in any way. You can't give legal advice to law enforcement. You should not give your opinion publicly or privately.

### **Mandy Matney** 26:57

And yet Duffy Stone thinks it's okay for him to issue a press release with the lead investigating agency in the case that he recused himself in that would require collaboration and speaking about the case that he said he couldn't be a part of and wouldn't chief Kiel have a problem with that too. They wrapped up the press release with this:

### **David Moses** 27:20

Chief Keel maintains from the onset that SLED will pursue justice for Maggie and Paul no matter where that leads and SLEDs resolve in that regard has not wavered.

### **Mandy Matney** 27:33

I asked FITS News founding editor Will Folks what he thought about the joint statement. Not only did Folks report on Stone's inappropriate involvement in the case last June, but he also understands South Carolina's politics.

### **Will Folks** 27:48

I think Duffy Stone went and complained to Chief Keel and whined about the fact that he was being criticized and basically got Keel to go along with this joint statement, which according to Stone exonerated



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

him and his men. Yeah, it's just kind of pathetic. You know, as I said, in our show last week, that's just not something grown up to do. You know, you need to be able to fight your own battles. And that was kind of embarrassing that Duffy Stone had to go back to the chief of SLED to kind of bail him out of really, what's his own mess, you know, this is a mess of his own making. So, you know, I was more embarrassed for Duffy Stone than anything else, to be honest.

**Mandy Matney** 28:34

And we'll be right back. And what about Mark Keel before this, the chief of SLED has positioned himself on the opposite side of the good ole boys throughout this entire investigation. This press release made for bad optics, like he appeared to be siding with Duffy who has tarnished his own reputation in the last year. I asked Will what he thought of Keel's role here:

**Will Folks** 29:03

I was very disappointed in the fact that Keel agreed to that statement. To some extent, I was disappointed in the attorney general for participating and I guess he wasn't quoted in it, but I think his office saw it so it was a little disappointed there as well. I don't know what their motivation was. I think obviously, they're very protective of the integrity of their investigation. And I think that the controversy surrounding Duffy Stone has cast some doubts about that investigation. It's kind of a cloud hanging over it and I think that they wanted to try to disperse those clouds as best they could. But I gotta be honest, I think the statement completely backfired. The response on social media was just terrible for SLED and for solicitor Stone, and I think I'm certainly now more motivated than ever to dig even deeper into the central conflict of interest. And that's what it all goes back to, you know, I understand Mark Keel defending, you know what Stone is his investigators may have done. I understand in defending that, you



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

know what Mandy, all of us could be completely wrong and there could be absolutely nothing untoward about it. They could have conducted themselves, you know, ethically and in pursuit of the truth, but even so, even so that is irrelevant to the root issue, which is the fact he just shouldn't have been there. He just shouldn't have been there and, and the fact he was in the faculty refused to acknowledge that conflict. Again, it's just thrown a cloud over this whole investigation.

### **Mandy Matney** 30:35

On the day after this joint press release was issued FITS News, founding editor, Will Folks wrote a scorching story about the recusal. In his story Will dropped two bombshells that we need to unpack. First, Will reported that multiple sources told him that the attorney general's office was frozen out of the double homicide investigation for 10 days. Folks reported the prosecutor Creighton Waters asked to be in the loop of the investigation and was denied. That means for 10 days, the head prosecutor in South Carolina wasn't able to get access into a case that he knew he would likely end up taking. Why didn't Wilson step in and just take this case from Stone? I asked Will about this:

### **Will Folks** 31:27

At the time back in June, I think it was June 19th...so literally 12 days after the murders, I wrote an article calling on the Attorney General to take Duffy Stone off the case and to assert that power that he has as the top prosecutor in the state to take over those cases. And I can't speak for the Attorney General. But I do think one of the things that played into his calculation. Well, actually, I think there were two things that played into his calculation. Number one, I think he had an idea of where the case was headed. And I think he believed that Stone's conflict would eventually reach a point where there was absolutely no choice for him, except to recuse himself. Now, again, I would argue that should have happened immediately, as soon as that call came in. But I



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

think the Attorney General's belief was that this is going to take care of itself naturally, I don't have to make that move. And I think the second calculation that may have gone through his thinking is that he's got to work with 15 other solicitors across the state. And they're all very protective of their turf. If they see a heavy-handed move against one of their own, a lot of times those solicitors will band together and sort of work against the AG and I think he was probably thinking, well, I don't want to start a war over something that I'm going to ultimately win anyway. And again, I understand that calculation, but if I were him based again on that immediate identification about Murdaugh as a person of interest I'd have taken him off the case right away.

**Mandy Matney** 33:05

And then Will reported another shocking tidbit, the state Grand Jury apparently was already looking into Alex Murdaugh's finances at the time of the double homicide, that is a big deal.

**Will Folks** 33:23

And this is another key point as to why this case should have immediately gone to the statewide grand jury, as you know, in the aftermath of the crash that killed Mallory Beach in February of 2019. The state grand jury has initiated an investigation into allegations that Alex Murdaugh has obstructed justice in the aftermath of tragedy. And so the state grand jury was already looking into that. And as part of that inquiry. We now know that financial records had been subpoenaed, and that the grand jury had begun to look into those records and had begun to see some irregularities in Murdaugh's financial statements, which obviously, we all know now. There was a lot of irregularity going on, right? So I think that the fact that that level of an investigation was already underway into Alex Murdaugh, it's just another reason why it would have been a natural place for this investigation to go. The other thing I'd like to point out is that, you know, we can say what we will



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

about the agency's handling of the Duffy Stone matter, but his office did do a very good job in charging Paul Murdaugh very aggressively in the aftermath of that boat crash. And from what I'm told, they were adamant in negotiating with Paul Murdaugh's attorney Harpootlian and they were adamant that he was going to serve significant jail time and that they were not going to enter into any plea negotiation that didn't involve Paul Murdaugh seeing significant jail time. So I think their handling of that case is another reason why Duffy Stone's office should have been the ones for us and how not the AG? Because again, they had a proven track record of going hard to the paint against the Murdaugh family.

**Mandy Matney** 35:09

Did Duffy muddle the investigation enough to throw it off course? The good news is that we don't think so.

**Will Folks** 35:18

Why don't I think it's good for the case? I think it certainly raises doubts, I think it certainly raises questions of the integrity of any work that was done by the 14th circuit. So lessers, folks now, we continue to hear that those investigators were acting 100% SLED's direction. And we also continue to hear really from again, most of my sources anyway, telling me that there was nothing that they did that in any way, shape or form really helped Alex, I have a hard time believing that based on all the history here. I have a very hard time believing that. However, ultimately, the proof is going to be in the results of this investigation. We know for a fact that there is compelling forensic evidence that is going to be part of this case. And I think that the hope is that that evidence will be so strong, that there's just no wiggle room. no getting around that and all of these political considerations will hopefully fall by the wayside. But again, don't forget, Dick Harpootlian has stumbled through this case up to this point. But he's still a very capable lawyer in the courtroom. He's



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

still very well connected with those judges. So I could easily see him leveraging this into an advantage in court down the road.

### **Mandy Matney** 36:37

I asked Will what he thought this meant for the double homicide case. And by the way, I want to add right now, that FITS News has an awesome new podcast called The FITS News Weekend Review on all podcast platforms, and the Murdaugh murders are frequently discussed on that podcast and they're on YouTube. To check out the links in the description. Anyways, back to Will and why this matters:

### **Will Folks** 37:04

The fact that Duffy Stone did not recuse himself from the moment that call came in is the most concerning part of all this because of all the doubt, all the suspicion, all the concern about the integrity of the investigation. It all stems from Duffy Stone's failure to immediately acknowledge the conflict and immediately recuse himself he failed to do that. And his failure is haunting this case now.

### **Mandy Matney** 37:31

Duffy's failure to recuse himself isn't just about what it might mean if Alex Murdaugh ultimately gets charged with murders. It's about what it will mean no matter who gets charged. Even though we don't believe the integrity of the investigation was compromised by Stone or his investigators. Their presence at the scene does not instill public trust. In fact, it's done the opposite. Last week, the Island Packet broke a story that a lot of other mainstream media outlets picked up and now I have to wonder if the story was planted to distract the audience from the Duffy Stone problem during a hearing for Mallory Beach's family lawsuit. Attorney Mark Tinsley said the Parker's Corporation hired a private investigator to follow Paul Murdaugh last year. Tinsley said in the recent hearing that the PI was videoing Paul Murdaugh within three



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

days of his murder, and she actually placed a camera at the driveway at Moselle. This piece of information is a bit of a wild card for us. And frankly, we're still tracking down sources to figure out what exactly it means. But there is so much to unpack as it relates to the Beach case and all of the crazy things that have gone on in the last three years. We're going to get into all of that in another episode, so stay tuned. So I wanted to end this episode on a lighter note, and share something with you all who have helped me get here last month, the one and only comedian Kathleen Madigan was nice enough to give David and I tickets to her show in Charleston. Kathleen is a fan of the podcast and tweeted me a couple months ago. Kathleen is also from an Irish Catholic family in the Midwest and is exactly my kind of humor. Kathleen's show at the Charleston Music Hall was phenomenal. I haven't been to a live comedy show since before the pandemic and honestly I forgot what I was missing out on being at a live show and a huge auditorium filled little bit with like minded people laughing at the same things honestly just felt euphoric. And then in the middle of the show, Kathleen stunned me when she gave a live shout out on stage to the Murdaugh Murderers Podcast. I wanted to share it with you all, because it was such a special moment in this journey for me.

### **Kathleen Madigan** 40:25

Yeah. And my favorite one of my favorite podcasters I think is here tonight. We're Mandy, where are you at? Okay, Mandy Matney, from South Carolina, the Murdaugh murders. Yeah. That's the hardest working young person I've stumbled upon lately. I'm like, well, that millennial knows how to do shit. Can you have classes for the rest of them?

### **Mandy Matney** 40:39

Oh, my gosh, what a compliment. I highly recommend you checking out Kathleen's podcast and we put the link in the description. And



## EPISODE 39: Doubling Down on Duffie Stone - Conduct and Conflicts in the 14th Circuit

again, I can't thank you enough for supporting us, getting to me one of my favorite comedians who actually loves and respects my work. Life doesn't get any better than that. I think it's really, really important that women celebrate these crucial mileStones in our lives and be really proud of what we've accomplished. Surround yourself with people who want to cheer you on and forget those who won't. You don't need them for where you're going. These past nine months have definitely had their ups and downs, but y'all have stuck with us. You've kept us going. And you have pushed us to go way further than we ever thought we'd go with us. Thank you. And don't worry, we're nowhere near done. And speaking of Charleston, I was recently nominated by the Charleston City Paper for the best of Charleston 2022. I posted the link in the description. And if you could take a few minutes to vote for me as the best local investigative journalists. That would be amazing. I hope you all have a fantastic week. Oh, and Rock Chalk Jayhawk. I'm so proud of my alma mater for winning the national championship this week. We'll see you next Wednesday. Stay tuned. The Murdaugh Murders podcast is created by me, Mandy Matney and my fiance David Moses. Our executive editor is Liz Farrell.

**David Moses** 42:15

Produced by Luna Shark Productions.