



EPISODE 58: 'If You Come For The King, You Best Not Miss': Chaos in the Murder Case

Mandy Matney 00:02

I don't know why the State Attorney General's office is making it so easy for Dick and Jim to control the narrative and Alex Murdaugh's murder case, but since they've left themselves wide open once again, we're going to have to set the story straight. My name is Mandy Matney. I have been investigating the Murdaugh family for more than three and a half years. This is the Murdaugh Murders Podcast with Liz Farrell and David Moses. To start off this episode, I want to say thank you to every single person who reached out after last week's episode and showed your support. I debated for a long time about whether or not to share the Wall Street Journal story, but it came down to principle and our mission here at the Murdaugh Murders Podcast. I cannot expect victims to be brave and share their stories and hold others to account if I'm not brave enough to do that myself. A lot of you reached out about how the episode encouraged you to stand up for yourselves. And I'm so glad you heard my message. The sunlight feels really good. And it means the world to me to hear your stories about how the podcast is inspiring you to be brave in all aspects of life. And I have to say the reaction to last week's episode reminded me of how kind and empathetic our audience is at the Murdaugh Murders Podcast. It is empowering to me to know that there is such a special group of humans supporting us in this journey. So thank you. Also an exciting announcement. We are excited to partner with True Crime YouTuber Eric Allen as we add more audio and video to our reporting like the audio from her Portland's press conference, which Eric Allen captured, I highly recommend checking out his YouTube channel where you can learn more about the Murdaugh murder saga, the Calvert mystery and more he just surpassed 100,000 YouTube subscribers so big

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congratulations are in order for Eric Allen. Check for his YouTube link in the description. I have also talked about how much work it is for journalists to not only be news gatherers, but also storytellers, investigators and analyzers. It is so comforting to know that all of us at MMP are working together to expose the truth wherever it leads and give voice to victims. As we move forward. The Luna Shark team is going to be celebrating so many new fun projects including enhancements to our website and YouTube channel. So don't forget to subscribe. I'm so excited we have a couple new shows in the works. We have huge news to share soon on how you can share and our mission so stay tuned because we are just getting started. And the last week was yet another roller coaster of insanity in the Murdaugh murder saga. Among the highlights Murdaugh's defense team has amped up their strategy to fool the public and create chaos in the double homicide case. As usual mainstream media is happily helping them do that Russell a feat was hit with another federal charge bringing his total to 27 in Alex Murdaugh was hit with yet another indictment for his alleged Financial Crimes bringing his total charges to 90. Finally, there are two new defendants linked to this case who were indicted by the state grand jury on Friday. So yes, there's a lot to unpack in this episode. Let's get into it. Defense attorneys love chaos. It's clear from Dick's antics in the last week that his strategy going forward is just that create chaos to distract the public from the facts of the case. Dick's primary complaint is this. He wants to try the case in January, an absolutely absurd timeline for a murder trial, let alone a double homicide trial making headlines around the world that could very well be a death penalty case with the entire Justice System hanging on the line. And Dick says the AGs office is purposely making it difficult for him to work on Alex's

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defense. Dick is using his absurd timeline as an excuse to create drama and you guessed it chaos to distract the media from what's actually happening here. And once again, the state is not only letting him do this, they're creating opportunities for it to happen. There's an old saying if one aims for the king one must not miss which absolutely applies here. We do not want to see Alex Murdaugh getting special treatment in this case. But we also want to see our justice system working as it should. We want to see Alex Murdaugh in every defendant in the state of South Carolina get a fair trial. We want everyone to drink from the same cup of justice. We were told for a year that the attorney general's office took so long to charge Alex Murdaugh with murder because they weren't dotting all their I's and crossing all of their T's public trust in the justice system is on the line here. The Ages office is coming for the most monstrous of kings, the good old boys who have run this state like their own personal kingdom. So there is no room for error here. We have taken a closer look at multiple filings that have been made over the past week. And we dove deep on Dick Harpootlian's press conference. We have learned a lot even in the last week about the state of our justice system, how murder trials work and how the media plays a significant role in all of this. One of our main missions of this podcast is to get the story straight, which is what we are focusing on today.

Liz Farrell 06:23

We're about to descend down a really steep staircase into Dick's dazzling den of disruption. So we're going to give you a railing to hold on to and a map in case you get lost. As Mandy said over the past week or so there have been several filings in Alex Murdaugh's murder case.

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The first is a motion from Dick and Jim, the second and third are a response and a motion from prosecutor Creighton Waters, and the fourth is a response from Dick and Jim to Creighton's motion. Each of these filings is related to the discovery phase and the case meaning this is about the evidence and the sharing of other documents and tangible objects related to the case.

Mandy Matney 07:03

Dick, Jim and Creighton had all agreed on a gag order last month, but Judge Clifton Newman ruled against it. Now let's all take a moment here and appreciate that decision because had Judge Newman agreed to the gag order these filings might have been sealed and we would not be able to discuss a dog named Bubba, which we will explain later. Don't worry. Overall, these filings are filled with outrage from both sides. They are accompanied by receipts in the form of email exchanges, but mainly they have given us more insight into Dick and Jim's apparent strategy, the state's apparent fears, the investigation itself and the high level of antics happening. So let's talk about the first motion.

Liz Farrell 07:55

Immediately after the murder charges were filed in July, Dick and Jim made their rule five discovery demand of the state. We've talked about this before. But Dick Harpootlian is really good at filing discovery motions. He's super thorough, not only in what he's asking for, but the way he wants it presented to him if there is a text message, a post it note or a child's drawing related to Alex Murdaugh's murder case Dick has asked for it. He also gets meta about it. He not only wants the documents related to the case, but documents related to the



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documents in the case. I'm not kidding. At Alex's bond hearing in July, Dick reminded the state that they had 30 days to produce Rule five discovery in the case, this reminder was basically Dick's way of mourning everyone in exactly 30 days, I will be reminding the court about how I publicly reminded you of your deadline which you will no doubt miss, naturally, this is what he did, because naturally the state has not fully complied with the request. And therein lies the entire problem. How did they not see this coming? How did the AGs office not know that Dick would be waiting by the cuckoo clock? A quick note about this. When Dick and Jim originally requested a speedy trial for Alex we were able to understand that maybe the state strategy all along had accounted for this move, meaning that Creighton Waters knew that this would be a possibility. And that's why it took more than a year to present evidence to the grand jury. That was a very forgiving assessment on our part, because if that were the case, then I would think that the state would be lickety split with handing over Rule Five discovery knowing that the bulldogs would be waiting for them at the gate. Now, in accordance with the Brady doctrine, defendants have a constitutional right to receive every shred of evidence that points to other suspects. Basically, anything that might exonerate them. Rule Five discovery is a bit different though the state rules says that defendants in criminal cases have the right to inspect or copy evidence and other records related to their case. The prosecution is not required to hand over internal documents or witness statements. And the rule says that if either party the state or the defense wants to prevent the other side from seeing certain information that is subject to disclosure before the trial, they can file a motion and ask the court for a ruling to keep it sealed. Prosecutors must respond to a request for Rule five



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discovery within 30 days of the request. The rule does not specify what respond means nor does it say what 30 days is, is that 30 business days or 30 calendar days, that definition of what a day is, is something we come up against a lot in filing Freedom of Information Act requests, according to Dick and Jim it's defined as 30 calendar days and the deadline for production was August 15. Nothing in the filings indicates that the state is disputing that timeline.

Mandy Matney 10:51

Here's the thing, prosecutors in South Carolina are notoriously slack on complying with Rule five. Over the years, we have heard many complaints about prosecutors ignoring requests for information from public defenders right up until the last moment literally the week of trial. As we speak, there are defendants in the 14th Circuit, the circuit where Alex Murdaugh's murder case is being tried who have been waiting years for their discovery. This is horrible and incredibly unfair. Given the number of defendants who use public defenders, How can their lawyer prepare an effective defense without all of the relevant information?

Liz Farrell 11:37

At any rate, this in part is why Dick standing over the Attorney General's Office tapping his Rolex is a true display of audacity. This is pretty much how the system works for everyone else. He's absolutely right to be outraged, but also wrong to be outraged. Now, this current battle started Friday, August 12. Turns out the state was putting together a very restrictive protective order for Judge Newman to sign that would have required Alex Murdaugh to be supervised. Whenever he looked at



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the discovery in his case, it would have prevented Ia from keeping any of the evidence at the jail. It also would have required dick and Jim to get the court's permission. Every time they wanted to share the discovery with another party such as an expert witness or another attorney. We'll talk more about the potential reasons for this because it seems like overkill and it is highly unusual. Crane says this protective order is necessary because of the intense pre trial media coverage in the case, but also because he wants to be consistent. There are two pots of evidence in this case one comes from the state grand juries investigation, and the other comes from law enforcement, which includes the prosecution. These restrictions create and seeks are basically the same as the automatic restrictions placed on the release of some of the state Grand Jury evidence.

Mandy Matney 12:53

Dick and Jim say This is absurd and unprecedented. According to them. No other murder case in South Carolina has ever had such restrictions on defendants' access to evidence. They are also blaming the South Carolina Attorney General's Office for media leaks about the evidence and about the grand jury meeting the week Alex was indicted for the double homicide charges. They are not just blaming the attorney general, they are stating as a fact that the leaks have been coming from the AGs office, and they're using that alleged hypocrisy to drive their argument. But here's the thing before 5:15 pm Friday, August 12. It seems like all parties were in agreement that a protective order was necessary after 5:15pm Dick and Jim had changed their minds entirely. This is when things got crazy. And we'll be right back.



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Liz Farrell 13:57

On Monday, August 15. The day the evidence was allegedly due to be turned over Creighton emailed Judge Newman a copy of the proposed protective order and basically tattled on Dick and Jim for changing their minds. He was like we're ready to hit send on the evidence but we need you to figure out some things for us first, we need to get the search warrants unsealed and also we think there should be a protective order on the evidence etc. Then Dick emailed Judge Newman to be like huh, Creighton emailed you hmm seems like a big ol violation of your no gag order order also noted Creighton special idea about restrictions on the evidence and PS this is all a ploy from the state. This dispute obviously meant that Creighton hadn't made the deadline. Dick and Jim say this was intentional on Creighton's part that he raised this issue and the 11th hour to delay matters, Creighton disputes this and says that the state was showing its full intention to hand over the discovery after they button things up on the who, where and how, if at all. Anyway, the next day on Tuesday, August 16. Did you Jim filed a motion to compel the state to give up the goods but they apparently didn't email the motion to Creighton and company instead they stuck it in the mail like with a stamp on it, Creighton repeatedly refers to this in the motion as quote snail mail, and it's hard not to cringe at that. After filing their motion. Tuesday afternoon, Dick and Jim called for a press conference for Wednesday. This press conference was pretty epic, and not unlike something you'd see on the show South Park to start with Dick began insulting Jim Griffin's very controversial stance on fatherhood, which is I like to be there for my kids. Jim apparently couldn't attend the press conference because he was

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moving one of his kids into their college dorms back in Dix day. This was done differently.

Dick Harpootlian 15:42

It didn't occur. When I went to college, my parents put me on the bus and told me to go to school, but apparently parents now actually transport their children and move them into a room and tuck them in. And so last century, it really hard for me to understand that.

Mandy Matney 15:56

Never fear Dick did just fine on his own without Jim standing in the background. Performing for the media is one of Dick's specialties. He's really good at understanding the media and manipulating them. He knows that every catchphrase he uses will end up in the story and he knows that many reporters will take everything he says as fact, despite his recent track record, and he knows that no matter how many times he's misled reporters, they'll always come back with their hands out for more and he knows how to write their headlines for them.

Dick Harpootlian 16:36

Yesterday Jim Griffin and I filed a motion for Judge Clifton Newman to hold a hearing to order the state prosecutor in Alex's murder case to comply with a law requiring them to give us the evidence in this case, both the constitutions of the United of the state of South Carolina and the united states prohibit trial by ambush the law requires the state to make this evidence available to us within 30 days of our request.



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Liz Farrell 17:02

A trial by ambush okay, this is where Dick's outrage borders on satirical. So this is the guy who demanded a speedy trial, a speedy murder trial to be held in less than six months pushing all the other murder defendants out of the way to get on the docket. So you're ambushing yourself with that one Dick. But even more curious is this the day before Dick filed the first motion he contacted the Supreme Court to get Alex murder trial on the docket for January. What I'm saying is this: when Dick needed to make the point with the court that the AGs office is making it impossible for them to adequately defend their client. He couldn't really do that when the trial date was sort of open ended. Right? He had to show that there was a definitive time crunch here, but he apparently hadn't asked to get on the docket yet. So it wasn't until last Monday, two days before his blustery press conference that Dick made the effort to commit to the January date doing that gave him the fuel he needed for his public outrage. A date still hasn't been said. But he's now able to say that they've requested it.

Dick Harpootlian 18:05

The 30 days is not a minimum. It's the maximum you would assume most if not all this material was available 32 days ago when we requested it. You would assume the state knew when they presented indictments for murder, we would immediately request the evidence and you would assume they would have made it available a month ago. So we can evaluate the quality and quantity of it and begin to hire experts, interview witnesses and examine any physical items. They will try to introduce you to evidence.



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Liz Farrell 18:35

So you know how on TV shows like How to Get Away with Murder and Law and Order the crime happens at the beginning of the episode and then within a few minutes they're duking it out in court? That is pure fantasy. Obviously murder cases can take years to prepare for and not just because defense attorneys generally like to delay proceedings, Dick and Jim are going to need serious expert testimony to defend Alex and those experts are a very much in demand and be very booked up. So, again, this claim of wanting to go to trial and six months is a gambit and like TV highly unrealistic given the challenges the foot.

Dick Harpootlian 19:13

This is the process that occurs every day in every county of South Carolina, wherever a criminal case is pending. The state has agreed to try this case in January. Every day that passes makes it more difficult for Alex Murdaugh and his attorneys to get prepared for trial. This motion we filed yesterday, outlines our position more fully. We're asking judge Newman to order these materials turned over to us immediately without delay. I will comment on procedural aspects of this matter, but not on any substantive evidentiary issue.

Mandy Matney 19:45

Again, the whole issue here is about the timeline. They wanted the process of a defense attorney wanting a double homicide trial within six months after charges are filed is not normal at all. All in South Carolina, we have seen several murder trials in South Carolina that have happened more than five years after charges were filed. Typically, defense attorneys want to delay delay delay, which is what Dick



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Harpootlian strategy was in the boat crash case, but he appears to be going for the ultimate Hail Mary here. Back at the press conference, after Dick asked for questions, one reporter immediately addressed a big elephant in the room, which is refreshing to see when it comes to the media and their treatment of Dick. In this case, the reporter asked, well, just a couple of weeks ago, you wanted a gag order in this case, so why are you suddenly wanting the presses involvement by holding this press conference?

Dick Harpootlian 20:47

We didn't get a gag order. The judge said not gonna gag you, we're not gonna do anything. Everything's out in the open. Well, if it's out in the open, those are the rules, we're going to play by the rules. And I might further point this out. As you see in the motion, there's been a exchange of emails rather than motions made. And let me get a little technical Rule five of the South Carolina Rules of Criminal Procedure. Once we make that motion or as indicted, we make a motion, they have 30 days maximum to give us the stuff on last Friday, almost at five o'clock, we get an email from the prosecutor telling us he wants some sort of order that would seal everything basically, which we believe is inconsistent with Judge Newman's denial of the gag order. We've tried to tweak it a little bit and finally just said no, statewide Grand Jury law requires certain ceiling and certain procedural requirements to make that public. This is not this is information was gathered by the statewide grand jury. But this is a case pending in state court in Colleton County. Those rules don't apply. There was no reason as I point out, they couldn't have turned all almost all of this over to us. 32 days ago, there's still two days.

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Mandy Matney 22:02

Wait, first of all, notice how quickly he changed the subject when he was called out on flip flopping his stance with the media in this case. And second, I have to say this again, we spoke to several South Carolina defense attorneys who said it is very rare to obtain the totality of discovery from the prosecution 30 days after a defendant is charged. And again, we have to say this because it was misreported in the media. Rule five just says that the prosecution needs to respond. And their definition of response is very vague. This was something that the media covering the press conference did not catch on to but instead just repeated what Dick said as fact. Harpootlian continued on his quest to make the prosecution look, sketch.

Dick Harpootlian 22:52

He went to a grand jury and said you got enough evidence to convict Alex Murdaugh, convince a jury beyond a reasonable doubt. Where is it? I don't have a shred of paper. I don't have an email. I don't have an exhibit. I don't have any evidence. We want to try this case in January. They've agreed to try this case in January. We're ready to work, ready to hire investigators, ready to hire experts.

Liz Farrell 23:19

Check this one out. In their correspondence with Judge Newman and Creighton Waters, both Dick and Jim properly refer to our report about physical evidence that places Alex at the scene when at least one of the murders was committed as quote, high velocity impact spatter, they do not mention blood at all. We have never ever said it was blood. This is important and really weird. It's almost like Dick wants the media to



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report that it's blood so that later after he gets the evidence, perhaps he can then run to his friends in the media and point to the absence of blood spatter as quote unquote, proof that the AGs office was leaking information to make his client look bad and as quote unquote proof that the media was falsely maligning his client, maybe this is one of the reasons the state is seeking a protective order for the evidence.

Dick Harpootlian 24:08

I mean, if all we know, I mean, somebody wants to know blood spatter. All I know about blood splatter is what I read in some blog. I've never seen any blood spatter evidence. I've never seen any phone downloads. I've never seen any witness statements. 32 days after we make the request, we still don't have anything. So they want to obscure this by saying well, you know, we need to get the co2 This needs to be corrected. We don't want crime scene photos left out on tables. That is hooey. That is. Again, this happens every day in every county in every murder case.

Mandy Matney 24:47

So speaking of hooey.

Dick Harpootlian 24:52

We will try this case in January come hell or high water ride by here at 11 or 12 o'clock at night. You're gonna see the lights on we're not going let this slip by, because they're dragging their feet.



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Liz Farrell 25:02

If anyone happens to be driving by 1410, Laurel Street and Columbia late at night, be sure to take a picture for us. We want to see those lights on. But we already know it won't be Dick burning the midnight oil.

Dick Harpootlian 25:14

You mentioned that you guys are going to be up at midnight reviewing through this how many lawyers not me, but somebody works for me to be how many people will be going through to seven is once you do get it? However many however many we need. I mean, what if it's five pages won't be many? We don't know.

Mandy Matney 25:28

A reporter then asked what the advantage would be for the AGs office to be sitting on evidence. This is a question that played right into Dick's hands.

Dick Harpootlian 25:39

To make it more difficult for us to be a book, let's say for the sake of argument. There are they've done geo fencing, which is a word I've learned recently, with cell phones, we have to hire a geo fencing expert. They're not easy to find. We have to get the information from them from the state, give it to them, have them analyze it, and that can't happen overnight. So the longer they take to give it to us, the longer it's going to take for us to get prepared.



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Mandy Matney 26:07

First off, how is Harpootlian, a defense attorney, one who is known as a bulldog and one of the most expensive defense attorneys in the state of South Carolina just now learning about geo fencing. And another thing Deke wanted to hammer home at this press conference was that the AGs office is the source of the leaks to the media. He says that SLED told the family does.

Dick Harpootlian 26:35

That's what SLED told the family. Family wanted to know why they were reading about it in the paper before they heard about it. And SLED agents with them said the Attorney General's office had leaked it.

Mandy Matney 26:45

Also, and this is another running theme, Dick made sure to drop a hint that he finds Attorney General Alan Wilson to be incompetent.

Dick Harpootlian 26:55

Who is responsible for not turning it over to Chief Keel? Alan Wilson, Creighton Waters, who's the prosecutor ultimately he's the frontman. I don't know. I mean, it's not Keel's decision. And I don't know. I mean, as far as I know, Alan Wilson's never prosecuted the case. So I doubt it would have ever prosecuted a murder case, no.

Mandy Matney 27:19

And then Dick made another comment.



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Dick Harpootlian 27:24

This case needs to be resolved not just for Alex Murdaugh, but for the judicial system. For the state of South Carolina, we need to put this behind us and move on.

Mandy Matney 27:34

Notice, he never said why we need to put this case behind us and move on. You would think if he truly believed that his client was innocent, he would have used a few breaths to at least mention the fact that Maggie and Paul's killers could still be out there. And that is what the media should be focusing on. But he did it. And then true to the good ol boy playbook. Harpootlian was sure to tell us that the South Carolina justice system is doing just fine. A reoccurring defense we've seen from those benefiting from an arguably corrupt and unjust system.

Dick Harpootlian 28:13

I've tried, in my lifetime, hundreds of criminal cases, prosecuted and defended. I have full faith in our judicial system. I mean, I have and when I say that, this isn't some sort of patriotic wave the flag. I've seen it work. I've seen it work. And I've seen it work in wonderful ways. We just need to play by the rules if you follow the rules. But his job is to see that justice is done not to convict somebody.

Mandy Matney 28:44

Of course, Dick Harpootlian thinks the justice system is working just fine. Because up until now, and mostly in the darkness, it has been bending to his favor. It is designed for and by the good ole boys. And then Dick compared himself to John Adams and Abraham Lincoln.



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Dick Harpootlian 29:06

My job is to represent my client. People say to me, how can you represent this guy? John Adams, the second president of the United States represented the British soldiers who massacred the colonial protesters on the Boston Common for were acquitted or hung. It is my duty to do that. It's what keeps this country free. Abraham Lincoln defended 22 murder cases. It's this whole idea that I don't do they not teach civics in high school anymore. I just don't get it.

Liz Farrell 29:39

Minor point, and forgive me because I never took a civics class but the word is hanged, not hung and the Boston Massacre happened in front of the Old State House, not on the common. More importantly, if I had \$1 for every defense attorney who likened themselves to John Adams, I would have a lot of Benjamin Franklin's also if you're being paid hundreds of 1000 into dollars to represent Alex Murdaugh wouldn't the best answer to the question how can you represent this guy be he's innocent and not John Adams and Abraham Lincoln. Surely defense attorneys who are trying to underscore the nobility of their profession shouldn't have to go back to the 18th century to find their hero, right?

Dick Harpootlian 30:18

As I said, I've been doing this a long time. The interest in this case is unprecedented. It's unprecedented. Because of you all.

Mandy Matney 30:26

Okay, something Dick should know. The interest in this case is unprecedented because of Alex Murdaugh, a man with generational



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wealth, power and privilege, who used his position as an attorney to steal millions of dollars from very vulnerable clients who undeniably needed the money more than he did. Alex Murdaugh is a man also accused of murdering his wife and son. He is a man at the center of a criminal ring that appears to involve other lawyers, bankers, and even judges. He is a man who held a public position of trust as a solicitor, and we're not even sure what he did with it. This case is unprecedented because I don't know of another case where a prosecutor has to choose whether to try dozens of financial charges before or after double homicide charges by pointing to the press and essentially blaming the media for the madness. I'm wondering if deep down Dick Harpootlian means that none of this would have come to light if it wasn't for certain media, which is absolutely true. And Dick wasn't done braiding the media, he had to make this comment.

Dick Harpootlian 31:49

Let me just make a little side comment here about y'all. AJ Liebling, the famous press credit, once said freedom of the press is guaranteed only to those who own one. And that used to mean that you had to own a press. Now all you have to own is one of these.

Mandy Matney 32:07

Okay, Derek, let's talk about AJ Liebling, because journalism and misinformation is also a central theme popping up in the saga, her Pouliot is completely missing the point that Liebling was making when he published this essay for The New Yorker in the 1960s. At the time, he was a press critic, and the essay was about his concerns with corporations buying up newspapers, laying off journalists, silencing



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voices and swaying public opinion. He was arguing freedom of the press should be expanded not limited to those in power who own these companies and the printing presses, which is so ironic considering that 60 years later, a majority of the reporters at Harper ATLiens press conference work for corporate owned media companies. Those reporters are the ones Dick should like they're the ones who have been the most receptive to printing his narrative. Dick does not like independent journalists like Liz and I, because we are out of his control. We don't have editors who feel like they have to do favors to quote Harpo, as I've literally heard an editor at McClatchy call him. Oh, and then Dick had to make one more insulting comment to the media before he wrapped up.

Dick Harpootlian 33:29

And now you're all press. Some of y'all are good. Some of y'all are professional and some of you all are not.

Mandy Matney 33:38

This is him politely signaling to the press not to cross him or call him out or he will immediately deem them as unprofessional journalists who will never benefit from his tips or influence. And once again, it worked. I'll have David read a few of the headlines from her booleans press conference.

DAVID MOSES 33:59

Extra Extra look, Murdaugh's attorneys accused prosecutors of withholding evidence calling it trial by ambush that's from oxygen. Murdaugh attorneys accused AG of leaks withholding evidence in



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double murder case that from the Post and Courier, Murdaugh's lawyers accused South Carolina Attorney General of withholding murder evidence leaks to media that's from the state newspaper.

Liz Farrell 34:23

And you get the point. After Dick's press conference and after reporters wrote the headlines he wanted the HHS Office responded with a statement from Attorney General Alan Wilson.

DAVID MOSES 34:34

Contrary to what Mr. Harpootlian said at his news conference, it is categorically false that the Attorney General's Office leaked any information in the Murdaugh murder case. We've been in communication with SLED and they deny that they told anyone that our office leaked anything, as we said in our response in opposition to the motion to compel this is quote, a not unexpected but completely blatant. To attempt to create drama where formerly there was none. End quote.

Liz Farrell 35:04

Along with that statement, the AGs office included its response to Dick and Jim's motion and Creighton did not hold back here is David again with a few excerpts.

DAVID MOSES 35:15

It is clearly aimed at generating content for the press conference defense counsel has called in this matter rather than actually doing anything meaningful to move forward litigation of the case.



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Interestingly, it does not appear defense counsel emailed copies of the defense motion to compel to the state and the judge as is their normal practice, but instead, just snail mailed them perhaps to prevent the state from correcting the mischaracterizations in the record prior to their press conference today. And meanwhile, the defense filed the current motion with all its mischaracterizations and inflammatory language failed to tell the state it was filing the motion failed to email the motion to the court or the state as is defense counsel's normal practice, but instead, snail mailed it and scheduled a press conference. And moreover, this manufactured drama is just a well known part of the defense counsel's playbook. Interestingly, during phone calls one defense counsel jokingly agreed with the state that no matter how much the state provides in discovery, the other defense counsel's Mo is to scream to the high heavens that violations are recurring.

Liz Farrell 36:33

Creighton included with his response, a copy of the proposed protective order. There are lines in the protective order that Dick and Jim described as glib and they're not wrong.

DAVID MOSES 36:44

We wish to be clear that the attorney general has every intention that this case be tried in the light of day, and none of this is meant to preclude appropriate public observation of the process. And none of this is to suggest that any lawyers involved would violate their ethical obligations regarding pre-trial publicity. However, this case has received a lot of pre trial publicity which continues and the murder discovery



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contains very sensitive materials such as crime scene photos and PII having this discovery left in Alvin S. Glenn does not seem a good idea.

Liz Farrell 37:24

We'll be right back. PII, by the way, is personal identifiable information. The idea that evidence in the Murdaugh murder case would be left around the jail is a new one for us. Is that a thing that happens? Our inmates getting their discovery and then leaving photos of murder scenes at the canteen kiosk. Are they forgetting ballistics reports in the rec yard? What does Creighton think Jim, Dick and Alex are going to do with the discovery? Mandy and I have talked about this a lot. And I think we've landed on the understanding that the AGs office might be trying to limit Dick's manipulation of the media, we can already see that he has no hesitation in misstating the details of the so called leaks lying about knowing who leaked the information and exaggerating whatever he needs to exaggerate to help his case knowing that hardly anyone is going to fact check him. So in the original motion to compel dick and Jim accuse the state of deciding that Alex was the prime suspect before any evidence was collected or reviewed. They also explained that their desire for gag order was based on the Attorney General's quote "year long campaign" of surreptitious leaks of purported evidence against Murdaugh, and to force the Ag to try the case in the courtroom. We obviously believe that Dick and Jim wanted the gag order to keep the public and more importantly, Alex's and Maggie's families from knowing any of the more of the shady details.



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DAVID MOSES 38:44

Defense counsel was also concerned the Attorney General will continue his campaign by using court filings as a device to selectively release prejudicial material to the public in advance of jury selection.

Liz Farrell 38:57

So here's where this all started. By the way, in his August 12 email to Dick and Jim, Creighton made the mistake of telling them that he'd liked them to get their edits on the protective order ASAP, so as not to delay the process. Dick ever the opportunist seized upon that and has now twisted Creighton's words to mean this.

DAVID MOSES 39:19

Mr. Waters strongly implied the state would refuse to comply with its duty to disclose evidence unless Murdaugh agreed to the protective order, stating agreement to the protective order ASAP was necessary to keep discovery on track.

Mandy Matney 39:36

Now on Monday, August 22, Harpootlian and Griffin fired back at the state arguing against a blanket protection order, claiming that the selective leaks made to the media paint their client quote in the worst possible light as an example of this, the defense focus on a video recording that Paul took on his phone showing Alex Maggie and Paul apparently talking right before the double homicide allegedly occurred. Now the entire point of this evidence and why we previously published a story in a podcast about it is that it pleases Alex at Moselle right before the murders destroys the alibi he initially gave to police. From what we



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know law enforcement did not find out what was on Paul's phone until it was unlocked this past spring, according to our sources. Now remember the state newspaper local mainstream media that typically writes in favor of the good old boys published a story in June as rumors of upcoming charges in the murder cases were heating up. In the story, Jim was quoted slightly changing Alex alibi and suddenly saying that Alex was at Moselle shortly before the murders, which is not what he told please now when that story came out, loose, and I wondered if it was because dick and Jim did have knowledge of the recording, which hadn't been reported before that point, and they wanted to pretend like they've been saying that all along like they were getting ahead of it. So I don't really buy the part of this motion that says they first learned of the recording and news articles. Speaking of that, there's another weird thing about this video. On the day Dick gave his wacky press conference SLED agents allegedly under the direction of the Attorney General showed Alex Murdaugh's family members this video before they showed his attorneys. They showed Alex's family evidence after murder charges were filed and before they gave that evidence to the defense attorneys, we have asked several attorneys why SLED would have done this and we're still not really sure why I would think that considering what we've heard on the jailhouse phone calls and considering the Murdaugh family's long history of using power and trickery to get what they want. The AGs office and SLED would be particularly careful with sharing evidence in this case. The question is with the ages office if it were any other family do they do that often, but anyway, for whatever reasons, officials showed Alex Murdaugh's family this video last week. Also in the motion filed last week, Harpootlian says



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the video was focused on a dog that belonged to Paul's friend that was staying at Moselle at the time. The motion says:

DAVID MOSES 42:51

A conversation between Maggie Paul and Alex is also captured on this recording. Family members report that Maggie Paul and Alex are having a convivial conversation about the behavior of their own dog Baba, there was absolutely no indication of a disagreement or dispute between Maggie Paul and Alex according to family members who viewed the recording. However, the state contends that within minutes after this convivial, lighthearted conversation, look murdered both Maggie and Paul for no apparent reason.

Mandy Matney 43:24

Essentially, Harpootlian is saying that perhaps officials specifically left out the part about the conversation being friendly when they leaked that to the media, because what kind of man has a friendly chat about a dog named Bubba before he murders his wife and son and cold blood? But again, this is all just dick spinning in circles. The point of that video is that it destroys Alex's alibi. The point is that Alex told police he wasn't at Moselle right before his wife and son were murdered. But he was this is very important because dick and Jim have claimed over and over that he had an ironclad alibi completely covered his whereabouts on June 7, 2021. But oh look, the mainstream press once again wrote exactly what Deke wanted them to in an especially egregious display of a journalist slanting his words to favor Murdaugh, John Monk, who was a veteran reporter for the state newspaper referred to the video as quote derogatory confidential information calculated to hurt disbarred



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lawyer Alex Murdaugh, the headline quote, document colon prosecutors in Murdaugh murder case leaked confidential information to media we often talk about how journalists have a series of choices on how to present a story monk chose the most aggressive and agree Just route claiming a document says that prosecutors leaked confidential information. The headline makes it sound like monk had discovered absolute proof that the AGs office was behind the leaks when really it was a motion made by a defense attorney who has been factually incorrect more times than we can count throughout this case, let's be real. Her Boolean does not know who the leak is. He is guessing again, because he knows he will not be held accountable when he's wrong. And that is the problem. We can all see the dick and Jim do this. That is the strategy create chaos and exploit every opportunity in the press. If we can all see it, then why can't the AGs office see that? Again? If you come for the king, you cannot miss. Creighton did fireback at Dick and Jim in his response to their motion. And we do believe his request to have the court issue a protective order for the evidence is because he is trying to keep Dick and Jim and the Murdaugh family and their PR firm from being able to use that information as a way to bend the narrative in their favor. But if that is the case, then the AGs office should just say that instead the protective order makes a point of saying they have no reason to believe the defense would leak this information. This is not the time to be polite. Dick and Jim aren't worried about being polite. Alex Murdaugh is not worried about being polite. This is time to show the public that hiring a state senator to defend you is no longer the Get Out of Jail Free card than it used to be. It is time to show the public that there is hope for the future in the South Carolina justice system. And it's time that the press starts caring about that too. There are a couple

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more things that happened in this last week that I want to quickly go over before we go on August 17 2022, wrestler feat was hit with a superseding federal indictment with an additional fraud charge related to the Plyler case. We will update you more on the Plyler case in a later episode. Russell will appear for a bond hearing Wednesday, August 24, where he will ask for his ankle monitors to be removed because he thinks his bond conditions are unfair due to what his attorneys call a media firestorm. On August 19. State Attorney General Alan Wilson announced two additional indictments against Alex Murdaugh for additional financial crimes related to PMPED which we will cover in a later episode because there is always so much more under the surface with everything in this case. Also on August 19. Two additional defendants were indicted in relation to the apparent criminal enterprise and Colleton County related to this case, we're still trying to piece together exactly what's going on here. And we're going to cover all of this in a later episode because this takes a lot of FOIA requests and research etc, etc. But what we know so far is this two weeks ago before Eddie Smith bond revocation hearing, a 34 year old man named Spencer Roberts appeared before the court for his own bond hearing, which was also prosecuted by Creighton Waters. At the time, Roberts was charged with fraud related to a PPP loan, but Waters made it a point to mention that Roberts is accused of suspiciously receiving a downstream of checks related to Alex Murdaugh. On August 19, the AG's office announced that Roberts was indicted on one count of obtaining a signature of property by false pretences, one count of money laundering, one count of computer crime and one count of insurance fraud. But what's weird is the indictments don't specifically say how his charges are related to the Murdaugh case. That same day a man

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named Jerry Rivers was indicted for obstruction of justice. Oddly, the first obstruction of justice charge in this whole saga. He is accused of taking Spencer Roberts his cell phone after he was arrested on August 10, 2022. Officials are being super cryptic by vaguely connecting these two individuals to the Murdaugh case. However, after doing a background search on Roberts and rivers, we found a lot of commonalities. They both have faced drug charges in the past. They both are from Walterboro where the cowboy gang supposedly attached to this originally From although we have not found any direct callback connections to the Murdaugh case, both of them along with Eddie Smith own transportation companies, rivers and Roberts, both had been accused in separate insurance fraud schemes for allegedly staging car accidents to collect insurance money, which is really odd. And both incidents also happened to involve a man named Eric Middleton. Again, we'll get into more of this in a later episode. Obviously, the insurance fraud accusations raise suspicions about what if any connections these guys might have to local lawyers. So we're wondering if the prosecution is hinting here that they're getting close to revealing more about this alleged drug ring tied to Murdaugh, and more importantly, will more powerful people go down for this? 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 51:14

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