



## EPISODE 10: Dick and Jim Win the Headline Game In Murder Hearing, But What Really Happened?

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[00:00:00] **Mandy Matney:** Hello and welcome. We have a really great Cup of Justice episode for you today. But before we get started, I wanted to tell you that we recorded this right after Alex Murdaugh's latest pretrial hearing on Friday, December 9th. Later that evening, *The Post and Courier* reported on this same hearing with the headline, quote, SC prosecutors rethinking blood spatter evidence after defense pokes holes. That wasn't our immediate takeaway from the hearing. And after rewatching the hearing over the weekend, we think that *The Post and Courier's* impression that the state is rethinking the blood spatter evidence is an overstatement as to what actually went down in the courtroom. The defense's issue with the spatter evidence is incredibly nuanced, and we'll get into this more in our next episode of MMP. There were a lot of noteworthy moments during the hearing and, as always, a lot to break down. First, though, we have got to talk about Russell Laffitte's chances of reversing those six guilty verdicts. So, here we go.

[00:01:22] **Liz Farrell:** Hey, guys.

[00:01:23] **Eric Bland:** Hey. How are you?

[00:01:24] **Liz Farrell:** How are you?

[00:01:25] **Eric Bland:** I haven't seen you guys in a while.

[00:01:27] **Mandy Matney:** What a long day, right?

[00:01:28] **Eric Bland:** This is good. I'm down here in Beaufort. It's great.

[00:01:30] **Liz Farrell:** It's good to have you here to do the live chatting during the pretrial hearing.

[00:01:33] **Eric Bland:** Yeah, I got a flat tire on my truck, my monster truck, on the way down. And so, that was a little unnerving.

[00:01:39] **Liz Farrell:** So, since you're here, we wanna talk about, real quick 'cause I don't, we have so much to talk about with Alex's pretrial hearing today. But I wanna talk about Russell's, they filed for a motion for a new trial and I was reading through



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it and I guess what we're obviously we're all in agreement that Russell was guilty on all six counts. So, we're with the jury on that one, right?

[00:01:58] **Mandy Matney:** Yes.

[00:01:59] **Eric Bland:** Yeah, we are absolutely with the jury on that. And I think everybody else in the courtroom we were with on that.

[00:02:04] **Mandy Matney:** And the evidence.

[00:02:05] **Liz Farrell:** So, the issue is that, one of the major issues I guess is that the jury was deliberating for 10 hours. And then they got notes and basically two of the jurors were like, "We're out. We're getting bullied." One of them said, "We're getting bullied." One of them said —

[00:02:19] **Mandy Matney:** The other one.

[00:02:19] **Eric Bland:** Yeah, the other one needed antibiotics and said, "I have to get home to get my antibiotics."

[00:02:23] **Liz Farrell:** Right. So, what do we think? Do we think that they are gonna get a new trial? Do you think that's a good argument?

[00:02:28] **Eric Bland:** No, I don't. No. It is an argument. Usually, the motion for a new trial is summarily denied because it's a prerequisite for an appeal. So, everybody, it's perfunctory. You make it. If you lose in a criminal trial, you make that motion. It's denied. Then you appeal it up to the Fourth Circuit Court of Appeals in Richmond. This does have some particular legs to it because the independence of the jury is important, and their argument is that the judge invaded the jury room. Once he turned that case over to the jury room, it's their case and they make the decision on guilt or innocence. And the motion seems to indicate that Judge Gergel may have interfered with that by unseating two jurors, one of which may have had an opinion that she was not gonna vote for guilt of Russell. However, I think they're guilty of waiver because Judge Gergel, when the jury came back in, said to Bart Daniel, "You agree to this procedure of the substitution of the jurors." So, ordinarily, that might have some weight. It might resonate that the judge did invade that province of the jury room. But in this case, I think it was totally appropriate because one of the jurors was not gonna follow his instructions, which they're sworn to do. They swore an oath regardless of what your beliefs are. Two, that's why you have alternate jurors if there



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is a medical reason 'cause sometimes jurors do. The stress of the deliberations creates medical issues and jurors are substituting. The brilliance of Judge Gergel is that he actually segregated these jurors and didn't release them. They didn't become infected by going on their phones or watching TV. And so, that is the purpose for having alternative jurors. So, I think that the motion will fail and I think it should fail.

[00:04:22] **Liz Farrell:** But not just because they always fail.

[00:04:24] **Eric Bland:** No. But in this particular case, I don't believe that he overstepped the line by invading the jury. The other thing I thought that was troubling to me is Bart impugned the character of the two replacement jurors by saying they just walked in and within 40 minutes made their verdict. They couldn't have deliberated. He said, "Well, the original panel deliberated for 10 hours. So, you then seated these two alternative jurors. And 40 minutes later, they got a verdict." We don't know what happened in that jury room. We don't know. If they walked in and these jurors, they went through each charge and the juror said, "Yeah, I heard all the evidence, and they're guilty."

[00:05:03] **Liz Farrell:** So, one of the things that I've heard is that it's problematic, too, because neither Matt nor Bart had objected or made a motion.

[00:05:13] **Eric Bland:** Made a motion for a mistrial.

[00:05:14] **Liz Farrell:** Yeah, made a motion for a mistrial.

[00:05:15] **Eric Bland:** When the two jurors were unseated.

[00:05:18] **Liz Farrell:** Now, what does that mean? Like, what does that do for them?

[00:05:20] **Eric Bland:** They would make a motion at that time to say, "Judge, this jury has failed. They cannot reach an agreement. You've invaded the jury room. One juror's free agency was being taken away from her because she was being bullied supposedly by the other jurors."

[00:05:37] **Liz Farrell:** But the fact that they didn't make that motion, what does that do for them?



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[00:05:40] **Eric Bland:** It could be a procedural error on appeal when they argue that the court with — You know, remember where I told you about proffers; that if a judge rules against you, sometimes you actually have to say, "Judge, I need to put this on the record to protect my appeal"? They did not do that. I'm not sure that's gonna be the linchpin on why the Fourth Circuit's gonna deny this appeal. I just think Judge Gergel tried a real clean trial.

[00:06:02] **Mandy Matney:** How hard is it to —

[00:06:04] **Eric Bland:** Reverse?

[00:06:05] **Mandy Matney:** Yeah.

[00:06:05] **Eric Bland:** It's like less than a half or percent of the trials.

[00:06:09] **Liz Farrell:** Really?

[00:06:10] **Eric Bland:** Yeah. The federal judges are very good. They're very good. They really, they're methodical. They have a, if you notice, every time that Judge Gergel either ruled in favor of an objection or overruled, he gave his reason. And so, the courts are not going to superimpose themselves from an appellate standpoint when Judge Gergel's the one that's hearing the evidence.

[00:06:33] **Mandy Matney:** And there's also a higher percentage of charges to convictions in federal court, right?

[00:06:38] **Eric Bland:** It's like 99%.

[00:06:39] **Mandy Matney:** It's very high. And then, so once you're convicted —

[00:06:43] **Eric Bland:** I think Russell bet on the wrong horse going to trial and I think he's gonna get a significant sentence. And I have talked to Emily Limehouse after the trial and we'll talk about that at a later time 'cause we have more to cover. But I think at the sentencing of his trial, we're gonna hear a lot about Russell TV, if I was a betting man. We didn't hear about it at the trial, but I think that she is going to really be advocating on Russell TV at the time of his sentencing that goes to his hubris.

[00:07:12] **Liz Farrell:** I'm excited. Season two.



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[00:07:14] **Mandy Matney:** I hope there's some new episodes on the meantime.

[00:07:18] **Eric Bland:** So, what did you guys think of what we watched today? I mean, it was quite a show, I mean.

[00:07:24] **Liz Farrell:** It was quite a show. Mandy, do you want to give us a little bit of what your thoughts were on just like setting the scene for people? What are some of the things you saw like almost right away?

[00:07:33] **Mandy Matney:** Okay. So, setting the scene, the most shocking, immediate thing that I noticed was that Alex looked completely different than the last Alex that we saw. I feel like we see like different versions of this guy every time, which is funny because that's kind of the person that he is, too. He looks, sometimes he looks real rough and tough, like he really belongs in prison. And today, he was more of a clean-cut lawyer.

[00:07:58] **Eric Bland:** Businessman. He looked like a businessman.

[00:08:00] **Mandy Matney:** He did. He had a —

[00:08:01] **Liz Farrell:** Well, he was unshackled. Let's talk about that. He walked in.

[00:08:03] **Mandy Matney:** First of all, yeah, walked in with no shackles. He did not have the Tommy Bahama clothes this time. He actually had a jacket. Yeah, a jacket.

[00:08:13] **Eric Bland:** He looked like he had a button-down —

[00:08:16] **Mandy Matney:** He had hair. His hair grew very fast.

[00:08:19] **Eric Bland:** And it was well cut and well kemp.

[00:08:22] **Mandy Matney:** Yeah, very blonde. Also, no signs of being shot in the head last year. But the other thing that I noticed that was really weird about him, and I'm gonna go back and zoom in and I'm a big teeth person.

[00:08:35] **Liz Farrell:** Yeah, you are.



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[00:08:37] **Mandy Matney:** I notice teeth.

[00:08:38] **Eric Bland:** Am I okay?

[00:08:39] **Mandy Matney:** Yours are great. Everybody here has good teeth.

[00:08:41] **Eric Bland:** Okay. They looked white.

[00:08:45] **Mandy Matney:** His teeth looked white and like fuller, like he got dentures or something.

[00:08:49] **Eric Bland:** Today, his eyes scared me guys. There was a couple camera shots where he was glaring and it really had the glare of a scary person. Wwe talked about how deep-set the eyes were and I don't recall that.

[00:09:03] **Mandy Matney:** Yeah, very dark. And he also just, while he at some point sort of like look over to the media and looked very angry, he also seemed very nonchalant. Laughing a lot. Having a good time. Dick and Jim —

[00:09:20] **Eric Bland:** Yeah, there was a lot of hand gesturing. Did you see?

[00:09:23] **Mandy Matney:** Having a lot of whispering, laughing. And I thought that that was interesting, too. I think David pointed that out. If you are on trial for the murders of your wife and son, isn't it not a good look to be laughing?

[00:09:36] **Eric Bland:** Again, there was no one in the courtroom for him. There wasn't family for him. There wasn't friends for him.

[00:09:43] **Liz Farrell:** Well, the Buster portrait was there.

[00:09:44] **Mandy Matney:** Yeah, no living members.

[00:09:46] **Eric Bland:** Well, nobody that's got a pulse. But, you know, I still focus on that. Where are the people that are standing up for him? Where are the people that are standing up for the victims?



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[00:09:56] **Liz Farrell:** That's the grossest part because I think, you know, I want to give some compassion to Maggie's family, obviously, because we can't possibly know what they're going through.

[00:10:04] **Eric Bland:** Correct.

[00:10:05] **Liz Farrell:** But at the same time, and we were talking about this just a little bit before we started recording, but it speaks to the power of the Murdaughs, not just Alex, but the Murdaugh family itself, that there's hesitancy or what appears to be hesitancy on the part of the family is to come into the courtroom 'cause they're gonna have to choose a side, right? You either sit with the state or you sit with the defense. So, they're gonna have to openly, you know, either come out against him or openly support him.

[00:10:32] **Eric Bland:** Well, they're gonna have to do it at trial sooner or later, unless everybody's sequestered. I'm now not gonna be able to attend the trial in person because I have been subpoenaed as a witness. And what's gonna happen is the same thing that happened in the Russ try. Those that are under witness are sequestered, meaning that I can't be part of the trial. I can't hear about what's going on. It's gonna be unusual. It does. It does.

[00:10:57] **Mandy Matney:** That really sucks.

[00:10:57] **Liz Farrell:** Yeah. That's gonna be real weird.

[00:10:59] **Eric Bland:** Like what do they want Eric Bland to get on the stand for? You think, I want to toast Alex Murdaugh. I mean, I want to fry him.

[00:11:06] **Liz Farrell:** So, in the Russell Laffitte trial, they sequestered the witnesses. But after they testified, they were allowed to come into the courtroom.

[00:11:11] **Eric Bland:** Right. But you understand why they're gonna call me now because he laid out his motive today, Creighton did, about the financial crimes, and I wouldn't be surprised if you guys ultimately get a subpoena. Would be interesting.

[00:11:23] **Mandy Matney:** I would not be happy, yeah.

[00:11:25] **Liz Farrell:** No, absolutely not.



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[00:11:27] **Eric Bland:** I wasn't happy. By the way, I wasn't happy when I got it.

[00:11:30] **Mandy Matney:** I know it doesn't matter if you're happy or not. They don't care.

[00:11:34] **Eric Bland:** I'm not complying 'cause I'm not happy about this.

[00:11:36] **Liz Farrell:** We have nothing to do with it. We report from other people, so it would be all hearsay anyway.

[00:11:42] **Eric Bland:** But you've also report —

[00:11:44] **Liz Farrell:** I have no firsthand knowledge of —

[00:11:46] **Eric Bland:** You've dug up a lot of stuff in court records.

[00:11:49] **Liz Farrell:** Yeah, well, maybe Creighton can present those documents as exhibits.

[00:11:53] **Eric Bland:** I hear what you're saying. He's probably subpoenaed a hundred people and only put on 16, you know what I'm saying?

[00:11:59] **Mandy Matney:** Yeah. And I think we're getting real close to trial.

[00:12:03] **Liz Farrell:** It's five or six weeks away.

[00:12:04] **Eric Bland:** It didn't seem like that there was a delay. It wasn't like Dick said, "Well, we can't go forward because these experts aren't getting the material." Dick said, "We're five weeks away from trial. Let's go."

[00:12:14] **Mandy Matney:** Well, he asked for it. And he keeps saying like —

[00:12:17] **Eric Bland:** Just like Russell asked for his trial, right? You better careful what you ask for. You may get it.

[00:12:22] **Mandy Matney:** Right, I know. And he keeps being like, "We only have this amount of time for this and that." And it's like, why do you have that amount of time?



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You could be at the back of line with everybody else, but you wanted to be here, so let's go.

[00:12:32] **Eric Bland:** I thought I was in a time warp today when we're discussing bill of particulars. I remember in constitutional law, my first year of law school in 1988, you study, you know, how the law evolved from Marbury v. Madison in 1798 in the Supreme Court and all these old decisions. I mean, bill of particulars are, it's a very antiquated procedure where you, as a defense, force the state before a trial "Tell me what your theory of the case is" essentially, and I found that not only repugnant to me, but I was upset a little bit at Creighton that he fell for the bait because he revealed his theory, his entire theory, his mental impressions. And you usually wait until trial.

[00:13:14] **Liz Farrell:** Let's start with the repugnant thing. I wanna know why'd you find it repugnant.

[00:13:18] **Eric Bland:** Because I just don't feel like that you as a defendant can force the state to open up and tell me what is your case gonna be about me.

[00:13:29] **Mandy Matney:** But you already have discovery, so like —

[00:13:31] **Eric Bland:** Yeah, but it's limited, like it's not in civil cases. In civil cases, I would take your deposition before trial. I would sit down and I'd be able to question you, just like I did Judge Odom. We did Judge Odom yesterday. We took her deposition.

[00:13:43] **Liz Farrell:** Yeah. How'd that go?

[00:13:45] **Eric Bland:** It was awesome. She didn't mince words. I'm surprised that she wasn't called as a witness in the prosecution. She absolutely said she was deceived. She said if Russell had come to her and told her, "I'm gonna loan money to myself," "I'm gonna loan money to Alex," "I'm gonna loan money to Alex when he is in overdraft. It's gonna be unsecured. And I'm doing this to pay off my own equity line and build a swimming pool," she would've said, "Get the hell outta my courtroom." And we'll be right back.

[00:14:25] So, what did you guys think of today? Did you, have you been able to process it? Do you think, who won today? Let's put it that way. We always like to talk



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winners and losers. Last hearing, Creighton, I thought was on fire, did a great job. Everybody was excited. What do you think today happened? What about today?

[00:14:42] **Liz Farrell:** Well, I think that yes, okay. Like factually, Dick and Jim won in that the judge approved their order for producing more documents. So, they were basically asking —

[00:14:51] **Eric Bland:** More documents about what? Why was that important?

[00:14:54] **Liz Farrell:** So they were asking for all the communications between SLED and the, I believe maybe the AG's office as well, but I'm not sure. And one of the experts that will be testifying about — now, Dick and Jim like to say "blood spatter." But from what we understand, it's "high velocity impact spatter." I don't know if blood spatter actually plays a part in it. The reason this is important, obviously, because if it's brain matter, that's a whole different thing. But what they wanted —

[00:15:22] **Eric Bland:** Isn't that what Dick said? What Dick said, look, if they blew out Paul's head off, there would be blood everywhere and there wasn't. Dick made that statement.

[00:15:31] **Liz Farrell:** Right, but I mean, Paul was found dead in the closet, so I don't know if that's because the shotgun blasts like threw him backward into it or if he was in there when he was killed. So, I don't know if necessarily, you're gonna see the same, like the forensic evidence might be bent a little.

[00:15:46] **Mandy Matney:** We just do not know the totality of evidence still at this point. And I think —

[00:15:50] **Eric Bland:** But you raised the issue. You said maybe they didn't test the right section of the shirt, and you gave me the example of that case you worked on with semen in the underwear where they didn't test the entirety of the underwear.

[00:16:02] **Liz Farrell:** Yeah. I'm going to say something really controversial right now and I'm probably gonna live to regret it, but I think that local law enforcement agencies in South Carolina can probably secretly attest to this, but the SLED forensic lab — yeah, I've gotta be careful, I guess — but they're very, very backlogged. And as such —



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[00:16:22] **Mandy Matney:** I think they're underfunded, too.

[00:16:23] **Liz Farrell:** They're underfunded. As such, you know, and scientists are scientists. There's no emotion involved. They say, test this. That's what they test. They don't care whose case it is. They don't, you know, none of that's supposed to concern them.

[00:16:35] **Eric Bland:** So, garbage in, garbage out. You give me this, I'm gonna give you what you asked for.

[00:16:38] **Liz Farrell:** Well, there have been incidences that I'm aware of in which they have tested a piece of the fabric that did not have the matter on it. So, we're gonna probably learn more about this in January when, you know, it goes to trial. But we don't know, like Mandy said, the totality of evidence and we don't know what the circumstances about that test coming back without —

[00:16:57] **Eric Bland:** You raised such a good issue about experts. If the lawyer pays for that expert, that expert's going to advocate pretty much with that lawyer.

[00:17:05] **Liz Farrell:** Which is why Dick and Jim want that shirt. And that shirt has been used up, you know?

[00:17:10] **Eric Bland:** What do you mean "used up"? What do you mean? Is it it has no utility whatsoever now? That's not true.

[00:17:17] **Mandy Matney:** And they don't know that. But I wanted to make a point before we really get into this is I think the thing that a lot of people aren't realizing is what I think that Dick and Jim wanted from putting this evidence on the record and putting bits and pieces also on the record. What was that motion, like 96-pages?

[00:17:39] **Liz Farrell:** Yeah, the first one.

[00:17:40] **Mandy Matney:** And lots of them were just completely blacked out, so we don't know what was in the redacted parts. But he got the headlines out there that he wanted to, which, and today I'm sure he got the headlines that he wanted to, which are blood analysis changes the story.

[00:17:59] **Eric Bland:** Expert that's giving conflicting opinions.



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[00:18:01] **Mandy Matney:** That's right, yeah. Blah, blah, blah. Today, I saw a headline saying Dick and Jim won their motion, even though I don't think it was —

[00:18:09] **Liz Farrell:** They won their motion. But the thing I guess I was gonna say —

[00:18:11] **Eric Bland:** They won their motion because it was granted, the word granted would use, but it's not winning in the ordinary parlance.

[00:18:18] **Liz Farrell:** But why wouldn't they win it? Like the benefit of the doubt's gonna be given to the defendant, right? So, the judge is gonna, if the defendant is coming and saying, "You're not giving me all the evidence. I wanna see more. Give me more of the evidence" to the state, I don't think the judge has any choice but to say, "Turn it over." And I think that's the issue.

[00:18:37] **Mandy Matney:** And that's what happened the last time, too. It was like a motion to compel for evidence and he was like, "Yeah. Give it to them."

[00:18:43] **Eric Bland:** All he's saying is, "Let's have a fair trial." So, state, if you have evidence, turn it over. If it's producible evidence, turn it over. He's not saying, well, this evidence is so important and this evidence is not. He's not passing any judgment on it. He's just saying, "Put all your chips on the table and then we'll try this case on January 17th," right?

[00:19:04] **Mandy Matney:** Yeah. But I think where things change for Dick and Jim, momentum changed, as you always talk about momentum, as soon as Creighton started talking about the bill of particulars and the —

[00:19:16] **Eric Bland:** It was comical.

[00:19:18] **Mandy Matney:** It was comical. Newman had a good laugh in the corner.

[00:19:21] **Eric Bland:** Why? What do you mean by, why was it comical? You tell me.

[00:19:24] **Mandy Matney:** He couldn't, Newman could not get through it without laughing 'cause he was saying this is literally from the 1800s, Dick, the early 1800s.

[00:19:34] **Eric Bland:** But just so you know, old law can be good law, you know? We have old law —



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[00:19:40] **Mandy Matney:** Yeah, the Constitution's old.

[00:19:42] **Eric Bland:** Right. But what he's saying is the modern criminal procedure has evolved where we have different ways of preparing for a trial than putting Creighton Waters almost on the witness stand, making him raise his hand to tell the truth and say, "Tell me what's in your brain. What is your theory gonna be on how you try this case?"

[00:20:02] **Liz Farrell:** Can we talk about how they were laughing? How Dick, Jim, Margaret Fox, and Alex himself were laughing while Newman was laughing at the ridiculousness of the motion itself.

[00:20:11] **Eric Bland:** I didn't see that.

[00:20:11] **Mandy Matney:** So, I was like, what is going on here? Like, why are you guys laughing? They're laughing at you. What do you think is funny?

[00:20:18] **Liz Farrell:** I think it's just the absurdity of the whole thing was brought up and they had to acknowledge their own absurdity. But again, like the absurdity maybe goes —

[00:20:27] **Eric Bland:** It worked.

[00:20:28] **Liz Farrell:** Did it?

[00:20:28] **Eric Bland:** Yeah. Creighton and got up and told the theory of the case.

[00:20:32] **Liz Farrell:** Okay. That response. Okay, so let's talk about that. We need to be clear with people 'cause this is getting real muddled. But there's a couple things happening. One is the motions to produce the evidence, right? So, Creighton, there's a tale of two Creightons, right? So, we love Big Creighton energy. We love it when Creighton shows —

[00:20:48] **Eric Bland:** He's six feet tall and not five feet.

[00:20:50] **Liz Farrell:** Yeah. Like he doesn't let Dick over into his side of the room, you know? He's just like, I'm gonna —



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[00:20:54] **Eric Bland:** There was two chummy today. Today was chummy before the hearing, chummy after the hearing. I didn't like that.

[00:21:00] **Mandy Matney:** He stood a little taller during the, when he was talking about the motive.

[00:21:05] **Eric Bland:** So, let's talk about motive.

[00:21:06] **Liz Farrell:** So, well, wait, so he comes out the first thing in defending the motion to compel. He's a little frazzled, I think.

[00:21:15] **Eric Bland:** What was his argument about that? Did you understand?

[00:21:17] **Mandy Matney:** I think it was "I need more time."

[00:21:18] **Eric Bland:** So, what, to determine whether the T-shirt is gonna be used?

[00:21:22] **Liz Farrell:** Essentially, Dick and Jim found a reference to a PowerPoint presentation. And they found that some photos, something like that, and there were some photos that were, they say were photoshopped and maybe they were, I don't, I assume they were, like Photoshop doesn't mean fabricated necessarily.

[00:21:37] **Mandy Matney:** It could mean cropped.

[00:21:38] **Liz Farrell:** Yeah, it could. Exactly.

[00:21:39] **Mandy Matney:** Zoomed in and cropped.

[00:21:40] **Liz Farrell:** Exactly. But they want the originals.

[00:21:42] **Mandy Matney:** Yeah. Not altered. People use the term "Photoshop" with all sorts of different — and also, again, back to the headlines. He wanted the headlines saying SLED is Photoshopping evidence. And that's what people did.

[00:21:54] **Liz Farrell:** Absolutely. And Creighton didn't help the argument because in arguing the state's, you know, why haven't they given that over.



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[00:22:00] **Eric Bland:** I didn't understand his argument. I'll be honest.

[00:22:01] **Liz Farrell:** It was difficult, right?

[00:22:02] **Mandy Matney:** Yeah, it could have been stronger.

[00:22:08] **Liz Farrell:** Now, okay. Yeah, so then we go into the bill of particulars. Now, the tale of two Creightons. This was Big Creighton energy. So, we had Little Creighton energy to begin with and we were a little nervous. Then he came out of the gates. Little Creighton energy, little nervous. Big Creighton energy comes out. He's just, he's pointing out the alleged murderer. He's, you know —

[00:22:26] **Eric Bland:** He said he killed his wife and son. He killed, those were powerful words. He killed, not murder. He killed his wife and son.

[00:22:36] **Liz Farrell:** So, in South Carolina you don't have to prove motive when, or the prosecution does not have to prove motive when it comes to proving whether somebody murdered another person.

[00:22:43] **Mandy Matney:** And the bill of particulars that Dick and Jim were asking for was essentially motive is a part of that, right?

[00:22:50] **Eric Bland:** The reality is motive is in every trial because you as a juror —

[00:22:55] **Mandy Matney:** It should be. I've seen it without.

[00:22:56] **Eric Bland:** You're a juror, you're gonna wind up, well, what would be the motive for him to do that?

[00:23:01] **Mandy Matney:** Yeah. The girl who was killed in the Uber case, the fake Uber case in Columbia last year in USC. There was no mention of motive throughout that entire case.

[00:23:08] **Eric Bland:** You're kidding me.

[00:23:09] **Mandy Matney:** And they got a guilty verdict. That was the only case I've ever seen where no motive.



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[00:23:15] **Eric Bland:** Did you guys like the motive that was articulated by the state?

[00:23:19] **Liz Farrell:** I think the motive was obvious. If we're in a, I mean, we could have guessed.

[00:23:23] **Mandy Matney:** We didn't guess. We knew because, we knew from our great sources that that was what they were saying all along. It was validating to hear it, see it on the record.

[00:23:34] **Eric Bland:** But we did learn two facts in the Russell Laffitte case that we never knew and Creighton never said. It came outta Emily's mouth, which was the, on the day of the murders, he was confronted by Jeanne and Ronnie Crosby about the money and then also the fact that Maggie would not assign over, according to Alex, wouldn't assign over her interest in the beach house.

[00:23:58] **Liz Farrell:** To me, the way I look at that is that Alex kept away the appraisers from the bank from appraising the beach house and he blamed it on Maggie. But that, like you said, could also be motive for killing her because she, if according to himself and his story, she was standing in the way of the sale of that or the, sorry, leveraging of it.

[00:24:14] **Eric Bland:** Creighton felt that the most important fact was Mark Tinsley suing Alex. And his financial, the financial statements and financial documents hearing was gonna be on June 10th, where he was gonna have to finally produce. He had stood marked down for years and years of not turning over financial information. And he, Creighton said that to him was very powerful that Alex didn't want Mark Tinsley to know he was either broke or had money or not money. I think it's a combination of not only him being sued, but Paul is on trial for a felony DUI. So, he's got that pressure. He's got the pressure. It seems there may have been some estrangement between him and Maggie. We don't know the extent of it. And now, his law firm's breathing down his back.

[00:25:03] **Liz Farrell:** Another thing that we learned, not from the Russell Laffitte trial, but from the state's response to the bill of particulars is that on the day of the murders, not only was he confronted by his law firm about stealing money, but he was apparently working on his financial disclosures for the boat crash case, which —



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[00:25:19] **Mandy Matney:** I think I need to go back and make sure, but I'm pretty sure he said, Creighton said that it was handwritten. No, Jim said this. Jim said he was working on a handwritten financial document.

[00:25:34] **Eric Bland:** Oh, good. Turn that over to a bank and see if you ever get any money. Well, you get it from PSB.

[00:25:38] **Liz Farrell:** Can you imagine Mark Tinsley getting an index card with —

[00:25:42] **Mandy Matney:** Alex Murdaugh's finances.

[00:25:44] **Eric Bland:** '68 Chevy, you know? Two acres of —

[00:25:47] **Mandy Matney:** \$1 billion. And we will be right back.

[00:26:06] **Eric Bland:** The chilling thing to me was when Creighton said he killed his wife and son so he could get sympathy to stop the train that was coming at him from his law firm and a whole different places. That is so dark, guys.

[00:26:20] **Liz Farrell:** And it worked.

[00:26:21] **Eric Bland:** It's dark.

[00:26:22] **Liz Farrell:** So, I have a source who is, you know, knows Alex really well. And right after the murder is one of the things he said was that this was about sympathy; that Alex killed Maggie and Paul because he wanted sympathy.

[00:26:34] **Eric Bland:** How dark is that, Liz? It's crazy.

[00:26:37] **Liz Farrell:** The darker thing is that I've never questioned that.

[00:26:43] **Mandy Matney:** It made sense ever since.

[00:26:47] **Eric Bland:** And then he said he did it again on Labor Day to get sympathy again. I didn't think of that.



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[00:26:54] **Mandy Matney:** That's clicked for us for a long time and that's another thing that has really convinced me that Alex is a narcissist that is able to manipulate and control people around him and does not care.

[00:27:08] **Eric Bland:** Well, now, he's a sociopath. Now, you're into the sociopath. I mean, under the MMPI, this guy will break the book. He'll qualify for every single thing in the world.

[00:27:18] **Liz Farrell:** Well, you saw him laughing and flirting today, which is one of the more disturbing things that happened; him flirting with —

[00:27:23] **Eric Bland:** And don't kid yourself. Judge Newman noticed that and Judge Newman's law clerk noticed that and the clerk of court noticed that.

[00:27:29] **Liz Farrell:** What do you think's gonna happen now?

[00:27:30] **Eric Bland:** And they'll talk about it when they go back. When they go back in chambers, somebody's gonna mention that.

[00:27:35] **Mandy Matney:** So, what does that do?

[00:27:37] **Eric Bland:** I think, the solemnity, the seriousness of these proceedings, a judge does not like that.

[00:27:43] **Mandy Matney:** Yeah, it's one of the most horrific homicides in our history.

[00:27:50] **Eric Bland:** Susan Smith is the only other one I can think about that's worse.

[00:27:53] **Mandy Matney:** There's lots of horrible homicides, but like a wife and son is just so.

[00:27:58] **Liz Farrell:** It's hard for people to believe that.

[00:28:00] **Eric Bland:** Try gulping it right now. Try to gulp that. It's hard to even swallow that.



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[00:28:06] **Mandy Matney:** Yeah. And then to be laughing and, again, it's like you have to think of a normal guy sitting there and how pissed off and angry you would be.

[00:28:15] **Liz Farrell:** Yeah, you got the wrong guy.

[00:28:17] **Mandy Matney:** You got the wrong guy. Go find whoever is —

[00:28:21] **Eric Bland:** Have those words ever come out of his mouth?

[00:28:23] **Mandy Matney:** He doesn't come off as angry or worried or scared or —

[00:28:28] **Liz Farrell:** No, he gives his dumb little glare over to the media.

[00:28:32] **Eric Bland:** Is that who he was looking at?

[00:28:33] **Liz Farrell:** Yeah, because the media sits in that jury box, yeah.

[00:28:36] **Eric Bland:** So, they sat in the jury box. Got it.

[00:28:38] **Liz Farrell:** Yes. That's who he was looking at. And that's right at the camera. And then he, you know, grumpily looked at Creighton a little bit. But I don't think we could —

[00:28:43] **Eric Bland:** He talked to Creighton I think at one of the breaks.

[00:28:45] **Liz Farrell:** Alex did?

[00:28:46] **Eric Bland:** Where he was sitting there while they were all talking. I thought I saw. At that five-minute break. There was a five-minute recess.

[00:28:55] **Mandy Matney:** But, yeah. He just seemed way too —

[00:28:57] **Eric Bland:** Comfortable.



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[00:28:58] **Mandy Matney:** It just wasn't, but I also think that Dick and Jim are trying to make him look like this everyday guy that like women can sit next to and flirt with and he's nothing to be afraid of. He's just an old frat boy.

[00:29:14] **Liz Farrell:** I don't know what was going on.

[00:29:15] **Mandy Matney:** He's harmless.

[00:29:16] **Liz Farrell:** Jim Griffin's associate —

[00:29:17] **Eric Bland:** Maggie Fox. She is a bright, bright woman.

[00:29:20] **Liz Farrell:** What the heck is she doing?

[00:29:21] **Eric Bland:** She writes.

[00:29:22] **Liz Farrell:** I understand that, but she's —

[00:29:23] **Mandy Matney:** But why is she sitting there looking like that?

[00:29:25] **Eric Bland:** The same thing that Phil was there. They're legal scholars. They toil —

[00:29:30] **Mandy Matney:** Eric, she was applying lipstick. Look. I am the first to say that I hate it when people criticize the way that women are acting and looking and it a lot, nine times out of 10 people say that women are flirting when they aren't, right? But this was some, like it seemed intentional to me. It seemed like somebody told her to sit there and smile and —

[00:29:53] **Liz Farrell:** Humanize him.

[00:29:54] **Mandy Matney:** To humanize Alex Murdaugh.

[00:29:55] **Eric Bland:** She's not that kind of woman. I know her well. She's not someone who you would let to be window dressing. She may have made a judgment error doing lipstick, but she is a real serious lawyer. I will say that.



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[00:30:07] **Liz Farrell:** Oh, I don't doubt that at all. I guess what I'm saying is, and maybe this goes back to the —

[00:30:12] **Eric Bland:** There were too many bad visuals today.

[00:30:13] **Mandy Matney:** So many bad visuals.

[00:30:15] **Eric Bland:** That's a great way of —

[00:30:16] **Mandy Matney:** And also, your wife just died a year, if your wife was just murdered a year ago, you should not just be giggling.

[00:30:23] **Eric Bland:** You raised such an important issue for lawyers about good look.

[00:30:28] **Mandy Matney:** Visuals, man.

[00:30:29] **Eric Bland:** We talk about it all the time with our clients. When you're sitting at the table, do not react if something's good or something's bad. Do not feverishly write 'cause the jury will notice that, the judge will notice that. Everything is choreographed, believe it or not, in a trial. You saw in Russell's trial where that went bad. Russell's body language wasn't good. He was dismissive. He became combative. You are so right about the choreography of hearings.

[00:31:00] **Liz Farrell:** And that's what I think I'm saying with the Maggie Fox thing. It's just, it seemed part of a very intentional effort and maybe that's why we were all here today. Maybe that is why that hearing existed in the first place so that we could get those visuals. Because when you look at the motion to unshackle Alex, most of it is about how murder suspects are not shackled during trial. Well, that's irrelevant because this is pretrial hearing.

[00:31:24] **Eric Bland:** Yeah. What does it mean?

[00:31:25] **Liz Farrell:** And during pre-trial hearings, and so at the end, you know, Dick and Jim are like, the state's gonna argue that during pre-trial hearings, it is the acceptable norm to shackle a defendant, but the media's there and because of this, you know, the nature of this case, we think he should be unshackled, so —



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[00:31:43] **Eric Bland:** Why shouldn't he be shackled? He's not under bond. He is in jail. He should be treated right just like everybody else. I don't believe he should be unshackled.

[00:31:52] **Liz Farrell:** Well, he was unshackled. So, the visual of that —

[00:31:54] **Eric Bland:** I think it's wrong.

[00:31:55] **Liz Farrell:** But when you look at the argument they were making, it was because of the look of it. It's not, you know, just that he's not a danger. It's that the media's there and we want him unshackled.

[00:32:04] **Mandy Matney:** And he said, they said specifically, yeah, we know that most other murderers are shackled. But most of the murderers don't have TV cameras.

[00:32:11] **Eric Bland:** Yeah, but most of the other murderers are reported by, when you guys are journalists, you would go to a murder trial and report it. I just think that we, again, we're back to the same cup of justice. Are we gonna have one or we gonna have two? Are we gonna have a different one for Alex in this murder trial? Look. Something happened at the end of the hearing, which is Alex's grandfather's on the wall, the portrait. We gotta take it down, you know? We don't want him staring at the jury. I mean, that's almost threatening in a way, isn't it?

[00:32:41] **Mandy Matney:** Yeah, it's creepy and it's weird, too, that they haven't taken those down already. Like the dynasty has fallen. They've been exposed. It is time for those paintings to go. It is a new era in South Carolina.

[00:32:53] **Eric Bland:** I was in Mark's courtroom in Allendale, and one of 'em is sitting there with a cigar in his hand. That's the portrait. Can you imagine that? It's not like, usually you see a judge, he's very proper, you know, with a robe on. Or you see a lawyer, they're standing. He's sitting there with a cigar like this, like I'm the badass.

[00:33:15] **Mandy Matney:** Buster Murdaugh was known to smoke a cigars in the courtroom, right?

[00:33:20] **Eric Bland:** But that's power again, isn't it? That's power.



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[00:33:23] **Mandy Matney:** But back to the visuals and back to who's winning and who's losing here, I think that it could be argued that they do not, like with their visuals. I think a jury, if a jury was sitting there today and watching Alex and their team and their interactions, I think from that, and those are things that stick with a jury, right? Like a jury sits all day and gets all these random facts thrown at them. Blood spatter. And it's —

[00:33:55] **Eric Bland:** But one little slip up could change, could stick in their head.

[00:33:59] **Mandy Matney:** But a visual in front of them and just an overall impression is so big and huge and I don't think that Dick and Jim are taking that seriously. I don't —

[00:34:12] **Eric Bland:** Jurors have 24 ears and 24 eyes. And there's one or two jurors that are watching Dick, watching Jim, watch Maggie, watch Alex, and they'll go back in that jury room. They won't talk about the testimony or any of those. They'll say, "Did you see the way that Alex was grinning?" or "Did you see the way that Dick smirked?" And they, it sticks like cement.

[00:34:34] **Mandy Matney:** And they'll say things like, "He doesn't look like a guy who's mourning the loss of his wife."

[00:34:40] **Liz Farrell:** Guys, we're gonna see a different Alex during the trial. Let's face it. Right now, it's for the media. It's to be dismissive of Creighton during his argument. It's to, you know, like during when Creighton's talking, Alex and Dick are whispering and —

[00:34:53] **Eric Bland:** You know, Liz and I today kind of had a gulp while you were talking to David. We kind of gulped a little bit and said, "Jeez. After our experience in the Russell trial with the two jurors, we could possibly see something like that happening in this trial." That there could be, you know, not, I don't think any chance of a not guilty verdict, but there could be one or two jurors that could decide that the state isn't gonna prove. Now, let me ask you this. Obviously, Russell, he testified and obviously Bart forced him into it because he said a pack of wild horses in his opening statement couldn't keep Russell off the stand, so he had to put him on the stand.

[00:35:35] **Liz Farrell:** You think he forced his client to go on the stand? Isn't that like a bad thing?



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[00:35:40] **Eric Bland:** No, I think it was, Ronnie and I think it was the dumbest opening statement that we've ever heard.

[00:35:45] **Liz Farrell:** Meaning he painted him into that corner.

[00:35:46] **Eric Bland:** He painted himself that he didn't have the flexibility if the state didn't prove the case not to put Russell up. So, my question to you guys is: Will Alex testify? I do not think so. I think Dick is always the lawyer that says he wins his case on cross-examination and the state's witnesses and then says, "The state didn't prove this case. We rest."

[00:36:08] **Liz Farrell:** Can I quote something for you right now?

[00:36:10] **Eric Bland:** Yes.

[00:36:10] **Liz Farrell:** "Your Honor, I've been exercising and everything's great. You should let me out on bond." Do we not remember the first hearing with Judge Alison? He talked for eight minutes about himself. He never once apologized. He hinted out an apology. "Your Honor, I just wanna say to my son's friend —"

[00:36:30] **Mandy Matney:** And, again, he was invoking sympathy, too. Every single time he ever talked, it was about sympathy.

[00:36:35] **Eric Bland:** Except there's so much cross-examination material on him. And the lesson to be learned from Russ is don't open your mouth and let people think that, you know, know how stupid you are. Keep it closed and let people just think about it.

[00:36:47] **Liz Farrell:** Do you think Alex, I just don't think he is smart enough to say I should shut up. I think that he's, I think he's gonna say, "Put me in, Coach."

[00:36:55] **Eric Bland:** Yeah, except the difference between Russell and Dick, Russell was able to bulldog Bart and Matt to say, "I'm testifying." Dick Harpootlian, nobody pushes him. If he doesn't want Alex to testify, I'm telling you he will not put Alex on the stand.



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[00:37:11] **Liz Farrell:** Everyone I think even you said that that eight-minute speech that he gave and unfortunately we don't have a record of it because Judge Alison Lee didn't allow cameras.

[00:37:18] **Eric Bland:** Wait a minute. So, you are saying there's a possibility you think that Alex could testify.

[00:37:22] **Liz Farrell:** But you don't remember your thoughts then when you were like, why did they let Alex talk?

[00:37:26] **Mandy Matney:** And it wasn't, it didn't help his chance at a bond whatsoever. It was the stupidest thing. It was so dumb.

[00:37:33] **Eric Bland:** And it made Lee mad.

[00:37:36] **Mandy Matney:** Yes. Yeah, it made her very mad. And that's when she gave the huge bond. It was like, let's make it bigger. Whatever. \$7 million. Deal with it.

[00:37:50] **Eric Bland:** And Dick —

[00:37:52] **Mandy Matney:** Yeah, he got so mad. He got pissed.

[00:37:56] **Liz Farrell:** Well, that's what I'm saying. I don't think, you know, and as much as I know that Dick Harpootlian has this reputatio., but even today, I mean, he didn't seem like he was on his game, right?

[00:38:06] **Eric Bland:** No, he was not as forceful and sarcastic.

[00:38:10] **Liz Farrell:** He was all over the place.

[00:38:12] **Mandy Matney:** He said "um" a lot and was very, he's usually pretty fast with his words and faster to getting to the point. Coherent. It's not one giant sentence for seven minutes.

[00:38:26] **Eric Bland:** Didn't one of our listeners say he didn't punctuate his argument?



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[00:38:29] **Mandy Matney:** Zero punctuation. It's just la la la, um, la la la, um. He wasn't energetic. He wasn't —

[00:38:35] **Eric Bland:** I thought he looked better today physically in the face than he did in prior hearings, and he looked good in his suit. You know, I can say that for a 73-year-old guy. I thought Jim was, I didn't think Jim was as crisp as he usually was in his arguments.

[00:38:51] **Mandy Matney:** Today, we were talking about this earlier, but he just seemed like a sixth grader who didn't do his homework and he was shuffling through papers.

[00:39:00] **Eric Bland:** I thought today was gonna be more fireworks because a 96-page motion and accusations of destroying evidence. I mean, if you have a defense attorney and you have that kind of argument, I mean, that's rafters stuff that you scream from the rafters. I didn't see a lot of punch on both sides today. At times, yes, but not a consistent, overwhelming force.

[00:39:22] **Mandy Matney:** I would say that if there was a, like the peaks and valleys of today, like the highest peak where it was like the most emotional and you could see the tension, I think was when Creighton was talking about Alex trying to pin the murders within 30 seconds. And that was a big fact that we heard for the first time this week that —

[00:39:48] **Eric Bland:** Oh, yeah. It was Alex's own words. I didn't know that. Did you?

[00:39:51] **Mandy Matney:** And that's the reason why all of this is coming back for him.

[00:39:55] **Eric Bland:** Folks, you realize that Creighton said that within 30 seconds of the police officer showing up after he made his 911 call, he said, "These people did it because of the Mallory Beach boating accident." Like, where did that come from?

[00:40:08] **Mandy Matney:** This has to do with the Mallory Beach case.

[00:40:09] **Liz Farrell:** So, essentially, that blew the defense's argument because they're saying that we, you know, one of the elements that's coming into play here is state — which is prior bad acts. So, basically —



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[00:40:19] **Eric Bland:** It's Rule 404, the rules of evidence. So, explain, why can't you, if I'm on trial, why can't you admit that, you know, I was jumped off the, you know, a roof and I beat people up in college and everything because what?

[00:40:33] **Liz Farrell:** It's prejudicial.

[00:40:34] **Eric Bland:** People will make conclusions based on my other acts and not —

[00:40:39] **Liz Farrell:** Well, if it speaks to your character. So, basically if you're, you know, this person's a bad person, doesn't necessarily mean you did the crime at hand, right?

[00:40:46] **Eric Bland:** Right. So, we don't want to convict somebody just from other bad acts.

[00:40:50] **Liz Farrell:** So, there's specific set of circumstances under which you can get evidence of prior bad acts admitted and obviously that will be a, you know, another hearing that will be held in the future.

[00:40:58] **Eric Bland:** That will be Rule 403 instead of Rule 404 if it becomes habit.

[00:41:02] **Liz Farrell:** It has to be probative. It has to speak to the crime hand. Now —

[00:41:06] **Eric Bland:** The probative nature though can't be unduly prejudicial. If it's too prejudicial, it still may be probative but the court may hold by introducing it, it prejudices the charges at hand. So, it's a real analysis that has to be done and that judge was not willing to do that today.

[00:41:24] **Liz Farrell:** No, that's coming though because it's gonna be important. So, essentially, the state is saying that because of Alex, because he is the one within 30 seconds of the police arriving there who introduced the element of the boat crash case and the boat crash victims, you know, trying to pin it on them, he opened that door. So, now, they have to explain why would that be significant and what does that mean? And so, they made their motion to include that evidence and obviously that will get heard in the future, but that is significant because now it introduces all the financial crimes and what kind of man he was. And Mandy, I think that was one of



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the more interesting things was when he was talking about the different, like you had mentioned earlier, the different types of Alex's that there are.

[00:42:08] **Eric Bland:** How many personalities does he have?

[00:42:10] **Mandy Matney:** How many personalities does he have and how many different — yeah. How many people. And but it's one of the coldest things, Liz and I were talking about this earlier that, I mean, really kind of took my breath away when I was thinking about it. He was trying to blame one of the most brutal homicides in the state's history, one of the most horrific crimes, on his son's friends.

[00:42:36] **Liz Farrell:** The same people he tried to blame on the boat crash.

[00:42:39] **Mandy Matney:** Yes. It didn't work the first time. And that's how his mind works. It's immediately I messed up or somebody that I have to protect messed up, and I'm not used to getting caught for anything, so I'm going to point the finger and start and I know how to cover it up and everything has worked in my favor. But like 'cause why would, I mean, to the rest of us that wouldn't think of that in a million years to —

[00:43:06] **Liz Farrell:** To blame it on a friend. They're friends with these people, like their parents.

[00:43:13] **Mandy Matney:** Yeah, and he's known these kids his whole life. He probably knew them as babies.

[00:43:18] **Eric Bland:** Yeah, he coached them in baseball.

[00:43:20] **Mandy Matney:** Could you imagine knowing a little kid that you threw a tee ball to when he was five years old and trying to pin a murder on him?

[00:43:27] **Eric Bland:** Isn't that what Mr. Cook said in one of those HBO specials? He said, "I coached baseball with the guy and then I'm all of a sudden realizing as we're talking, hey, he's about to blame my son."

[00:43:38] **Liz Farrell:** We've spoken with enough people that know Alex now know, knew him, and knew him in college and high school and stuff. And that is a pattern of blaming it on friends and getting out of it and no one being able to say or speak



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up and say, this is not, I didn't do that or maybe taking the blame because that's just what you do around the Murdaughs.

[00:43:58] **Eric Bland:** So, this week, I heard guys that there was possible offers of plea made by the state that they would, if he pled to the financial crimes, they would do 30 years and we would do the murder. Is there any validity of what those discussions were? 'Cause it was leaked either by the defense or — somebody leaked it.

[00:44:18] **Mandy Matney:** I think it was the defense.

[00:44:19] **Liz Farrell:** It had to have been.

[00:44:20] **Mandy Matney:** 'Cause it works in the defense's favor 'cause it looks like the state doesn't have a case and it looks like it makes —

[00:44:26] **Eric Bland:** You don't think there's any validity that —

[00:44:27] **Liz Farrell:** No, we've never seen them come out so unequivocally.

[00:44:29] **Mandy Matney:** The attorney general's office never does that. They never comment saying that something is false.

[00:44:34] **Eric Bland:** And they did.

[00:44:34] **Mandy Matney:** And they did. They said it's false. They said, "We never offered a plea deal in any allegations of this whatsoever.

[00:44:41] **Liz Farrell:** And then in their response, they had a footnote talking about how they planned to seek life for the financial crimes alone.

[00:44:47] **Eric Bland:** So, that answers the question. The life. Yeah. LWOP. Life without parole. But what about life, obviously life on the murder charge. There's not gonna be a death penalty.

[00:44:56] **Liz Farrell:** We don't know. They don't have to tell you until, is it 30 days before trial?



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[00:45:00] **Eric Bland:** For death penalty?

[00:45:01] **Liz Farrell:** Yeah.

[00:45:02] **Eric Bland:** Really?

[00:45:02] **Liz Farrell:** Yeah. We don't know yet.

[00:45:04] **Mandy Matney:** So, but that would be two weeks.

[00:45:05] **Eric Bland:** That's still possibly on the table.

[00:45:07] **Mandy Matney:** But I think too if there's ever a case for, I'm not an advocate for the death penalty, but if there's ever a case for one, I think —

[00:45:13] **Eric Bland:** I think a father that kills a wife and son deserves a death penalty if he did it. This particular case, I'm troubled by the lack of direct evidence.

[00:45:25] **Mandy Matney:** But we don't know all the evidence. We know all the stuff that Dick and Jim have leaked.

[00:45:28] **Eric Bland:** But we know it's a circumstantial evidence case. We know we don't have witnesses.

[00:45:32] **Liz Farrell:** All cases are circumstantial.

[00:45:34] **Eric Bland:** To a point, but there are witnesses.

[00:45:36] **Liz Farrell:** There's very few murder cases that have actual witnesses for the murders.

[00:45:39] **Eric Bland:** You're right.

[00:45:40] **Liz Farrell:** And even if you have a video, you know better with all those DUIs in the state and how they, even though you have a video of the guy being drunk on camera —



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[00:45:49] **Mandy Matney:** They could throw that out.

[00:45:50] **Liz Farrell:** Yeah, exactly.

[00:45:51] **Eric Bland:** So, about a month ago, we all said we didn't think the trial would go forward in January. Now, I'm starting to waiver on that.

[00:45:58] **Liz Farrell:** Well, I would say you are. You got subpoenaed.

[00:46:00] **Eric Bland:** Right. But it still doesn't mean —

[00:46:02] **Mandy Matney:** I think too the closer that we get to the trial, the more expensive it is gonna be for the state to move everything, right? Like they have to set up and schedule out all these resources. And they're gonna be pissed off if they have to move it.

[00:46:15] **Liz Farrell:** Right now we're looking at a big game of chicken and because the state waited a year to charge him something that we've been really critical about, the state sort of has a headstart. Would you think or no?

[00:46:26] **Eric Bland:** Do you think that they were really spending their time to cement a case and encase it in cement for a year?

[00:46:34] **Liz Farrell:** Yeah.

[00:46:34] **Eric Bland:** You do?

[00:46:35] **Liz Farrell:** I do. I think they were.

[00:46:36] **Eric Bland:** Do you think they were working that hard on a year or were they working more on the financial crimes?

[00:46:41] **Liz Farrell:** No, I think they were really —

[00:46:43] **Eric Bland:** I don't know if they have the resources to do both, to be honest with you.



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[00:46:46] **Liz Farrell:** They hired a lot of people.

[00:46:47] **Mandy Matney:** Yeah, they did. And I mean, I don't know.

[00:46:50] **Liz Farrell:** That's a criticism actually, frankly.

[00:46:52] **Mandy Matney:** Yeah. And I think it's gonna be —

[00:46:53] **Eric Bland:** Of hiring a lot of people?

[00:46:55] **Liz Farrell:** Well, what about all the other murders? Like and, you know, we're happy obviously 'cause we wanna see justice served here and whatever that may be. We might be absolutely, you know, might be that he didn't do this. Okay. But he, I mean, there are other murders. There are other families that are deserving of the time and efforts and resources.

[00:47:11] **Eric Bland:** Where are all these people sitting in jail? Why does Russ and Alex get their trial within six months? I don't understand it.

[00:47:17] **Liz Farrell:** It's people's ambitions, right? So, you have this major case. It's the biggest case in your career. Has Creighton tried a murder case before? I don't think, I've heard he hasn't. Has the state AG's had a murder case? I've heard they haven't. So, these are big things. For Emily Limehouse, that's a big win. That is a maybe, exactly, that's career-defining.

[00:47:35] **Eric Bland:** And by the way, she had lost her previous trial. She had a not guilty verdict, so she had told me she was absolutely nervous.

[00:47:42] **Liz Farrell:** Yeah, so this is ambition to a certain extent.

[00:47:43] **Eric Bland:** She was not as confident on the inside as she appeared and portrayed on the outside.

[00:47:49] **Liz Farrell:** She's good though.

[00:47:50] **Eric Bland:** She was really great.



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[00:47:51] **Mandy Matney:** You couldn't tell.

[00:47:52] **Liz Farrell:** Not at all. I thought she was, I was actually jealous of how calm and collected. Yeah, for sure.

[00:48:03] **Mandy Matney:** Well, today, Eric Allan, who thank you, Eric Allan, for your amazing videography. Eric sent us a printout that they were apparently passing around to media in Colleton County advertising Airbnb's for the trial.

[00:48:23] **Liz Farrell:** Passing it around in the courthouse there.

[00:48:25] **Mandy Matney:** This is like the event of the century in Walterboro.

[00:48:27] **Liz Farrell:** We've heard from fans of the show that they are, have already rented their hotel room or booked their hotel room.

[00:48:33] **Eric Bland:** Are you kidding me?

[00:48:33] **Mandy Matney:** Yeah, people are coming down for like girls weekends. I'm not kidding you. It's crazy. But I think every day that we get closer, especially in the next couple weeks, I feel like nothing really happens around Christmas time usually.

[00:48:48] **Eric Bland:** So, it is gonna go.

[00:48:49] **Mandy Matney:** I think it's going and I can't believe it, but here we are. And I think it's just gonna be unpredictable, just the craziest few weeks of our lives.

[00:49:01] **Eric Bland:** You know what? I do feel bad for, and I know that there's probably good and bad about it, but I just, you know, being a father, I feel bad for Buster. I feel bad that it's Christmas time. He doesn't have a mother. His father did it to himself and is in jail. He doesn't have a brother. The family name's destroyed. I just, there is a part of my heart that does go out to a boy, a boy like that. It just does, you know? It's sad. It's sad all the way around.

[00:49:30] **Mandy Matney:** It's also, it's horrible what Alex Murdaugh did to his family because Maggie and Paul right now don't have a single person in the courtroom for them because of Alex's intimidation of people and because Alex puts that fear inside of people; that if you go against me, you're gonna pay for it.



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[00:49:53] **Liz Farrell:** I wanna talk about, you know, wrap this up with one of our, I think, favorite moments during the hearing, which was what Creighton said about Alex and not being able to kill all the victims, which was a stunning, stunning moment because his point was that Alex had to kill Maggie and Paul. That was the more effective way to get sympathy than to kill everyone he had screwed over since 2011.

[00:50:20] **Eric Bland:** He said he couldn't kill all those people.

[00:50:21] **Mandy Matney:** Oh, and he said that, what did he, did we know that every single year he stole from, did he say a different victim every single year from 2011 —

[00:50:31] **Eric Bland:** From 2011 to 2021. That was a new fact.

[00:50:36] **Liz Farrell:** For 11 years, never a gap in time when he wasn't stealing from somebody.

[00:50:40] **Mandy Matney:** I couldn't believe, like when Creighton said he couldn't kill all of them. I also think that that is speaking to the tone of what we're gonna see in the next month, which is this guy is capable of anything.

[00:50:52] **Liz Farrell:** It was chilling.

[00:51:10] Thank you guys for joining us. We had a lot of fun today and we have a lot of fun talking to you every time we are on Cup of Justice.

[00:51:16] **Eric Bland:** Yeah, I'm real appreciative. Hope everybody's enjoying the holiday season and getting ready for Christmas and Hanukkah and whatever you wanna celebrate. And I thought it was neat today. Interactive. Again, it really is humbling when we do that. It lets us know that we have some special people.

[00:51:33] **Mandy Matney:** And people all over the world. I've seen England and Scotland and sometimes Australia pops in there and it's really exciting.

[00:51:41] **Liz Farrell:** Awesome.

[00:51:41] **Mandy Matney:** World Tour someday.



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[00:51:42] **Eric Bland:** Thanks, guys.

[00:51:43] **Liz Farrell:** Thank you, guys.

[00:51:43] **Mandy Matney:** Thank you.

[00:51:51] **Outro:** This Cup of Justice bonus episode of the Murdaugh Murders Podcast is created and hosted by me, Mandy Matney, with co-host Liz Farrell, our executive editor, and Eric Bland, attorney-at-law, AKA The Jackhammer of Justice. From Luna Shark Productions.

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