



EPISODE 15: Alex Murdaugh's Double Homicide Trial - How We See It Different From The "Experts"

[00:00:00] **Mandy Matney:** Well, this has been one really surreal week. If you had told us last January that just in one year we would be in the middle of Alex Murdaugh's double murder trial, I don't think any of us would've believed that. But we are happy to be here. It means justice finally has a chance of getting served in Murdaugh country — at least that's what we hope. Needless to say, Liz, Eric, and I, who have been very close to this case, are keeping a close eye on everything going on. But so far, so good. We have been pleasantly surprised with the witnesses so far, all of whom are in law enforcement and first responders. It is still early, but we've been really impressed with how they have held their own against Dick and Jim. Like a lot of you, we have been stunned by the Murdaugh family's appearance in trial every day. And unlike a lot of national media, we continue not to be fooled by Alex Murdaugh's tears and overall manipulations. Okay. So, there is so much to talk about with y'all in this episode. So, cups up, everyone. Let's get into it.

[00:01:31] **Liz Farrell:** Well, guys, it's happening. It's been happening. We were just talking before we started recording now, but we were just talking about something I wanna start with because it's really important. The three of us have been like, Eric, you said, knee-deep in this for quite some time and it's been a real lesson for us seeing how people have been responding who are new to this case or who haven't been following along quite as deeply as we have been. And, Mandy, just what are some of the things that you're seeing out there that have astonished you or surprised you in any way just as people are approaching this case for the first time?

[00:02:05] **Mandy Matney:** A lot of sympathy. I think I've mostly been shocked with the amount of sympathy I'm seeing toward Alex, which is exactly what he wants. I mean, we've dove so deep into this that it is really hard to see Alex as deserving any sort of sympathy 'cause we know everything about this guy. And I think especially I've been glad that we listened to the jailhouse phone calls because that really gave us a level of insight that obviously the rest of the world doesn't have or most of them. Alex has the — through the jailhouse phone calls, we noticed how great he was at manipulating his family and the people around him and doing a little — remember he'd ask favors at the very



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end. He'd pretend like he cared about people, and then suddenly — I mean, he's manipulative. And so, I see all those things when I see him. And when I see the tears go on and off, I see a narcissist sociopath who is incapable of feeling, who's incapable of emotions like the rest of us. And I think it's all an act. And I just think it's stunning that the media keeps focusing in on his tears every single day. And, oh, and his family supporting him and how he can't stand to listen to all of these things and the tears. And I just think it's crazy that they don't bother to say, "But we never saw those tears before." And every other hearing, he wasn't crying. It was a completely different Alex Murdaugh. But now that those tears benefit him, they are flowing every single day.

[00:03:40] **Liz Farrell:** And they turn off.

[00:03:41] **Mandy Matney:** Turn off and on. It's like a faucet.

[00:03:43] **Liz Farrell:** It's when the jury and the judge are not in the room, he is a different Alex Murdaugh. He's smiling freely. He's much more relaxed and jovial and making jokes it looks like with people. So, I know that we're all capable of that. But I feel like to a certain extent, like people need a very quick primer on who these people are and like where we are in terms of understanding them. And the number one thing to know is that they have deep, deep roots with law enforcement and a deep, deep experience in not being held accountable and in being able to call the shots. And everyone in their world I think sort of has that. They very, very much wanna have their hands on the steering wheel at all times. And this was a new reaction for them to have to deal with. I don't think that they expected law enforcement to go the distance with this. So, it's all new for them. So, that said, Eric, what are some of your observations about the newcomers to the story?

[00:04:35] **Eric Bland:** Well, welcome, guys. Cups up to our audience. You know, we've been in our own little sound chamber for the last year and a half. And our audience is so intelligent and they've come along and, you know, offered some great insight. And so, I think I'm seeing a trial in my eyes that I don't think the rest of the world is seeing. And I'm asking myself, "Am I being intellectually honest?" One, because I have such bad feelings towards Alex. I think he's a despicable human being, a lawyer, and everything and he's a master manipulator because of all my knowledge about the financial crimes.



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And I'm trying to look at it as a lawyer to say, "Yes. He's innocent until proven guilty." But I have so much baggage that I know of him and then so much baggage of Dick. I'm trying to look at Dick objectively and I'm having a difficult time. One, because of my bad feelings towards him. But two, I was appalled as a lawyer and a human when he stood up in front of the jury and said, "I am honored to represent Alex Murdaugh." It wounded me deeply because I don't know any lawyer who could say he's honored to represent Alex. I get it at from a standpoint of you're entitled to your innocence and everything that the law entitles you to. And Dick should have said and did say, "I don't think he's guilty." But for another lawyer to say that he's honored to represent him after knowing he's a thief and stole from clients of \$10 million, I think it's a slap in the face of our profession. At the same time, I am marveling a little bit at Dick because he is a 74-year-old man and he's gone toe to toe and I can't begin to tell you how exhausting it is to prepare for trial and sit there for eight hours a day and listen and be on your game. So, it is impressive a 74-year-old man is doing what he's doing. With that said, you know, I've been on a lot of television shows, this past two weeks and I'm getting bombarded not only by the host, but it's usually a two to one on me because the national pundits are all for Dick. They're all for Alex. They're saying this is junk science; that the crime scene is totally blown. I mean, let me clear this up right now. Voice recognition has been around forever. It's not junk science. CSR is not junk science. None of this is junk science. Phone mapping is not junk science. So, that's dealing with that because every defense lawyer is gonna rip apart a crime scene. Every defense lawyer thinks it's junk science unless it's benefiting his client. And by the way, look at the expert witness list of Dick. He's got seven of those on there. So, those seven are somehow not gonna be junk science but everyone that the state does. And a defense lawyer's gonna rip apart a crime scene. Like I said to Geragos the other night, "Mark, I've never seen you stand up in a court and say, 'You know what? I don't have any questions, Your Honor. The crime scene's perfect. They did everything right. They put the yellow tape down right. They took the footprints in clay. They took all the photographs.'" If they took a hundred photographs, Dick is gonna say they should have taken 150. If they had the tape at 50 yards, Dick is gonna say it's 75. And it's because a crime scene is an art. It's not a science. It's a little bit of both. And then the only other thing I'll say and then I'll stop is I think I'm so impressed with the professionalism and confidence and confidence of these state witnesses. These women are powerhouses, okay? I had my own prejudice or my own forethought of, well,



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is Colleton County gonna be a real — are they gonna portray themselves well in front of the national audience? I am pleasantly surprised and I was wrong. These women are credentialed. They're experienced. They're just the facts. They're not slanting anything and they're poised. And I think the state looks great to the rest of the nation until I go on television and then all of a sudden we look, everybody says we're a banana republic.

[00:08:26] **Liz Farrell:** I think we are a banana republic. But I will say, yeah, including I would say the both the men and the women so far I think have been great. But one thing I wanna make clear of voice recognition, going back to that, Alex's own family is the one who ID-ed his voice. And we're also of the belief that it's not just one video. So, Dick and Jim like to talk about the video where you can hear Alex, but I believe there's also a video where you can see Alex and that's probably going to come into play as well. So, I don't think that there's any question that he was at the kennels. And if Dick and Jim are trying to say that he wasn't down there, I think that's gonna come back to bite them.

[00:08:58] **Eric Bland:** No. Dick just casually said in his opening statement, well, he may have gotten it wrong. He was there. He thought he wasn't, you know? It's just like constantly, you know, degrading the state's evidence, this powerful evidence. And nobody's asking the hard questions like, well, if your son really had death threats, how come you didn't report that to the police? I mean, if my son had death threats, the first phone call I would be making to the police. He brought Maggie to the property, like one of our listeners said, to go see his father in the hospital who was dying. Yet when he leaves at nine o'clock, he doesn't take a left turn to go to the kennels to pick Maggie up. And, oh, by the way, he's not going to see his dad. He went to see his mom. So, nobody's pointing to the vast dramatic inconsistencies of their case.

[00:09:42] **Mandy Matney:** Except for us.

[00:09:43] **Eric Bland:** Except for us and our listeners. And our listeners.

[00:09:46] **Liz Farrell:** It seems once again we're alone in this. It's what's so funny about it. Yeah.



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[00:09:50] **Mandy Matney:** Right. I keep having flashbacks to right after the shooting in 2021 and — "shooting," yeah, I like how Creighton is calling it the roadside incident. But I keep having these moments. I remember back then of like every other media writing these stories of like somebody's after Alex. Jim Griffin says that we're gonna have a sketch soon of the guy who shot Alex and all of this crap. And I always knew it was bullshit. We all knew it was bullshit from the beginning on the second it happened. But everybody else bought into the story. And that whole week I was like, am I the crazy one? Am I seeing — are we following the same case? And —

[00:10:35] **Eric Bland:** If I put you on the jury, could you have washed out your mind and be fair and impartial? Are you guys — I'm trying to. I can't be. Could you be fair and impartial for what you're seeing in the court? Because I saw last night the interview in the car. It came out when I came home. And what I saw was the investigators giving him every benefit of the doubt, patting him on the back. They didn't really look at him or treat him like a suspect. They treated him like he was one of them — a venerable, part-time prosecutor. It was stunning to me. If he's saying to them, you know, I turned over Paul's body. I checked for a pulse. Somebody should have turned to him and said, how come you're all clean?

[00:11:12] **Mandy Matney:** Where's the blood?

[00:11:13] **Eric Bland:** Where's the blood on you? Where's the dirt? How's this possible?

[00:11:16] **Liz Farrell:** Right.

[00:11:18] **Mandy Matney:** But I thought that it was stunning watching that after Harpootlian portrayed that interview as aggressive. He was trying to — he said they aggressively questioned Alex that day and he said that — Dick has this theory that they honed in on Alex Murdaugh and nobody else and they had tunnel vision and all they wanted to do was arrest Alex Murdaugh. And in that video, I see the opposite of these police officers not wanting it to be Alex and not wanting to go down this road of could a Murdaugh —



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[00:11:56] **Eric Bland:** They were looking away. The driver was looking away. He was looking down. The two guys in the backseat were looking away.

[00:12:01] **Liz Farrell:** So strange to me that they did that in the car.

[00:12:01] **Eric Bland:** Then they rub him on the shoulder. He goes from crying to just totally normal.

[00:12:05] **Mandy Matney:** Console him. Yeah.

[00:12:07] **Liz Farrell:** And you guys heard that on the body camera footage, too, that one of the first things that sounded like people were saying to each other is, "Are you aware of this family?" And that's something obviously you would say if there's a history of trouble at that address or what have you, but that's not what they meant. It's the same thing that Anthony Cook said, which is like it's boat crash all over again where he says good luck with — good luck trying to do anything with this family. And he's not wrong. And they had a year I think to convince themselves that Alex didn't do it. And I think that they — that whole year that they waited to charge him was also a year in which they were looking for an escape door. I don't mean necessarily the cops. I just mean that in general. That would've been an easier route for every single person on these teams to have gone is if they could find somebody else who was not Alex.

[00:12:52] **Eric Bland:** I don't think I've ever said this in my career, but I'm willing to say it. And if somehow that jury comes back with a not guilty verdict or it's a hung jury with four or five people or three people saying not guilty, I'm not gonna — I refuse to believe that he didn't do it. I just feel like the evidence is so strong. But I'm seeing it in a twilight zone because the rest of the world is not seeing the power of this evidence.

[00:13:21] **Mandy Matney:** Here's the thing though that I keep thinking about this, too, because I'm — Liz and I have been looking at each other all week. Like, wow, they had that, too. Wow. I'm pretty impressed. Like I went into this thinking I was gonna — and I told one of my sources this. It was like I went under this thinking I was gonna be slamming my head against the wall all week, being like, God damn it. These cops. They should have done better. And



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it has not been like that. For the most part, I've been overwhelmingly impressed and they have — a lot of these people working on this case have really done the state of South Carolina proud I think. But I think we're all thinking that because we know the whole story and we know everything else Creighton has in his cards. He's got a lot of cards to play besides the ones that he's presented so far. And I think when Creighton starts telling the story of who Alex really is and how he can flip a switch and all the awful things that he has done that are related to this and added to the pressure, I think that people are gonna be able to see the totality of who he is and how he's a sociopath and how he can manipulate people. And I think that that's how we're seeing things different than everybody else because — and also, I mean, let's just say it. I just wanna say it right now. I don't think the media would be treating a poor Black man like this and —

[00:14:56] **Eric Bland:** There's no way a —

[00:14:57] **Mandy Matney:** I just don't. I don't think that they would be as sympathetic. No way.

[00:15:01] **Eric Bland:** There's no way a Black man who's on trial can at a court break, when the jury goes to their room for a break, can turn around and reach across the railing and touch their family members. If you go to Richland County and a guy who's on trial for murder tries to do that with his family, the deputies are on him like a bee to honey. It is stunning. Listen. The whole production — and it is a production. Let's just be honest. It's a production from both sides. It's gamesmanship. It's who's gonna sit where? What are we gonna wear today? But I'm struggling and I'm kind of upset at myself because I do understand his family. But I'm so much struggling with how the family is supporting Alex. And I get it. This is their father. This is their brother. I do totally understand that. And they haven't seen him in a year and a half. And they're not sure themselves.

[00:16:09] **Mandy Matney:** Allegedly.

[00:16:09] **Eric Bland:** Allegedly. Whether they don't want to admit it or they want to see a jury say at first — I get all that. But the state of South Carolina has spent hundreds of thousands of dollars if not a million dollars because



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you've had a grand jury for 10 months and they've charged Alex 999 years' worth of stuff — 99 criminal charges, income tax, you name it, and then this murder case. And you see how much they are putting into it. And for the door to open and those family members to sit directly behind where Alex is sitting, for the camera to be on them and him, it sends such a strong signal to the jury. Wow! His family knows so much more than we do. And if they know more than we do and they're sitting behind him, then he must be innocent. I'm really worried about how powerful that will affect the jurors because nobody's sitting on the state. I'm not saying that Buster needs to go back and forth, but Buster could sit back or some of the family members could sit back. But it's almost like they're part of the trial team. And I get it that —

[00:17:29] **Liz Farrell:** They are part of the trial team. I don't think there's any mistaking that.

[00:17:32] **Eric Bland:** I know as a lawyer I should understand this. I'm just giving you my personal gripe.

[00:17:37] **Liz Farrell:** Yeah. I think they're absolutely part of it.

[00:17:39] **Mandy Matney:** One of them has to be paying for the defense team. I fully believe that. I think that the defense is well past the \$600k and I think that they're supporting him. I think that — I saw a video on Twitter somebody sent me earlier today of when the jury left the room and him turning around and talking and John Marvin smiling at him. Like they are not acting. And I know it's family and I know it's hard to cut off family. But I can tell you that if I was Buster and if I — I don't even wanna say that — if my dad was accused of a fourth of the things that Alex is accused of with a lot of evidence to back it up, I would never talk to him ever again.

[00:18:33] **Liz Farrell:** Well, you're forgetting, guys, that he's been told — this family has been told that it's Curtis Eddie Smith. So, I think the two filings that Dick and Jim made before the trial started, really pointing a very aggressive finger toward Eddie Smith, might also have achieved — not only did it achieve the headlines to get Eddie's name associated with their murders, but I think also it was a validation for the family so that they could have that cognitive dissonance and believe it was Cousin Eddie. And they have Dick and Jim who



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are telling them, "It's not your father. It's not your father." And I think that that's probably, if you're looking to — if you're one of those people that wants to let me see for myself, I don't wanna judge him until I see the evidence myself, I think the evidence has been presented to them by two people — Dick and Jim — who are gonna present it in a certain way, not an objective way, obviously. And they've probably assured this family he didn't do it. He's not the guy. So, I think they can sit there with that perhaps lie in their head. And it excuses them for that. But the second thing, yeah, the, Eric, you had noticed that the family waited until the jury sat down on that first day that they filed into the courtroom. They came in after the jury was seated, which by the way, I don't think the rest of us would have that —

[00:19:59] **Eric Bland:** No. The bailiff stops us at the door.

[00:20:01] **Liz Farrell:** Yeah, I don't think so.

[00:20:02] **Eric Bland:** They would not let us walk in late.

[00:20:05] **Liz Farrell:** But they wanted the jury to see that commotion, to see Alex's reaction. And that is something that we've been told by a very good source that that is an actual tactic of that family throughout the ages in getting the story told or the drama. They like that presentation of unity or what have you. So, in some way, and I know this is so gross for me to say because if he is innocent, God help, you know, the, I'm not even gonna say it. If he is innocent, whatever. But that family right now is co-conspiring with him in a way.

[00:20:40] **Mandy Matney:** Right.

[00:20:41] **Liz Farrell:** They're co-conspirators. And that's sad for Maggie and it's sad for Paul that the truth of what happened to them might not be the accepted truth that emerges from this trial. And then the other thing I wanna mention is just it is so hard for me to understand how people are not seeing what *The New York Times* called this ready explanation in all cases. He did it during the Salkehatchie shooting before — the man's claiming to be shot in the head. And instead of being like "My head!" he's talking about what he



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thinks like the narrative of what happened to him, the thing he's been rehearsing in his brain.

[00:21:18] **Mandy Matney:** "I've been shot."

[00:21:20] **Liz Farrell:** Yeah, exactly. It was the — so, it's the same with this. He did it with the 911 operator. He did it with the cop on the scene. He did it with the SLED officer or agent in the car. He has a rehearsed ready main story to present immediately to them. And that to me, more than the tears and not-tears, is more damning than anything. It is — you cannot predict how somebody's gonna be in grief, especially when they see something as gruesome as this. But it is so strange to me that this man has already formulated his alibi.

[00:21:54] **Mandy Matney:** Right.

[00:21:54] **Eric Bland:** Yeah. Like for me, I can get past Alex crying and not crying at the scene a little bit because people in shock can do one or two things. For me, though, let's talk about from the family standpoint. Objectively, if you heard this evidence, shouldn't it affect you? One, if Alex said he was never at the dog kennels, now we know he is at the dog kennels six minutes before their phone goes dead. That's subjective. That's something that they didn't know. Number two, it appears that he changed his clothes. That should be another objective fact —

[00:22:43] **Liz Farrell:** Sure does.

[00:22:43] **Eric Bland:** — that should start to sway. Number three, he's totally clean. Totally clean with no blood on him, no dirt, no nothing. And he said, "I moved the body." That should be another objective fact. So, now, we got three. Number four, he leaves the house after texting Maggie twice and calling her once and getting no response and doesn't drive to the kennels to say, "Hun, I know we were supposed to go see my dad but I'm gonna go see my mom."

[00:23:22] **Liz Farrell:** "Who I never see."



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[00:23:23] **Eric Bland:** Right.

[00:23:24] **Liz Farrell:** "It's very unusual for my wife not to answer her phone."

[00:23:26] **Eric Bland:** Right. So, that's objective fact number four. Number five, he takes a blue tarp — call it a blanket, call it a jacket, whatever you want — with GSR on it and hides it in his mother's house after the murder. Those are five objective facts that even if you believe what Dick tells them that it's Cousin Eddie, you should pause and start to say, "Now, wait a minute. Dick, why didn't you tell me that? You would've known those facts 'cause they were in discovery." I was on TV the other night with Cousin Eddie's attorney, Amy. And she says Cousin Eddie's going to testify and the world's gonna be shocked by what he says. Now, whether he's credible or not — so, I'm asking you. Those are five objective facts. They're educated people. The Murdaughs are not dumb people. How are they, how is this not penetrating their titanium caps?

[00:24:22] **Mandy Matney:** I don't think that they're used to processing things independently like the rest of us are. I think they operate as a unit. They've been used their entire life — they've been used to their entire lives having a leader of the family and just following what that leader says does. And I saw a lot of our MMP fans commenting during the trial about how they kind of act like the Royals act.

[00:24:49] **Eric Bland:** Good analogy.

[00:24:49] **Mandy Matney:** Like a stoic, lack of emotions when they're sitting there. They know that they can't be overly one way or the other but they're still there and present. And another thing I wanted to say is the I think that so far at the end of week one, the biggest W that the defense has had so far is the Murdaugh family filing in behind him. Like I don't think we can underestimate that. And you're right, Liz, it is them co-conspiring and working on behalf of the defense. Whether they wanna pretend like they're keeping their distance and waiting for the facts or not, we've heard a lot of facts. And also, where's Randy been the last two days? Randy was there the first day and he's not and his wife was never there either, so I don't know if —



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[00:25:44] **Eric Bland:** I think that's a law firm mandate. I think it's a law firm telling him —

[00:25:48] **Mandy Matney:** Yeah.

[00:25:49] **Eric Bland:** Okay, you went the first day. But the more you're there, the more that it potentially can hurt our law firm. I think the law firm may have put the block on him and said no.

[00:25:58] **Liz Farrell:** I hope that's the case. I do because that means that they are not so certain about the outcome. We'll be right back.

[00:26:15] **Eric Bland:** Don't you think it is powerful for the defense that Alex was lawyered up — and I guess it was Danny Henderson, that's who he gave the name, so he had a lawyer. Why was he cooperating from June 8th on? Why would the family ever sit down with the police, give their phones up?

[00:26:34] **Liz Farrell:** Right.

[00:26:35] **Eric Bland:** Any lawyer worth his weight and salt would tell the client even if they were innocent, look. No good can come about.

[00:26:41] **Liz Farrell:** I agree.

[00:26:42] **Eric Bland:** Unless you're given a proffer, no good could come about it 'cause you're a potential target here.

[00:26:48] **Liz Farrell:** Absolutely.

[00:26:49] **Eric Bland:** How do you view that? How do you view his willing participation — talking like he did, giving his phone, Buster giving his phone, John Marvin giving his phone, and Randolph and then them sitting down and answering questions without a lawyer present? That's amazing to me.



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[00:27:08] **Mandy Matney:** I think it shows the power that the Murdaugh family is used to. They are used to — and they acted this way in the boat crash. They are used to being able to face law enforcement. Tell give them a story and that story is believed, bought, and that's that. They're not used to being challenged. They're not used to everything that the rest of us worry about. And I don't think Alex thought in a million years that this would go beyond Colleton County. I thought that I think he thought that his buddies would cover for him. And I don't think that he — obviously, we said this in the podcast. He has a history of making very stupid decisions. And I do believe after this week, I think that Alex freaked out and I don't think that it was planned. I think that the way that he was behaving I really do now think that it was if he did it a blow up; that he freaked out and snapped. And I do think that some of his emotions afterwards are shock and in natural shock when you watch him.

[00:28:25] **Eric Bland:** You can be a sociopath.

[00:28:26] **Mandy Matney:** You can be, yeah.

[00:28:27] **Eric Bland:** And still — you could have killed your wife and still be emotional about it. You could kill your kid in a crime of, in a shocking crime of passion. It happened in a second. Paul said something nasty to Alex. Alex said something nasty that escalated. Boom. You can still — seeing your son's head blown off, be highly emotional even after you did it. That doesn't mean he's innocent.

[00:28:52] **Liz Farrell:** Even if he did it, like even if it was planned, you can still have grief over it's a sacrifice that he has to make for something larger, too, because the larger thing being whatever this is that he's been into with the money and such. So, what if — I mean, if he saw killing his family as the only thing that was available to him to solve his problems, that doesn't mean that he doesn't have remorse over doing it. So, I think people need to keep that in mind. And one thing I do wanna mention because we do have so many newcomers to this, at the time of the murders, this man was under investigation by the state grand jury for obstruction of justice, along with what we've heard possibly other family members and other law enforcement officers, for what they allegedly did in the aftermath of the boat crash to steer



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law enforcement away from Paul Murdaugh. When the boat crash happened, Mandy and I knew going in that the fix was going to be in. If we did not have a focus on this case, if we did not call it out, if we did not continue to cover it, it would've been so much easier for them to not charge Paul. And that's where it was likely going. And I also think we need to mention that this is a very loyal family, so it's actually no surprise that they're behind them. It does not surprise me any — other than the fact that I think they should probably be a little bit embarrassed for themselves at this point and probably don't understand. And the third thing I wanna mention is talking about the safety that he might have felt. One of the major controversies that happened in the aftermath of the murders was that investigators from the 14th Circuit Solicitor's Office were on the scene from the very beginning. The excuse that was given — now, this was a conflict of interest because Alex was a volunteer solicitor. This is an office that his family was in charge of for 86 years. The man that's in charge of it now, Duffie Stone, he took it over for Randolph Murdaugh. Randolph Murdaugh went to bat with the governor at the time to get Duffie in place. So, these are people that were put there by the Murdaughs, for lack of better terms. So, the excuse that we got for the 14th Circuit being on scene was their specific expertise in handling cell phone data and whatever equipment they have, what have you. So, I found it very interesting this week when Dick was — so, I should back up. Duffie Stone, who is the Solicitor for the 14th, is a protege of Dick Harpootlian. He looks up to Dick Harpootlian. He worked for Dick Harpootlian, I believe, when Dick Harpootlian was a prosecutor. So, Duffie Stone, his people are there for their phone expertise. And now, we have questions about why the phones weren't handled in Faraday bags, why they weren't handled in a very specific higher-level type protective bag that I would assume somebody with a lot of cell phone knowledge would know about. So, this is where I start to see things fall apart a little with the crime scene stuff. They want a messy crime scene. Being lawyers, they know this. They want things. They want not clear answers. So, I just wanna make sure that all of that's mentioned for the newcomers because this is what we're using. This is the information that we've been using to form our opinion and that has fueled our suspicion for years now.

[00:32:15] **Eric Bland:** Liz, I have two observations. The first is I think we cannot underestimate the power of him being confronted on the morning of the murders by his law firm and the effect that that had on Alex. We're only going on what Jeanne testified to at Russell Laffitte's trial. I have a feeling it was



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worse. I have a feeling that it wasn't just related to just the Chris Wilson matter. I have a feeling that they gave him some pretty pointed accusations and said, "Alex, we are going to audit you. We're gonna audit your clients." And I think that sent him in a frenetic high-alert state because that is where he makes his money, not by the law firm, but by the theft. He makes a lot of money as a lawyer, but if that's cut off, that cuts off his legitimate income and some of his illegitimate income. And so, I think we need to focus on what effect that had on Alex that shaped how he was going to do what he did for the rest of the day. The second observation is we can't win. If the jury comes back and says not guilty, everybody's gonna say, you see? You guys railroaded him. You only looked at the good evidence that you wanted to. You didn't look at the reasonable doubt.

[00:34:00] **Mandy Matney:** I don't think that if, and I've, you know, this is things that I think about before I go to bed at night. Like what am I gonna do if he's found not guilty? At the end of the day, that's not — we've done our jobs. We've done. And two, if he is found not guilty, that just proves our point more that there are two systems of justice in the United States of America and Alex got a lot of advantages that anybody else would not have gotten. And you cannot tell me that if he was anybody else, I think that this would've all played out a lot different. Most people don't get a million-dollar defense behind them.

[00:34:45] **Eric Bland:** Shouldn't they have brought in a jury from somewhere else though? I mean, I get the not changing the venue. I get that there's —

[00:34:52] **Liz Farrell:** So, how does that work, Eric? Because we've seen a lot of questions about that. How does a venue change for a criminal trial work?

[00:34:59] **Eric Bland:** Either side could petition the court and say it's prejudicial to either case because the jury is too infected with either knowing the defendant or that he cannot get a fair trial because of the amount of bad press. Usually, a motion to change venue is made by the defendant. You know, somebody like Dylann Roof, there's nowhere he could go that somebody really wouldn't know about it. This is the same way. You know, we've already, we've brought juries in from other places many, many times in



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this state. I don't understand why the state did not make a motion to change venue. I just don't.

[00:35:41] **Liz Farrell:** Can I note a few things about the jury because — yeah, so. We had, there was 900 people that were called up for this. 300 showed up, which we're told is a normal ratio there. Each — so, they were divided into four panels. Each panel was asked by the judge whether they had heard of this case. And 90% of each panel — the first panel, all of them stood up. But the rest of the panels, most of the panels, the potential jurors stood up. On this jury, though, what I'm seeing is — because I kept track of the ones that sat down who said that they had not heard anything about this case — we have I believe it's six jurors who said that they had never heard of this case. And then we have I think it's one or two alternates. I'd have to look. But and then there's one woman on the jury who said that she had heard of the case and had formed an opinion as to whether Alex was guilty or innocent but that she could put that aside to be impartial.

[00:36:44] **Eric Bland:** You're kidding me?

[00:36:45] **Liz Farrell:** I'm not kidding. And Dick did not strike that juror. So, of course, my antenna's up because I think it's really — and then there's one juror who is related to one of the 255 witnesses. And this juror, too, said, "I can put that aside." So, I think that when you're looking at the number of people — obviously, Dick and Jim are gonna want people who hadn't heard of this case. I understand that. But when you look at how the lottery is pulled, how did that so many of the people that — of the few people who said they didn't know anything about the case and up toward the top of it because they only got through I think about maybe 30, 40, I'd have to look to see how many jurors they got through in the striking phase. So, that's just something. And I'm not saying anything nefarious happened. It's just something I find merely interesting.

[00:37:34] **Mandy Matney:** I think it's also interesting. I think you're right, Eric, that it would be difficult to get truly a jury that had never heard of this case and could be fair and impartial anywhere. But anywhere in the 14th Circuit especially, knowing the history of the Murdaugh family, I mean, we cannot ignore the fact that before this case, Buster Murdaugh, Old Buster Murdaugh,



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portrait was in this courthouse. Like the people in Colleton County know this family. They know the history. And more importantly, they know about the fears surrounding this family.

[00:38:11] **Liz Farrell:** Absolutely.

[00:38:11] **Mandy Matney:** And they know about — they've heard the stories. Most of them have. And I also worry about the people that said that they hadn't heard of this family. They're either under a rock or they are lying.

[00:38:25] **Eric Bland:** They're lying.

[00:38:26] **Mandy Matney:** Also concerning. I just think it's risky as hell for the state to do this thing in Colleton. And again —

[00:38:36] **Eric Bland:** I agree.

[00:38:36] **Mandy Matney:** And it just makes the burden that much higher. And I think —

[00:38:40] **Eric Bland:** So, if you put them together, it's more of advantage to Dick and Alex to be in Colleton County, right?

[00:38:46] **Liz Farrell:** Right. Absolutely.

[00:38:46] **Mandy Matney:** Right. Because it just adds to the chaos. They want any sort of thing that can create —

[00:38:53] **Eric Bland:** Advantage.

[00:38:53] **Mandy Matney:** Yeah. To their advantage. And that absolutely does. The state — and I also think as we're analyzing this case and seeing all these people saying like, "Dick's doing a great job," blah, blah, blah, and the, "I'm not that impressed with the state," the state has such a bigger burden. Am I right, Eric? Like.



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[00:39:14] **Eric Bland:** They do.

[00:39:15] **Mandy Matney:** What Dick has to do to be —

[00:39:16] **Liz Farrell:** They have the entire burden.

[00:39:17] **Eric Bland:** Dick gets to stand up and say to the jury, "He is innocent. He did not do it. And you better look at me in the eye and tell me that right now 'cause you just took an oath saying that you would follow the law and the law says that he's innocent." So, it's like these people automatically have to say, "Wait a minute. He didn't do it." You know? Also, the reason we have a justice system in our country is open to the public. I have a little bit of a gripe and I gotta be careful what I say here. But I'm a little bit peeved at the inability of the public, me, and others to be able to walk into that courthouse and sit in that trial. We're paying for it and I feel like I'm trying to get into Fort Knox when I walk to that door. Okay. Who are you with? I'm a lawyer. Okay. You gotta be with somebody. Well, I'm the lawyer that broke up in the Satterfield case. Okay, fine. I'm a witness for the state. I'm subpoenaed. Okay. That's not good enough. I'm with Luna Shark Productions. Well, you guys only have one seat. I mean, it is ridiculous. I had a guy that just — I'm telling you. If I took six inches forward, he was going to hit me. I mean, this is the people's court.

[00:40:42] **Liz Farrell:** About the venue change, I think it would be very difficult for the state to argue a venue change without making accusations that they wouldn't be able to back up because so much of the influence is it's just a very intangible thing but it's very knowable and you would have to get people on the stand to testify about their influence, their — and this is not something that the people around here are gonna be willing to do. So, it was a nonstarter in my opinion. But one thing that's interesting we've heard this question even more I think is people asking why Buster and John Marvin are allowed to be in the courtroom when they are on the witness list. But witnesses are allowed to attend this, right, Eric, because nobody has sequestered them?

[00:41:28] **Eric Bland:** Yeah. Correct. Usually —



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[00:41:30] **Liz Farrell:** Or has ordered a sequestration anyway.

[00:41:32] **Eric Bland:** Just because somebody makes a motion to sequester witnesses doesn't mean a judge will grant it. However, a judge usually does grant it. For instance, in Russell Laffitte's trial, the defense asked that the witnesses be sequestered and Judge Gergel granted it. And all the witnesses —

[00:41:50] **Liz Farrell:** Explain what that means to sequester a witness.

[00:41:52] **Eric Bland:** It means that they cannot be in the courtroom until they testify, until they're called as a witness. It also means that — and he told them: I do not want somebody directly or indirectly telling you what's going on before you testify.

[00:42:11] **Liz Farrell:** In the Laffitte case.

[00:42:12] **Eric Bland:** In the Laffitte case. So, that's a second level of sequestration.

[00:42:16] **Liz Farrell:** Right.

[00:42:16] **Eric Bland:** It's one thing to tell a witness, "You can't come to court until you testify." Then, the second level that Judge Gergel did is not only can you not come to court, but I don't want you talking to anybody directly or indirectly that can tell you what's going on so that when you come in, you're lily white and fresh. In this particular case, the reason I was allowed in the courtroom as a witness is because Dick didn't make that motion. He did not want to sequester witnesses because John Marvin's a witness, Randolph's a witness, Buster's a witness.

[00:42:51] **Liz Farrell:** Law firm members, members of the law firm are witnesses.

[00:42:54] **Eric Bland:** Correct. And then if they did —



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[00:42:55] **Liz Farrell:** Lots of their friends are witnesses.

[00:42:56] **Eric Bland:** Think about it. If they did that —

[00:42:57] **Mandy Matney:** It's their team.

[00:42:58] **Eric Bland:** The whole, there would be nobody behind Alex.

[00:43:01] **Liz Farrell:** Right. And so, one of the things I guess with sequestration is you're preventing witnesses from altering their testimony according to something they might have heard early on or while they're studying it. And that, the interesting thing there is that in many ways you sort of that's another thing you would want though. You would want the witnesses not to be in the room. So, I'm surprised that the state didn't make a motion for that because I think to preserve — we don't want law enforcement officers changing their testimony either based on what somebody else went through, right? So, and maybe they just didn't do it because it's being aired on every station worldwide right now. So, that could be a reason. I don't know.

[00:43:53] Can we mention something? So, because I think there's a lot and I hope the jury is not confused by this and I was talking to a friend of mine who, as I was explaining it to her, she said that she if she were on the jury, she would certainly be confused by this. And I don't know if it's just because I have like a tiny, tiny little bit of law enforcement working for law enforcement agency experience there. But the first witnesses from — especially from when we're talking about the Colleton County Sheriff's Office witnesses — these were people who arrived on the scene first. So, Dick and Jim, of course, are asking them questions that are beyond their level of involvement in the case. And Dick and Jim obviously know this, but they're doing it is very, it's designed to make it look like these guys screwed up the crime scene. So, asking a road deputy whether he tested the drain in Maggie's in the Murdaugh's house for blood and is just to elicit that answer: Well, no. That's not what I do. That's not. Well, do you know if it was tested? Well, no, I don't know. So, I think you got a lot of that with the tire tread, the footprint, especially with the first, I would say three or four witnesses perhaps. So, obviously, we're getting into the SLED witnesses now, so there's gonna be a little bit more of an expertise. But they're doing the same thing to them as



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well, which is they're asking them questions beyond the scope of what their role was in the case just to make it look like these people didn't do their job and they're all over the place. And unfortunately, I feel like that is having some effect on people. I wouldn't say it's necessarily working. But I don't think that people understand that. I saw a comment that was like, oh, look at the police not doing their — why is it always somebody else's job? And it's like, well, they have very, very specific roles. That's why it's somebody else's job.

[00:45:35] **Eric Bland:** One guy puts up the tape, the other guy puts up the lights, the other guy takes the photographs. I mean, you know, it was great. Dick kept saying, oh, you, there was tire tracks on the grass and then the police and the fire and the rescue came in and they drove over. And finally, one of the SLED witnesses says, "We don't ever take imprints of grass. You can't take an imprint of tire track over grass. You can only do it in mud." And then, oh, yeah. You know what? That makes perfect sense.

[00:46:04] **Liz Farrell:** And hopefully they're picking up on that.

[00:46:05] **Eric Bland:** Right.

[00:46:06] **Mandy Matney:** Yeah. And I think that goes back to Dick's job is just so much easier than Creighton's. I'm sorry. But like he can just sit there all day and confuse people and ask questions that are irrelevant and stupid and just bore you and —

[00:46:21] **Eric Bland:** Obfuscate. Obfuscate.

[00:46:23] **Mandy Matney:** Right. And it's just so much more difficult for the state to — and the state right now I think is doing a good job of laying down bricks. Liz and I were talking about this last night. It's like building a beach house. Did you say this, Eric?

[00:46:37] **Eric Bland:** Yeah, I did. I said if you have a house on the beach that's subjected to a hurricane and Dick is that hurricane, you better fortify your pilings. You fortify the basement and you don't build the kitchen or the steam room or the master bedroom first and you build it from the bottom up and



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then it will withstand the hurricane. But if you do not put on that officer that came to secure the scene and then the next officer, like Liz said, who's responsible for B and the next officer for C and D, then you can't put on the final experts who are gonna say, "This was Maggie's blood. This was gunshot residue and it's residue from a long rifle. It's not from a shotgun blast." You have to do it methodically. And everybody's like, well, let's just get to it. Let's just get to it. No. The state doesn't have that luxury because it's beyond a reasonable doubt. There are proof that they have to show. And so, it's methodical. It's like, you know, to do multiplication, you gotta learn addition first.

[00:47:42] **Mandy Matney:** Right. And I think it's been so — it's been really interesting to watch some of the comments that Dick has made to these experts that I think could hurt him. And we cannot — I keep pointing this out but we can't ignore the fact that the jury is eight women and four men. And I notice online it's a lot more men saying Dick's doing a great job. It's a lot more women saying, "Who does this guy think that he is? He drives me crazy." And Dick made several comments yesterday that I think hit women hard and just go straight to the core of like just irk us.

[00:48:28] **Eric Bland:** You know what the misogynistic statement he made that really offended me was to that really well presented confident woman. He said, "Well, did you get a can of pork and beans and throw it in the bag, too? You know, that's the same —"

[00:48:41] **Mandy Matney:** Would you treat a can of pork and beans like that? Which to —

[00:48:44] **Eric Bland:** That is so demeaning. He wouldn't say that to a — it's just Dick. He's just an OG old school lawyer, I mean.

[00:48:52] **Liz Farrell:** Well, talk about a phallic symbol, too, like pork and beans. Like there's a lot of jokes I can give you right there, you know, like. Just like stop talking about pork and beans, Dick.

[00:49:03] **Eric Bland:** I don't think I've ever used that term.



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[00:49:05] **Mandy Matney:** Never talked to her like, okay. Is that how you use food to serve? Like that's our role, you know? That's — it just comes off as extremely —

[00:49:16] **Eric Bland:** Misogynistic.

[00:49:17] **Mandy Matney:** Out of touch. And it just there's a fire inside a lot of women that just that. And he said another comment yesterday to one of the SLED agents I believe, which was: Is that all you do?

[00:49:32] **Eric Bland:** Oh, God.

[00:49:32] **Mandy Matney:** Is all you do is transfer it? And that is another comment that so many women have heard. And 'cause women do a lot of things that go unnoticed and we do a lot of behind-the-scenes work that men like to take credit for.

[00:49:46] **Eric Bland:** Can I just say once and for all? That special agent Worley is one badass woman. Okay?

[00:49:52] **Mandy Matney:** Yeah. All three of them yesterday.

[00:49:55] **Eric Bland:** My spine stood up. When she talked, I was sitting up upright like I'm talking to a nun in Catholic school, I mean.

[00:50:00] **Liz Farrell:** I know. I said she's not fun at parties I don't think. I don't think she —

[00:50:04] **Eric Bland:** That woman is unflappable.

[00:50:06] **Mandy Matney:** Right.

[00:50:07] **Liz Farrell:** Did you notice Jim ask Laura Rutland the detective — because she said the reason she got into police work was because she was sort of a true crime nut.



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[00:50:15] **Eric Bland:** Yes. *CSI* girl.

[00:50:16] **Liz Farrell:** Which a lot of people are. And for Jim to mock her, he mocked her for that.

[00:50:22] **Mandy Matney:** He did.

[00:50:23] **Liz Farrell:** At one point. And it's like you're also probably mocking most of the jury.

[00:50:27] **Mandy Matney:** I think, again, the Good Ole Boys underestimated them. I think that they went into it saying all these comments that they thought would shut them down but did the opposite. My favorite was the pork and beans comment when Dick said, "Is that how you would handle pork and beans?" And then the SLED agent said, "If the pork and beans were evidence, I would handle it like this." And just like so quick. Yeah. And like.

[00:50:51] **Eric Bland:** Boom. Just right back at you.

[00:50:52] **Mandy Matney:** Yeah. And I'm watching all these women react to it like, yeah. And I could just picture women in the jury because I mean, when men talk to us like that, it is so aggravating because we've worked so hard.

[00:51:05] **Liz Farrell:** Well, especially in that field, they're a minority in law enforcement, so it's already they're having to deal with that kind of stuff and being underestimated.

[00:51:13] **Mandy Matney:** Right. Somebody said on Twitter today like something about why are you guys so impressed by the fact that they're females? And it's not, I mean, they would be impressive regardless. But what I'm impressed by and proud of is that it's rare in any case to see three female law enforcement officers in a row like that because — I don't know the statistics but I know it's not 50/50 in law enforcement or anywhere near it. And we'll be right back.



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[00:51:47] Something I wanted to ask, Eric. A lot of people — well, first of all, I keep getting questions saying, could this be for could this be grounds for a mistrial? Could this be grounds for a mistrial? Like could the fact that these witnesses aren't sequestered — could that be grounds for a mistrial? It might. But my response is like they're gonna try — I mean, they can ask for a retrial or whatever for a lot of things, right? I mean, but it doesn't mean that it doesn't — it's gonna go anywhere.

[00:52:18] **Eric Bland:** The only time that you'll hear a mistrial is if there is jury tampering by one party or if there's juror misconduct, meaning that one of these jurors went home and did their own research and came back and talked to the other jurors or jurors were not truthful during the voir dire process about relationships or knowledge. That is usually a real fertile ground for a mistrial. The other grounds for a mistrial are evidentiary-based. If the judge told Dick or Creighton not to get into a subject and they opened it up like, you know, something that would be against Alex's interest — that Alex, you know, grabbed the shotgun and fired it over somebody's head like 10 months ago or, you know, before the murders happened. And somebody blurted that out and the judge ruled that out. That could be grounds for a mistrial. But nothing so far has been grounds for a mistrial. There's no juror misconduct. Nobody's tampered with the jury.

[00:53:25] **Mandy Matney:** And I misspoke. I think a lot of people asked like grounds for an appeal, which that's a different thing, but I —

[00:53:31] **Eric Bland:** Oh, right.

[00:53:32] **Mandy Matney:** But that is interesting about the mistrial. And the other thing that I keep getting questions about that I wanted to ask you, Eric. As Worley yesterday was handling a lot of evidence, she didn't have gloves on and a lot of people were freaking out. Why don't they have gloves? Could that be — could that work for the defense somehow? What do you think about that?

[00:53:49] **Eric Bland:** I think they're smart enough because she had gloves when she pulled out the shoes.



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[00:53:55] **Liz Farrell:** Right.

[00:53:55] **Mandy Matney:** Paul's shoes.

[00:53:56] **Eric Bland:** Paul's shoes. But she didn't have the gloves on the seat belts and we were all freaking out and everybody on there on our feed was asking these questions. I think both sides have already tested it. So, if it's already been tested by both sides —

[00:54:11] **Liz Farrell:** Okay.

[00:54:12] **Mandy Matney:** Oh, okay.

[00:54:13] **Eric Bland:** Then it may be that it was okay. It's still not good because if there's a retrial and Alex raises ineffective assistance to counsel and gets new lawyers for the next trial, somebody could want to test it differently with a different testing agent because maybe it's got 40% of the Murdaugh DNA but not else. But I have a feeling it was fully tested by both sides. But it's still not it's not a good visual. It didn't look good. I mean, I'll be honest. I was upset at the state for that. It didn't look good.

[00:54:47] **Liz Farrell:** It also opens up a question that they can ask. Like Dick and Jim can ask, like, oh, did you handle the evidence as carelessly as you're handling it now without gloves?

[00:54:56] **Eric Bland:** Brilliant.

[00:54:57] **Liz Farrell:** That's the thing that I think law enforcement, when they put the gloves on, especially they're trying to avoid. But she's not the only one. Daniel Greene, the first deputy on the scene held — yeah, he didn't use gloves when he was holding the shotgun.

[00:55:12] **Eric Bland:** The shotgun.

[00:55:12] **Liz Farrell:** Which is important because —



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[00:55:14] **Eric Bland:** Yeah, but so many people have held that.

[00:55:16] **Liz Farrell:** I totally understand that. It's just in that moment, I think you don't wanna give the defense an opportunity to say in front of the jury, did you handle it this way then, too? Or —

[00:55:25] **Mandy Matney:** And it's the visual.

[00:55:26] **Liz Farrell:** You saw them without touching everything and —

[00:55:29] **Eric Bland:** It lends credence to Dick's narrative that there was less than a professional attitude towards the crime scene.

[00:55:40] **Mandy Matney:** Right.

[00:55:41] **Eric Bland:** Visuals count.

[00:55:42] **Mandy Matney:** And I don't know, Eric, if you've seen the pool photos every day but.

[00:55:45] **Eric Bland:** I have not.

[00:55:46] **Mandy Matney:** So many of them every single day are zoomed in on Alex and his tears. And I mean, I —

[00:55:53] **Eric Bland:** Yeah, the one on his nose.

[00:55:54] **Mandy Matney:** Image is everything. And it's really been stunning to me how well received those tears have been and how far they've gotten him. I mean, that has just been unbelievable.

[00:56:13] **Eric Bland:** So, if I was to grade it, I would say the defense is doing better on imaging.

[00:56:19] **Mandy Matney:** Image. Absolutely.



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[00:56:20] **Eric Bland:** Imaging with Dick and Jim and a lot of commotion.

[00:56:26] **Mandy Matney:** He's not flirting.

[00:56:27] **Eric Bland:** A lot of commotion at the table, a lot of movement. The state is very professional. There's not a lot of commotion at their table. I think they're definitely winning, the defense, on the TV. When you get into these national crime programs, whether it's *Court TV* or *Law & Order* and these nightly shows that I appear on. I'm not seeing anybody saying, "Wow! The state's winning" except me and a couple other former prosecutors. No defense attorneys are being intellectually honest in saying —

[00:57:07] **Mandy Matney:** I am just really interested in the strategy there and wanted to go back to one thing really quickly. The — Savanna, the Attorney General's Office lawyer who entered a lot of the evidence — I think a lot of people have not seen trials play out from A to Z. They see the highlights, the clips, the movie version. But the rest of us have seen it and it's normal for the boring and it seems boring and tedious. And I saw a lot of comments of like, why is the state being so boring? And like, why — why are they doing this? Blah, blah, blah. And it's just to enter the evidence. And it's to, again, to lay that foundation in.

[00:57:58] **Eric Bland:** Yeah. It's not a movie. It's a trial. Right. If this is gonna withstand appeal on a verdict either way, there has to be the evidentiary basis for the appellate court to affirm a verdict. This is not Hollywood. You actually have to — to make spaghetti, you gotta make the noodles. You gotta make the sauce. You just —

[00:58:16] **Mandy Matney:** Right.

[00:58:16] **Eric Bland:** You can't put it on the table and eat it.

[00:58:18] **Mandy Matney:** And you can't skip steps.

[00:58:19] **Eric Bland:** No.



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[00:58:20] **Mandy Matney:** And you can't just be like, here's the seat belt. What's the significance here?

[00:58:24] **Eric Bland:** Right.

[00:58:24] **Mandy Matney:** And but it's also interesting how that happens because it's like they're lay — it's we're all finding we're all solving a mystery along with them. Like what's the seatbelt for? What's the water for?

[00:58:37] **Eric Bland:** When it starts to get dicey, when the evidence starts to be "Wow!" Watch Dick. He'll start commotion.

[00:58:45] **Liz Farrell:** Yeah, and he did.

[00:58:46] **Eric Bland:** So when the seatbelt come, he'll start standing up. He'll go over. He'll say, I haven't seen that, Judge. Is she the foundation witness? Judge, let me see this. I want to open it myself. He'll create diversion. If — like you said, it was like a 2013 interview you saw, Liz, I didn't see that of Dick or there was a 2013 interview where he said, "I create diversion in the courtroom and get the jury's attention away." Watch when this evidence starts to get really close to Alex's bone. Watch Dick create diversion.

[00:59:20] **Liz Farrell:** You know what, Eric? Let's just — we can read a little bit of that, actually. It was in it was November 2013. We've quoted it several times on the show but.

[00:59:30] **Eric Bland:** Okay.

[00:59:31] **Liz Farrell:** Maybe we should share this with people. So, here is tip number one. Pick a jury not based only on your client's profile but also yours. If the jury hates you, they usually won't like your client. So, that goes back to what he said to the jury, which is, you might not like me. I might offend you. Don't take that out on Alex.

[00:59:47] **Eric Bland:** Right.



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[00:59:47] **Liz Farrell:** This has caused me to gravitate toward unattractive people on juries. They don't feel threatened by me — as if he's some handsome devil — and aren't disdainful like attractive people. Tip number two: never suffer a misstatement of the facts by opposing counsel in opening statements. Since his or her back is toward you during the process, I call it the kidney punch objection. Most attorneys have a difficult time recovering from the objection, especially if it happens more than once.

[01:00:15] **Eric Bland:** There you go.

[01:00:15] **Liz Farrell:** If they have a prepared opening, they never seem to get back to it. Don't let them frame the case based on lies. Dick did not object to Creighton's opening statement, but Creighton objected to Dick's. Remember that, guys?

[01:00:28] **Eric Bland:** Yes, he did. Yeah, he said that what this witness "has said" instead of what the witness "will say."

[01:00:36] **Liz Farrell:** That's right. Tip number three: prior to trial, I almost always only depose experts to get their opinion and the materials they used to formulate the opinion. In most of my cases, expert depositions take less than five minutes. Why educate them before trial? Save the good stuff for the jury.

[01:00:52] **Eric Bland:** He's so full of it.

[01:00:53] **Liz Farrell:** Yeah.

[01:00:53] **Eric Bland:** He's wrong.

[01:00:54] **Liz Farrell:** Tip number four: own the courtroom. One of my frequent opponents when I was the DA paid me the most eloquent compliment. She said, "Harpootlian is like a dog marking his territory in the courtroom. He pisses in every corner and invades your space as frequently as he can. It makes the opposing attorney anxious. Anxiety is your friend." Mandy and I have pointed this out many times but during that first hearing, Dick



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came right into Creighton's territory and this is where the term "Big Creighton Energy" comes from now because we didn't like his energy that day and we wanted some Big Creighton energy and he's given it a lot since. He was Small Creighton Energy that day.

[01:01:29] **Mandy Matney:** Yeah, he just let them walk all over him. Yeah.

[01:01:31] **Liz Farrell:** And then the final tip is tip number five, which is throw away the script. There is nothing more boring nor unproductive than to follow a script, checking off the points you wanna make to prove the elements of your case. The jury wants a narrative, a story, an entertaining yarn full of conflict, emotion, sex, violence, yelling, weeping, etc. You get the idea. That means you have to have a general idea of what you want but let the examination flow naturally. Set the witness up to confirm fact A and fact C then box them into B. The jury will understand where you are going. Remember these are unattractive people who watch a lot of TV and read most of their evenings. They have lots of imagination.

[01:02:10] **Eric Bland:** Unattractive people. That's crazy.

[01:02:13] **Liz Farrell:** I know. It's so crazy.

[01:02:15] **Eric Bland:** I wish the jury could see that Dick Harpootlian says universally and generally, I pick jurors that are unattractive.

[01:02:24] **Mandy Matney:** Yeah. Like Liz said, like he is some handsome devil. Like Dick, you are nobody to be judging anybody's attractiveness.

[01:02:31] **Liz Farrell:** The way he's saying it is like, I don't wanna overshadow them with my gleam. Like nobody's getting overshadowed by your gleam.

[01:02:39] **Eric Bland:** Dick is constantly walking over onto the prosecution side.

[01:02:44] **Liz Farrell:** Yeah, he is.



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[01:02:44] **Eric Bland:** Or telling Creighton, "Hey, can I see that?" or whispering in his ear. And what happens is, if it's a very important piece of witness testimony, the jurors take their eyes and their ears off the witness testimony and they look over at Dick and maybe something is not is being missed. He's so good at deflection and diversion.

[01:03:07] **Mandy Matney:** Kind of but like I don't know. I think a lot of this could bite him in the ass in the end. Like I think that — he said, I know that he said at the beginning, if you don't like me, you don't have to like me. Don't take that out on my client.

[01:03:21] **Eric Bland:** Every lawyer says that. We all say that.

[01:03:23] **Mandy Matney:** Lawyers are still humans. And when you don't like somebody, and if somebody comes off as arrogant and obnoxious like Dick Harpootlian comes off to me and I'll be honest, they — it is just so much harder to believe what's coming out of that person's mouth and it's harder to believe their story. And you just you interpret things through a different lens. And Dick I think believes that he can still be unlikable and be credible but he's not coming off that way. And I think, too, it was interesting, Liz, you said throw away the script because I noticed a lot of people were describe — I mean, there's kind of 50/50 with Dick. There was a lot of people that were like, he did great. What are you talking about? Blah, blah, blah. But a lot of other people I noticed the word "unprepared" to describe Dick's opening statement. And it did. It came off to me like the kid in class who was pretty smart but never did their homework or and then there's a big project that day and he just makes up the whole thing. And he's pretty good at it, but you could still tell they just made it up right there. And I don't know if that's gonna work. I don't. We'll see.

[01:04:44] **Eric Bland:** What do you think of Jim?

[01:04:45] **Mandy Matney:** Jim was better at cross than Dick. I think Jim's more likable and Liz has said this to him.

[01:04:53] **Eric Bland:** He's extremely prepared, by the way. And he's extremely smart. And I do think what he did get out was that the officers were around the sheet. Now, his fitted sheet comment or queen sheet comment were



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didn't go over well. But they were making a big point, the prosecution, that Alex's footprints weren't around Paul's body there. But they — Jim countered that by saying, well, you didn't see the officer's footprints around his body and they flipped him over to see if there was a gun. So, I thought Jim is a really good lawyer. The problem with Jim is he's a little bit dry — not to say that there's anything wrong with that. But he's a — that's a good bookend for Dick because Dick's a lot of drama and a lot of, you know, he is more interesting at times. If you are a lawyer's lawyer, you like the stuff that Dick does because, you know, it's effective from a lawyer's standpoint. I'm not talking about —

[01:05:57] **Liz Farrell:** I think that that is effective, what you just said, because when you look at the reality of what Jim got on the record there, the officers — the reason we know there are not Alex's footprints or that he didn't have dirt on them is because of the testimony of the officers who saw him at the scene, right? Not because of pictures of what, meaning like we're not relying on pictures. Jim is relying on pictures of the ground after it rained to see whether the officer's footprints were there or not. So, those are two different types of observations, right? You have the direct observation of the officers who saw that there was no dirt on Alex and there were no footprints around the body, no knee marks or whatever in proximity to the event of it happening, meaning they looked when they got there, right? But what Jim's looking at is photos of the scene and not seeing these footprints, which could by that point of the photos been washed away. I don't know.

[01:06:50] **Eric Bland:** That's a great point.

[01:06:50] **Liz Farrell:** So, those are two things. So, that is the effective nature of him. But, Eric, you said something — Eric and I were talking on one of the nights. And I said to Eric, I was like, well, that's because you're a lawyer. Because tactically, what you're seeing, you understand, you can appreciate Dick did this; Jim got this; Wow! They really slapped Creighton. But Mandy and I are communicators, so we're always looking at it from the perspective of was something effectively communicated? So, Dick might think, yeah, I talked about the tire tracks. I talked about the footprints. The jury's gonna love, you know, they're gonna really doubt the scene now. But were they listening? And I think that that's what's gonna come down to. Because Dick is



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the kind of person who starts and doesn't finish a sentence sometimes. I think he can be very difficult to follow. His audacity.

[01:07:41] **Mandy Matney:** And obnoxious.

[01:07:43] **Liz Farrell:** He's obnoxious. His fake sort of like outrage. It looks fake. It does not look real.

[01:07:48] **Eric Bland:** Hold back. Mandy, don't tell me what you feel. Just hold a little bit back please.

[01:07:54] **Mandy Matney:** I mean, like I just — he represents so many obnoxious men who I've come across in my career. And I feel like — and, again, like he said all that shit about me at the beginning of that one court hearing. And, I mean, I didn't like him then but I liked him a lot less after that. But anyways, I don't like him. I don't. But I also really noticed that a lot of women see the exact same thing that I see when they look at Dick Harpootlian. And I just think that this is a different day for him. He is just so used to everybody saying how brilliant he is all the time and everybody complimenting him and everybody saying — and the media. And we cannot underestimate his power in the media. And that is something that I've noticed this week more than ever before in my entire life. Dick knows how to get good headlines and get good images and manipulate the media so they work just exactly for him. And they have no idea that they're what they're doing for him. I don't think. I think that they think that they're being fair and impartial but they're not. A lot of them are working for him and they don't even know it.

[01:09:11] **Liz Farrell:** They're so tickled by him. They think he's so cool or something but.

[01:09:14] **Mandy Matney:** Oh, they think they're they think he's hilarious.

[01:09:16] **Liz Farrell:** Like his attention means something. So, we talked about Dick creating these sort of smokescreens when he sees — when they start to mention evidence that might be troublesome for them. So, what are some of



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the points? I know one of the ones is the water or the pool of water that was near to I suppose where Paul was found. And there's — I saw from a picture that there's a hose. I'm gonna assume that the prosecution is insinuating that Alex or whoever washed themselves off in this pool, but that was when we got the biggest reaction from Dick, right? That was when he basically flew to the other side of the room. What are some other pieces of evidence that you think that Dick doesn't want really to resonate with the jury?

[01:10:00] **Eric Bland:** Blood on the seat belt and then GSR and when these phones come in and voice. That's gonna be deadly because I'm not sure they're gonna need the bloody T-shirt. I'm thinking that the blood — I think there's gonna be blood inside that car that we didn't know about.

[01:10:21] **Mandy Matney:** And the change of clothes I think.

[01:10:23] **Eric Bland:** Oh, God. That's huge.

[01:10:24] **Mandy Matney:** If they prove that, I think that that is going to be really, really hard to explain.

[01:10:32] **Eric Bland:** What did you say, Liz? That the white T-shirt he was pulling it over a wet body? Did you tell — did I see you say that? Like down by his belly button. Like he had the white T-shirt on when the cops came and it was smooth up top and it was —

[01:10:47] **Liz Farrell:** Oh, yeah.

[01:10:48] **Eric Bland:** When you get out of a swimming pool and you put a T-shirt on, it's just really —

[01:10:52] **Liz Farrell:** I didn't say that but somebody did, yeah.

[01:10:53] **Eric Bland:** Thought I saw that. Somebody said that.

[01:10:55] **Mandy Matney:** The officer said why did you think that he had a clean shirt on? Did he put on a clean shirt?



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[01:11:02] **Eric Bland:** Oh, I'm sorry. Yeah.

[01:11:03] **Mandy Matney:** And then the officer said because he was sweating so much.

[01:11:06] **Liz Farrell:** Yeah.

[01:11:07] **Mandy Matney:** And his shirt was completely dry. Did you guys hear that?

[01:11:10] **Eric Bland:** Yeah, I did read that. Yeah.

[01:11:12] **Mandy Matney:** And that was like, oh, I never thought about it. And he was sweating. And, yeah, I mean, changing his clothes is going to be damning if they prove it.

[01:11:25] **Eric Bland:** Yes, it is.

[01:11:25] **Liz Farrell:** So then, what do you make of the high impact velocity spatter that we have written about and talked about a lot? And what do we make about them?

[01:11:32] **Mandy Matney:** It could have been on his undershirt.

[01:11:34] **Eric Bland:** He's not gonna use it.

[01:11:36] **Mandy Matney:** It could have been. I don't know. I don't know. And I'm very eager to find out or it could have been a Trojan horse all along to mislead everybody that this was the biggest piece of evidence and have the defense be — put blood spatter on the top of their list of evidence to knock down. And then the state's like, oh, we got GSR. We got this. We got that. I shouldn't focus on this.

[01:12:00] **Eric Bland:** How much of the 1,400 swamp acres did they scuba dive in?



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[01:12:08] **Liz Farrell:** All of them, I mean.

[01:12:09] **Eric Bland:** Did they really?

[01:12:09] **Liz Farrell:** They say they did but.

[01:12:11] **Mandy Matney:** I mean I've —

[01:12:13] **Eric Bland:** I was back there. I was back there, guys. And I'm telling you it's some tough stuff to navigate with the roots of the cypress trees and that. But I will tell you about the kennels. I was at the kennels. The kennels have a trough in front and in back. So, where you hose them down, the water and the poop go in the trough and it's angled towards a drain. There's no way that you're cleaning out the dog kennels and then water goes in front of the closet and puddles. It doesn't work that way. I was there. There's troughs and the water runs off 'cause you don't want the poop to go out of the concrete area onto the ground. So, Dick is wrong. It's not — somebody had to use a garden hose or there was a lot of rain that came down.

[01:13:09] **Mandy Matney:** Since you've been there, Eric, if there were gunshots heard at the dog kennels and the house — if there was gunshots near the dog kennels, could you hear that from the house?

[01:13:21] **Eric Bland:** You would hear it.

[01:13:21] **Mandy Matney:** Yeah. That's what I would think.

[01:13:22] **Eric Bland:** In a June night, in a June summer night where there's nothing but a little bit of mosquitoes, some firelight bugs, and maybe a cricket or two, that would echo forever. I'm telling you there's nothing near Moselle. And one, it was at least it's two shotgun shell shots on Paul, five on Maggie. He may have missed one or two. We don't know if he was a perfect shot.

[01:13:50] **Mandy Matney:** If he did it.



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[01:13:51] **Eric Bland:** If he did. Perfect shot. If he did it, right? But you would hear it. And more importantly, when he came out at 9:02 to get in the car, you would smell gunpowder in the air.

[01:14:03] **Mandy Matney:** Yeah. And then you can't get ahold of your wife and son and you're like —

[01:14:07] **Eric Bland:** I'm just gonna drive down straight down the driveway. I'm not gonna go see what's going on.

[01:14:10] **Mandy Matney:** I'm gonna check on my mom.

[01:14:12] **Liz Farrell:** I imagine he's gonna just be at the time of death, right? Because he's gonna claim that they were killed after he left.

[01:14:18] **Eric Bland:** Why didn't he go see his dad? Tell me why. If the whole purpose was to see his father, why didn't they go?

[01:14:23] **Liz Farrell:** He told the detective that his father was not doing the best. He was not doing okay. He didn't say — he didn't use the word "dying." He didn't say he was on hospice. It was the exact opposite of what he was telling Jeanne Seckinger at PMPED earlier in the day and obviously, we know that Randolph was very ill. And I've had people question why was he at the hospital if he was on hospice, which is a really good question. But, yeah. He seemed to downplay the dying angle of his father.

[01:14:54] **Eric Bland:** But didn't he tell Maggie to come home because I want us to go visit my dad?

[01:14:59] **Liz Farrell:** That's what we've heard. I mean, that's what we've had that from several sources who are direct and good sources.

[01:15:03] **Eric Bland:** Okay. So, why did he go to the mom?

[01:15:06] **Liz Farrell:** That's — Well, we — I think we know why.



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[01:15:15] **Mandy Matney:** I think one of my favorite parts of the trial is communicating with all of our fans.

[01:15:20] **Eric Bland:** Yeah, that was awesome.

[01:15:21] **Mandy Matney:** It's just been really cool. There's been so many different people that have made comments that have made my day and it's really great. I mean, I feel like we're doing something so different and so new and unique the way that we're covering this. I love our little lunchtime chats with people. So, please, please, please subscribe and support us and hit the subscribe button on the feed of Cup of Justice, which is new and fresh and super exciting.

[01:15:52] **Eric Bland:** I want to say that, you know, I'm just — I was a normal kid growing up in Philadelphia and not anything that you would write home about. I wasn't the top of my class. I was a good athlete but I wasn't a great athlete. And when people come up to me and they want to, you know, take their picture and they want to tell us how great Cup of Justice is, it's really humbling. And I'll tell you it never gets old and I really appreciate everybody who came up to me last week and said, hey, I drove a couple hours. I wanted to meet you guys and, you know, I wanted to get the picture with you and Mandy and Liz. And I just wanna tell you guys we really appreciate it.

[01:16:32] **Mandy Matney:** Yeah, that's been really cool. It's kind of surreal having to — being asked to take selfies.

[01:16:38] **Liz Farrell:** Super surreal, yeah. It's nice. Everyone's been so great. There is no really such thing as a newsroom anymore in these small communities especially, so having our listeners watch this with us and comment, it's like being in a newsroom again where you're all watching or doing or talking about the same thing and you all have your little asides but we're all working together and I just — I really love that.

[01:17:00] **Mandy Matney:** There's been so many times where listeners have pointed out things that I would not have recognized on my own and that's just been extremely helpful, encouraging. I have hope for the internet again,



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so that's something. It's been awesome. So, subscribe to MMP Premium. We're having a good time.

[01:17:21] **Liz Farrell:** We've had a great time.

[01:17:22] **Mandy Matney:** We're doing our best every day covering this trial and it's awesome and we just appreciate everyone.

[01:17:27] **Liz Farrell:** We'll talk to you guys again.

[01:17:30] **Eric Bland:** Thanks, guys. Good to see you. Peace out. Cups down.

[01:17:34] **Liz Farrell:** Cups down.

[01:17:35] **Eric Bland:** Cups up, cups down.

[01:17:36] **Liz Farrell:** Cups down.

[01:17:37] **Mandy Matney:** Cups down. Cups down. I like it.

[01:17:39] **Eric Bland:** Cups down.

[01:18:08] **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.