



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

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[00:00:00] **Liz Farrell:** Well, cups up, Eric. You look very comfy right now I think. But I don't know. Are you comfy?

[00:00:14] **Eric Bland:** Cups up. EB in the house. I am comfy. I just got done. Really excited about a lot of Sandy and Stephen Smith this week and just finished participating in a documentary for Stephen with *CBS News*. And, you know, one thing I was saying to David is the focus is on Stephen right now, which is so unique because over the past two years — and you guys have been doing it much longer than me — but Stephen's always been like one-fifth of the cake. So if there was a story, a documentary, Stephen was one-fifth of it. There was the boating accident, there was the murder, there was Gloria Satterfield, and, you know, another piece. But all that's done, you know? Alex is Alex. He's in jail, and we'll have those stories, you know, pop up when the next trial is scheduled and we'll talk about Alex. And Gloria's case is done, and the financial crime cases will be when they come up. So this is a time when it's just about Stephen and it's kind of nice and to they're doing a special just on Stephen.

[00:01:23] **Mandy Matney:** That's great.

[00:01:24] **Eric Bland:** And, you know, again, you know, I talked about it earlier in the week but for you two keeping it to the forefront, I'm not sure it would've been one-fifth of the cake for the last three years.

[00:01:35] **Liz Farrell:** Well, I think that's awesome. It's about time that Stephen gets the spotlight, so I'm happy to see it. One of the questions that we have is what do you think is going to be needed for this case to crack wide open? You announced on Tuesday that this case is now considered a homicide and not a hit-and-run. It's going to be investigated as a homicide. Maybe let's just start by talking about why that's important, not just from the perspective of this is something that Sandy's family has wanted for a long time, but from the perspective of how this case gets investigated from this point forward.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:02:13] **Eric Bland:** The burden now is on the state — for Chief Keel to come out and say it's the official position of the state that this was a homicide and that Stephen was intentionally killed. And he said, we're gonna put the manpower on it. He's gotta produce the burden is on the state to show we're going to attack this. Are they gonna attack it with the same tenacity that they did with Alex and produce the same results? Now, we're gonna all of us run our contemporaneous investigation and we're gonna hold them to accountability. But I think this puts a big burden on the state because now, if you are admitting that you are changing your position after eight years on how somebody died, that's not good enough. You actually have to now, you know, there's the what, the why, and the who. What happened — we're gonna deal with that and we'll be able to show when we do the exhumation. The who — the state will have to find out who did that. I mean, we don't we're not in the business of solving crimes although, you know, Mandy is the best crime solver in the world. She's a true crime person. So she'll come up with a theory, a working theory. And Liz, you'll research and research it to the nines and make it happen. But somebody's gonna have to be targeted. And you ask me, well, what's gonna happen? Somebody's gonna have to talk. And I think what it is is on a piece of evidence from a phone. Something's gonna give up on a post-death phone call or there may be something on Stephen's phone from a pre-death phone call that maybe there's a dispute or maybe somebody was afraid that Stephen was gonna out their relationship and that person was fearful that they would be outed for having something to do with Stephen. So I think it's gonna be a break where somebody talks in conjunction with technology. What do you think, Mandy?

[00:04:23] **Mandy Matney:** Yeah. I mean, technology I worry about because it's been so long and it's just harder to solve a crime — it's harder to get any sort of evidence when this much time has passed. In my heart, in my instincts, I've just always thought it's just a matter of one person that is so tired of hearing Stephen's name on the news and tired of see seeing his picture everywhere and just and knows what happened and just finally does the right thing.

[00:04:56] **Eric Bland:** Ronnie said the same thing 'cause he was asked, what do you think it's gonna take? And Ronnie said, guilt. Somebody who's just tired of carrying that guilt of knowledge is going to either through a lawyer try to get some kind of immunity or through an anonymous tip get that guilt off their heart that they may not have been a participant, but they have



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

knowledge and they're going to get that guilt off their heart. I can't believe you said that, Mandy.

[00:05:30] **Liz Farrell:** In the cold case committee, that is a lot of what we talked about is that people's consciences are one of the biggest factors when you are looking into those cases again. So detectives or investigators will often play up to that when they're questioning people who might be of interest. So basically, is there anything that you wanna unburden yourself of? And think of the family. And these are all just very common techniques when it comes to solving cold cases. So you guys are right that that is going to be huge. But I guess I wanna understand a little bit about the private investigator angle of this. Eric, do you know yet how that's going to work?

[00:06:09] **Eric Bland:** Yes. We have hired Dr. Michelle DuPre to run the forensic angle of it. She is helping us select. It looks like it's gonna be a coroner from New York City who has tremendous experience and exhumation of bodies and then, you know, that have been buried over a long period of time. We already discussed that there's plenty of people that can do autopsies on somebody that died yesterday, but it takes a real special skill set to do it on a body that has been buried for a long time. And we are hiring we're interviewing two investigators next week, early next week, who we want to look at the file for the first time. We don't want an investigator that calls us on the phone and says, you know, I've been following this all along and I've looked at this and this. We want a real investigator that comes as if Stephen died yesterday at four o'clock in the morning and now, gets the file and comes on the scene. What would he do?

[00:07:10] **Liz Farrell:** That's actually that is kind of a dream come true to have people treat this as brand new.

[00:07:17] **Eric Bland:** Well, let me ask you. In your experience, you guys are cold case people, are there different types of investigators? Just like I just told you, there's different types of pathologists who are really good at fresh bodies versus, you know, bodies that have already decomposed. Is there investigators who are better being the second guy coming back and starting an investigation as opposed to, you know, somebody that's been knee-deep in it? What are your thoughts on that?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:07:47] **Liz Farrell:** Well, yeah. There are, but unfortunately it's not — I mean, maybe there are private investigators out there that you can hire who do specialize in cold cases. But really, investigators are just local to whatever agency they belong to. So some are better at it than others. And that's the unfortunate thing because I think with the Golden State Killer, what you saw is you saw people teaming up. There's no national expert on cold cases that you can sort of turn to although there are people who might specialize in certain aspects of it, like genealogy or what have you. But one thing that's gonna interest me in this is what the highway patrolmen who were involved say, and who the first responders were, what they will say, and then also Sheriff TC Smalls. I would be interested to hear what he has to say, especially after being put on the stand in Alex's trial and.

[00:08:37] **Eric Bland:** He was called a liar.

[00:08:39] **Liz Farrell:** Well, basically, yeah. So I would be really interested to see what he has to say. And do you guys have plans to talk to them as well?

[00:08:46] **Eric Bland:** Yeah. Again, you guys know so much and I'm relying on a lot of it to come from you over the next couple weeks. I've only been involved since last Thursday and since last Thursday it's been, you know, a press blitz. But yeah, I plan on picking your brains as I did this morning. You know, I consider you guys to be incredible paralegals, thinking like almost lawyers, and you guys have been eating and sleeping and dreaming about this for four years. You know, you could just sit there and tell me what needs to be done and who we should talk to. All these names, you know, are new to me, so this is your dream that you wanted, Mandy, right? This is what you wanted. Tell me how you want it to unfold, how it would look.

[00:09:32] **Mandy Matney:** I mean, I think pairing with SLED is huge and that's done, but really, really hammering down on every single person that is named in that investigation file. And they need to know that this isn't going away because I think that all of these people have been living under this like this is just a wave of people that are just gonna move on and blah, blah, blah. They need to know it's not. It's gonna happen, but the matter is like who comes to police first and who gets the deal? At this point, these people need to talk and just continuing to apply pressure and really questioning all of these every



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

single person. And like Erin Presnell, she owes the public an explanation as to why she made that ruling and what was going on.

[00:10:25] **Eric Bland:** I mean, is she in a way not a laughing stock? I don't wanna be disrespectful, but wasn't she just called out on the schoolyard by Chief Keel by what he said? Because Chief Keel says it's officially a homicide.

[00:10:39] **Mandy Matney:** And he said in his press release that she ruled that it was a — I mean, basically, he said that she was wrong in his press release, which is unusual.

[00:10:48] **Eric Bland:** She certainly had a serious dispute with Officer Thomas Moore, right, who was pretty firm in advocating, Hey, this wasn't a highway fatality here. I wouldn't be feeling good if I was Dr. Presnell right now. Would you?

[00:11:02] **Mandy Matney:** It says on July 8th, SLED crime scene agents attended the autopsy of Stephen N. Smith, where medical examiner Dr. Erin Presnell concluded Mr. Smith died from being struck by a motor vehicle. Due to the medical examiner's determination, the Hampton County Sheriff's Office requested the South Carolina Highway Patrol to investigate Mr. Smith death. So basically, that is them saying that's why SLED wasn't investigating this to begin with and they are. They're pointing the finger at Erin.

[00:11:32] **Liz Farrell:** Do you remember, Mandy, when we spoke with an investigator who's a source of ours and he looked at the autopsy and he was explaining to us that a lot of times, medical examiners are getting their guidance when there's an unattended death. Obviously, they're not just feeling under the armpits like what's his face, but they're getting information — context clues, right? So when the coroner is telling her and that's what it seemed like was happening when he's telling Dr. Presnell that this was a car wreck. He was found in the middle of the road. That's what we were told about what was probably what probably had led to her conclusion in that she's going with the guy from the scene and what he's saying he thinks happened, right?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:12:19] **Mandy Matney:** Right. But like I need to look back in the files because I just don't remember anybody besides her believing that. Even the coroner said he didn't agree with that.

[00:12:29] **Liz Farrell:** Yeah, after the fact though 'cause I think he —

[00:12:31] **Mandy Matney:** Yeah, it was all really weird. But yeah, I mean, I just think for me to feel better about that statement and for me to feel better about this whole process, I would just like them instead of us reading between the lines of like are they questioning that? Like they just need to say we're investigating the investigation to see what happened. I like I would love to say that.

[00:12:53] **Liz Farrell:** Yes, I agree. And Mandy, one thing you mentioned I wanted you to go back with is you said that the person who comes first gets the plea deal. Can you just explain that a little bit?

[00:13:02] **Eric Bland:** Yes, that's what I was gonna talk about.

[00:13:04] **Liz Farrell:** Really? Oh, okay. No. Okay.

[00:13:06] **Mandy Matney:** I'm, oh, that's fun. Eric, take it away because I don't really know anything.

[00:13:10] **Eric Bland:** You don't wanna be last in line. Now that they've heard that somebody's coming, whether it's Liz, Mandy, and Eric, or it's SLED, they know that somebody's coming. So if you're out there, you wanna make sure you get there first because if you're third or fourth and you're not the first guy talking, you're looking and really getting pistol-whipped. I'm just saying. You gotta be the first guy 'cause you gotta believe that somebody is going to talk and you better be the first person.

[00:13:45] **Mandy Matney:** Yeah. And I'm excited to see that go down.

[00:13:48] **Eric Bland:** I wanna ask you a technical question, ladies. In preparation for my interview today, I looked at the death statements, the certificate of death. And there was one on July 15th, 2015 and then there were



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

two in 2017. The first one was an amended one and a second amended one. Why were there three? Why were there two done in succession in April of 2017 by Washington, the coroner? Tell me what your thoughts are about that.

[00:14:26] **Mandy Matney:** I think first of all at the very least it just shows how egregious and sloppy this entire investigation was. I mean, the — what did we see? There were several things wrong with those death certificates.

[00:14:39] **Liz Farrell:** The first one, so the first one that was issued said that he was hit in a hit-and-run and hit by a mirror, right? Right. And then —

[00:14:47] **Mandy Matney:** But it said pending investigation.

[00:14:49] **Liz Farrell:** Pending investigation. And the, I mean, you and I were laughing at this, Mandy, because obviously there was some egregious misspellings in that.

[00:14:57] **Mandy Matney:** And typos. There was typos everywhere. Like it said the wrong date for when Stephen was injured. It said date of injury was wrong. The date of death was wrong on one of them. Like it was just so sloppy. And I don't know if that's like if we looked at all death certificates, if like we're gonna find mistakes in all of them. But that's crazy.

[00:15:19] **Eric Bland:** Why in 2017 did they revisit it?

[00:15:22] **Mandy Matney:** I think it's because the case went cold and kind of ended in 2016. And I need to ask Sandy again 'cause she remembers why exactly. But I do know for the third one, Sandy was like this part is still wrong. It was either the date of death or date of injury and there was something still wrong. And like nobody should ever have to ask for freaking four death certificates. That's absurd and crazy just for — 'cause it's very basic information on there, and for you to have three wrong ones is terrible and sloppy and awful.

[00:16:04] **Liz Farrell:** Well, additionally, like when you read the death certificate, the original one, it's very glib. And first of all, like you said, manner of death pending investigation. Cause of death part one was blunt head



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

trauma, and then it's in parenthesis, probably, which I think is a weird word to have on a death certificate, pedestrain — 'cause that's misspelled — in motor vehicle crash, comma, possibly struck by side mirror, no closed parentheses, which frankly bothers me. No space after the comma. It's so annoying. But this was issued on July 14th, 2015, so a full week after. And then it said how the injury occurred. It said, sub wa apparently misspelled hit by a moving vehicle possible a truck. So that is this death certificate.

[00:16:54] **Eric Bland:** That gives you a lot of comfort, doesn't it?

[00:16:56] **Mandy Matney:** Right. Like if you're Sandy Smith reading that, you're like these idiots. Like great.

[00:17:03] **Liz Farrell:** Yeah. And this is your thing, right? This is — so the second one was issued on April 6th, 2017 and manner of death is could not be determined. They changed his date of death to July 7th from July 8th. Cause of death was blunt head trauma, motor vehicle crash, pedestrian versus vehicle. How the injury occurred was sub was apparently hit by a moving vehicle. And then special instructions. It says the cause of death was amended by the coroner. The manner of death was amended by the coroner. The date of death was amended by the coroner. Injury info amended by the coroner. So and that's Ernie Washington. So, days after that — so 14 days, two full weeks — we have a second amended coming out because the presumed date of death is now — so they had to change the date of death again. So he changed it from July 8th to July 7th and now July he's changing it back to July 8th.

[00:18:02] **Eric Bland:** If it wasn't serious, it would be a joke.

[00:18:04] **Liz Farrell:** I guess it's comical if it's not your kid, I mean.

[00:18:07] **Eric Bland:** You fail three times. It's the end of an inning. I mean, this is a woman's son d she'san trying to get the death certificate to be accurate.

[00:18:18] **Mandy Matney:** And how could you not be suspicious of that investigation? If like —





## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:18:21] **Liz Farrell:** I mean, starting there, yeah. Right?

[00:18:24] **Mandy Matney:** Yes. Starting there, you're like maybe like if these guys can't even say the day that he died. And the other thing — couldn't they have just said unknown?

[00:18:35] **Liz Farrell:** Yes. I guess so. But could not be determined is very final, right? It's, you know, don't even try.

[00:18:42] **Mandy Matney:** Yeah. And I also thought it was weird that they included the mirror. Like they went into the details about the mirror theory.

[00:18:49] **Liz Farrell:** On the first one. On the original one.

[00:18:51] **Mandy Matney:** Right. And it's like that's too specific. Like that is just so bizarre and impossible.

[00:18:58] **Eric Bland:** Have you seen death certificates before, guys? That they just don't know the cause of death and they do write unknown? I don't — I haven't seen a lot. Tell me about that. I haven't seen a lot.

[00:19:08] **Mandy Matney:** It's one of the five manners of death, right?

[00:19:11] **Liz Farrell:** Yeah.

[00:19:12] **Mandy Matney:** There's accident, homicide, unknown, suicide, and natural.

[00:19:17] **Eric Bland:** So it's okay they say unknown and that they just can't figure it out, right?

[00:19:21] **Mandy Matney:** Yeah. Yeah, that's what they do. I know I've seen it in other cases. But a lot like a lot of times it's they can't figure out if it's like a suicide or an accident. We'll be right back.

[00:20:08] With the Stephen Smith case, I think that's what's so crazy to me is how it's been really interesting this week because it's very clear that a lot of



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

agencies have just found out about this case, which is great, and they're going through the motions of going through it. And Liz, have you seen the headlines that are like why did Stephen Smith have a rape kit? Stephen Smith had a rape kit. And it's like all of the questions that we had years ago and were like — but it's kind of validating to see that everybody else is seeing how just insane this entire case file was. It's the wildest ride that like.

[00:21:14] **Eric Bland:** I had to talk about that, and that was a difficult topic to talk about, like a rape kit. And the answer is because there could be some identifying body fluids as a result of that that they may have matched up with some, you know, library of catalogue of criminals that they may have had, DNA matching. Or there could have been — and I'm not being graphic — you know, was there multiple body fluids where he was, you know, assaulted and then killed? So obviously, they would do a rape kit, and what I found out today from our expert — you're not gonna believe this — 60% of the times that they do rape kits, they don't follow through with any additional identification. They don't use the rape kit.

[00:22:11] **Liz Farrell:** That's adorable that you think that we'd be surprised by that awful statistics. Yeah, they sit on shelves, Eric. They don't care.

[00:22:18] **Mandy Matney:** The way that they do them to people who are living is horrific a lot of times. It's not — it's a horrific process. Traumatizing.

[00:22:28] **Eric Bland:** This is all new to me. You guys, it's in your lexicon. You've seen it. You were at the sheriff's department, Liz. Mandy, you have investigated this stuff for years and years. I mean, it's frightening stuff to hear that you could have a rape kit test done and they don't complete the kit.

[00:22:48] **Mandy Matney:** Well, they — I mean, in this case, it just disappeared. There's no other record of.

[00:22:53] **Liz Farrell:** So we don't know. It's not just that it wasn't tested. It's that we don't know where — and this and doesn't that sound familiar? The boat crash case missing DNA.

[00:23:00] **Mandy Matney:** And the other thing is like how did they get to that point? If you are thinking that a kid is in the road and that he was hit by a car,



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

why did anybody on that scene believe that a rape kit was necessary? Like something went on on that scene and then somebody it seems like did not want anybody to know what was going on in that rape kit, what the results were. So that's the scary thing and I think that's just another piece of evidence that this investigation was so wrong.

[00:23:39] **Eric Bland:** How did they originally think that he was shot in the head? I mean, wouldn't there be black residue or something? They did a GSR test. I mean, what are you looking at when you're doing this stuff?

[00:23:50] **Mandy Matney:** Well, our source back in 2019 who's investigated a lot of deaths was telling Liz and I that it is possible. Really, really small guns. I forget like a 22. The bullet wound is very, very narrow and tiny and sometimes it does look kind of like a stab wound or a like and Stephen's head was like really, really messed up, so I could see why they would think that more so than a freaking hit-and-run because that was just insane. And it's crazy that it took this long for them to just come out and say this was a murder.

[00:24:31] **Liz Farrell:** Well, the issue with the gunshot residue is that there was no gun around Stephen's body, so you don't commit suicide and then get rid of the weapon. So that was what always struck me as odd. But the thing with the rape kit too, going back to that original conversation we had in 2019 when we got the case file, rape kits can often be performed I guess are sometimes performed on unattended deaths, like deaths that you don't know the cause of just to cover your bases. So it's possible that they did that when they believed it was a homicide. So remember SLED says that immediately, you know, highway patrol was sent away when Stephen's body was at the medical examiner's office. Highway patrol was officially off of it. SLED was on it now because they believe he had been shot in the head. So the rape kit I suppose makes sense in that context, but it will be interesting to find out, and as David has said in a message to us just now, we FOIAed for the South Carolina Highway Patrol for a number of vehicular — we wanna know the number of vehicular homicides where rape kits have been performed, so that's a very fair question.

[00:25:35] **Eric Bland:** I'm asking questions 'cause I had I don't have knowledge. Who does the rape kit test? Is it done at a hospital? Where's it done?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:25:45] **Liz Farrell:** Meaning like where does the — who tests for the DNA? It would go to SLED. So it depends on whether the agency has their own DNA lab, which they do in Beaufort County but they don't in Hampton County. So that rape kit would've been sent to SLED.

[00:25:59] **Eric Bland:** Who collects it? Where is it collected?

[00:26:02] **Liz Farrell:** The crime scene unit. So the crime scene unit is who attended his death, according to the press release from Mark Keel. So they would've taken —

[00:26:09] **Mandy Matney:** Which is normal.

[00:26:11] **Liz Farrell:** Yeah, which is normal. And they would've taken that —

[00:26:13] **Eric Bland:** First responders do that?

[00:26:16] **Liz Farrell:** Take — no. So whoever attends the death is who gets the evidence that's collected off of the body.

[00:26:23] **Eric Bland:** Got it.

[00:26:25] **Liz Farrell:** Yeah, typically. Yeah. I'm really excited to see what happens in the next few days. It feels like a lot has happened in the last three days. So just from the moment you announced that you were taking over the case, Eric, and then within two days now we've got this information, which I think is just so it gives me so much hope for the future. And I think going back to what we were talking about earlier, just like the thing that will break this case and how it's just gonna require one person to come forward, is there a hotline or something that we could be saying right now or what should we be telling people if they know something or if they wanna speak or if they wanna get it off their chest?

[00:27:05] **Mandy Matney:** I think we need to work with SLED and also come up with a reward because I think that's another thing that'll add to the pressure. And I think that you can work with SLED to come up with like a joint hot — or a way to share information. SLED is encouraging — and we should



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

say this for now until we get everything figured out — to call them at 803-737-9000 or tips can be submitted by email to [tips@sled.sc.gov](mailto:tips@sled.sc.gov).

[00:27:38] **Eric Bland:** Great. That's great.

[00:27:40] **Liz Farrell:** Awesome. And then Mandy, do you wanna talk a little about the GoFundMe and where that stands?

[00:27:44] **Mandy Matney:** Oh my gosh. It's crazy. Let me refresh the page. It is at almost \$104,000.

[00:27:51] **Eric Bland:** Oh my goodness. Golly, man.

[00:27:56] **Mandy Matney:** That's amazing. And I was talking to Sandy earlier about how when we all announced that there's gonna be a reward, we're gonna make sure that everybody knows that this one doesn't have a deadline. This is a real one.

[00:28:13] **Liz Farrell:** For people that might be new to this, the Murdaugh family had a reward and it came after criticism about why aren't they looking for the real killer and it had a deadline on it. So once they finally announced it —

[00:28:26] **Eric Bland:** 90 days.

[00:28:27] **Liz Farrell:** Not very much time. I think it was, yeah, or something like that.

[00:28:30] **Eric Bland:** Solve a double murder in 90 days.

[00:28:31] **Liz Farrell:** To come forward. It wouldn't surprise me if Alex was like on the prison phone right now, trying to collect that reward.

[00:28:41] **Mandy Matney:** I know, yeah. I know. I got the real killers.

[00:28:45] **Liz Farrell:** I know who did it.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:28:46] **Mandy Matney:** Oh my gosh. And then, I think back to that because at the time when that reward was offered, we didn't know that he was stealing money. And it's like, whose money was that \$100,000?

[00:29:04] One more thing to say. JusticeForStephen.com will direct you straight to the GoFundMe. So if you wanna and we're gonna keep that going and announce more about the future plans of where exactly where all that money is going and, you know, all three of us are big advocates of transparency, and so we can promise that. And we have nothing. I'm not touching the GoFundMe. It's —

[00:29:28] **Liz Farrell:** Yeah, I was just gonna ask 'cause I'm completely in the dark about the GoFundMe, so I don't know anything about it. Is that —

[00:29:34] **Eric Bland:** I can talk about it, yeah. It is gonna be in a trust account that I have opened in my law firm, an escrow account that I have to open in conjunction with notifying the bar. So the money comes into my trust account and it has to be accounted for. You can't go out and buy lunch out of a trust account. The money is gonna go to direct expenses of the exhumation costs and what the experts are gonna cost, the transportation costs of Stephen's body, and then going forward with investigators. The money will not go to me. I'm not getting a legal fee from that. We are gonna try to establish a separate reward and that money will go into a separate reward fund. At the end of this, I promise you guys, if there's money left over and there very well may be, we are going to decide with Sandy charities that will get the money. It's not like we save the money and then at the end of the day, the rest goes to Sandy. It's all gonna be transparent.

[00:30:44] **Mandy Matney:** Yeah, absolutely. And I don't think a lot of people would be too angry about that, but just it's not a scam. But it's funny as you were saying a trust, I was like in normal worlds, that's like the most trusted thing. But in the Murdaugh world, you hear trust and the bar and that like all of these things that went very, very wrong before. But it won't in this case, and I think that that brings us to our next subject.

[00:31:12] **Liz Farrell:** So did you guys read the motion of Alex asking for more money to fund his trial because apparently, he overspent his retainer by — what is it? Over \$200,000 or something like that, Mandy?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:31:31] **Mandy Matney:** Yeah. Well, and it reads just again just so whiny. Like and this is my money that is — what was the word? Innocent? Like he said innocent properties or something like that?

[00:31:44] **Liz Farrell:** Yeah, so it's untainted money and he calls it innocent properties, and they're citing a case. They're actually citing case law for this, saying that he has the right to fund his appeal. And as Justin Bamberg pointed out in sort of an epic posts on Facebook and Twitter, that doesn't mean that just because you have the right to a defense doesn't mean you have a right to six figures. Like it's unbelievable. And he can get in line and get a public defender like the rest of them or I don't know. Jim Griffin seems to believe in him, so why doesn't he represent him pro bono? Why doesn't he donate those hours?

[00:32:25] **Eric Bland:** The same way I'm doing it for Sandy just like — now, let me ask you this: is this a prelude to Dick and Jim trying to get out because they're not getting paid the same way Bart got out? Is this starting to smell similar?

[00:32:36] **Liz Farrell:** Seems like it, yeah.

[00:32:37] **Eric Bland:** Mandy?

[00:32:38] **Mandy Matney:** Yeah. I just think it's — okay. But this is my question. I asked a couple lawyers this yesterday and I was a little confused. When you are done with trial, your obligation as an attorney to your client is over, correct?

[00:32:51] **Eric Bland:** If your fee agreement says it. Most credible retainer agreements say that this money that you pay me will go through trial and filing the notice of appeal, not litigating the appeal, but just filing. So I suspect that Dick and Jim as to the murder case under their fee agreement are done. Now, whether they wanna be done, that's a different story.

[00:33:18] **Liz Farrell:** This is money that they're trying to get back though for — isn't it what they've already done for work that they've already done as well?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:33:24] **Eric Bland:** Right. Right.

[00:33:25] **Liz Farrell:** Some of those fees were very, very shocking to see that it's like almost a \$30,000 bill for transcripts. Is that something that —

[00:33:34] **Eric Bland:** Now, they're expensive. Transcripts are very expensive. Sometimes, I take a deposition for six eight hours and it's \$4,500. That doesn't surprise me. What does surprise me is if you're a criminal lawyer, here's the motto that you're always told: get your money up front because if your client is convicted and sitting in jail, the chances of you getting paid are slim and jim and slimming had been around for a long time.

[00:34:03] **Liz Farrell:** Interesting.

[00:34:04] **Mandy Matney:** Hold on though. Like something else as I was reading this ridiculous motion that was like we want more money, we already spent it all, they were spending \$20,000 a week on just their housing, on just lodging. \$20,000. So that was at least a hundred grand.

[00:34:25] **Liz Farrell:** Do you think they might not have been charging Alex for that?

[00:34:28] **Eric Bland:** It was six weeks. Yes.

[00:34:35] **Liz Farrell:** I just love that Alex charged his clients for his Hooters lunches and Dick and Jim are now charging him for their —

[00:34:42] **Mandy Matney:** The real full circle.

[00:34:43] **Liz Farrell:** You know, luxury accommodations for salmon dinners and —

[00:34:47] **Mandy Matney:** Their wedding venue.

[00:34:48] **Liz Farrell:** Yeah.





## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:34:48] **Eric Bland:** There might be agreements. Under expenses, you pay for transportation costs, lodging costs, travel costs. I do mile at IRS whatever 58 cents a mile. I put exactly what I would charge you for under the expense portion in the fee agreement. That's what's required by the bar.

[00:35:11] **Mandy Matney:** And they just happen to pick a wedding venue as their lodging that Alex —

[00:35:16] **Eric Bland:** Now, I don't think it's reasonable. Now, listen to me. I'm not allowed to fly first class.

[00:35:21] **Liz Farrell:** Why? Why aren't you allowed? Who says that?

[00:35:25] **Eric Bland:** You fly coach. You're not allowed to stay at a Four Seasons or Ritz-Carlton.

[00:35:32] **Liz Farrell:** Again, who's allowed? You're just saying that like it's not good form.

[00:35:34] **Mandy Matney:** Is it in the agreement?

[00:35:35] **Eric Bland:** It's not good form. No, you're right. It's custom in practice. But Liz, it's a very good question.

[00:35:41] **Mandy Matney:** Because Alex —

[00:35:44] **Liz Farrell:** He took private planes, Eric.

[00:35:46] **Mandy Matney:** Yeah.

[00:35:46] **Eric Bland:** I got it.

[00:35:47] **Mandy Matney:** We all know the World Series story.

[00:35:51] **Liz Farrell:** But private planes, he bills clients for private planes for their cases. And I get that like there's experts in Arkansas and experts in, you



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

know, Oklahoma, places that you need to go that maybe you just wanna get in and get out, which isn't a slight on the states that I just said but meaning that I can understand expediting and wanting a private plane, but good Lord.

[00:36:12] **Eric Bland:** Let me give you a little explanation. In an hourly case when it's with Farrell Corporation, and Farrell Corporation is a big company and mid-level managers or whatever and I work for your company in the labor department. You have a labor law issue and there's a couple litigation cases. If I was to charge a private plane in my invoice to Farrell Corporation and a Ritz-Carlton Hotel, the next month I would get an email that says, come see us, and they would hand me my walking papers. It's in contingency cases where it's thrust on the client at the end where the client has no choice to stop it. Remember it's taken place for 24 28 months during the pendency of this products liability case that they're working on a contingency. And at the end when \$10 million comes in at the law firm, they get their \$4 million fee and then there's \$2 million of expenses. The client doesn't have a chance to object. But if when I'm working by the hour and I'm submitting monthly bills, you could never get away with that.

[00:37:27] **Mandy Matney:** Yeah, he Justin was pissed when he read that. It was just a lot of people on Twitter said that like the audacity of these guys and, again, we've seen it over and over and over and over again, and it's still not done. And the real kicker for me was when he was like or Dick and Jim said, and if you don't do this, basically like the taxpayers will have to pay for a public defender for Alex and his appeal and it's like.

[00:38:00] **Eric Bland:** Boy, that's a nice spit in the face to public defenders, isn't it?

[00:38:03] **Liz Farrell:** But also, they're not getting paid what Dick and Jim are getting paid. So it would actually, yeah, like let's give them money to the victims and I'm happy to chip in my dime toward Alex's defense with a public defender.

[00:38:17] **Mandy Matney:** And guess what? Like if he has a public defender and not Dick and Jim, I bet it's gonna go a lot quicker. And because like the trial dragged out for so long because of Dick and Jim I believe and their power and every and even though they weren't that great — that's a



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

conversation for another day — but like the audacity is that he got a better defense than what? Like 90% of most criminals for his trial and.

[00:38:45] **Liz Farrell:** 99.

[00:38:45] **Mandy Matney:** 99, right?

[00:38:47] **Liz Farrell:** Yeah.

[00:38:48] **Mandy Matney:** And he hasn't paid his victims anything at this point. And he is saying I need more money for my appeal and if not, the taxpayers will have to pay for it. And it's just so freaking whiny.

[00:39:03] **Liz Farrell:** Oh, it's so whiny. Did you guys see before this we started recording that Emily Limehouse in the US Attorney's Office filed a response to Russell Laffitte's motion for a second motion for a retrial, basically wanting to use — yeah. Remember he wants to use Alex Murdaugh's testimony exonerating him, and we talked about that I believe in the last episode. Well, the government was like, sorry, but your boy isn't reliable, so we're not — their response was perfect. So if you guys didn't read it, I highly recommend you go read it because Alex has no credibility, and so for him to come and say I need this — his lawyers to come and say we need this money and to outline it and all of that, but for him to say that this is untainted money, show me your books on that, Alex. Like I'd love to see where you've accounted for the money that you stole is in this column and then the money that you didn't steal that you actually earned is in this other account. Like how did what did he do? How did he keep track of that? He has no credibility so.

[00:40:10] **Eric Bland:** Where are his books? I mean, you're assuming he's got books. Show me your books. What books, Liz?

[00:40:15] **Liz Farrell:** Well, that's what I'm saying. I doubt he had like a little —

[00:40:17] **Mandy Matney:** In the meantime, you've been telling all of these victims like I don't have any money, so don't come after me for that.

[00:40:24] **Liz Farrell:** Right.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:40:24] **Mandy Matney:** And then it's like, oh, I have some money, but I wanna use it for this.

[00:40:28] **Liz Farrell:** We'll be right back.

[00:41:37] **Eric Bland:** Liz, I have a question. So it's been three weeks since the verdict and we've heard from Dick twice. We heard from him, you know, on the well of the Senate. But haven't heard too much from him. But we are hearing a lot from Jim Griffin in some different forms and obviously on a lot of shows and obviously on Twitter. What do you take from that? What do you take from Dick's silence? Because he's usually not a silent man. Do you think he really took it to heart that he should just shut up and do your work in court? Was his are his feelings hurt? Is he trying to move on? And what about Jim protesting too much? What do you guys take from that?

[00:42:50] **Liz Farrell:** I think there are two things. One is that he's not being paid as we found out from that motion. So Dick, the money ran up, so why should Dick be commenting I suppose? The second thing is I think that he's used to being completely adored by people in the press and that's not what's happening here. And social media, I love watching. I mean, there's even a parody account, a Dick Harpootlian parody account. So people are onto him, and I would imagine that there's no upside to him speaking out on this. As far as Jim, we heard from Jim, was it Monday night when he was he went on TV to talk about, you know, the statement that Buster put out? So that's — just to return real quick here, but we on Sunday night, Eric put out a press release, right, that said there was gonna be a press conference on Monday morning at 8:30 and about an hour before the press conference, Buster Murdaugh released this statement through Jim Griffin. In a TV show that night, Jim Griffin talked about how like Buster's struggling and no doubt like completely my heart goes out to him on that. But then he said, you know, he can't he's having trouble finding a job. Thoughts on that, Mandy?

[00:44:00] **Mandy Matney:** I would love to know where he's applying.

[00:44:02] **Eric Bland:** Well, there's a lot to unpackage that unpack the statement coming through Jim Griffin as opposed to his own lips and then get to the top. So, unpackage that for me, Mandy.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:44:14] **Mandy Matney:** Well, okay. So a couple things. To me, it seems like a clear PR move. It was well designed and it is not at all a coincidence that it was right before your press conference, Eric. There's been four years for Buster to say something about this, and a lot of people have tried to talk to him about it and he's refused. I know that all of this is hard on him, but to do it before — I felt to do it right before your press conference and it worked. I saw all the headlines and they all weren't about Stephen. A lot of them were not about Stephen Smith. They were about Buster unfortunately. That whole thing was just really weird and what was going on online with all of these people coming at us saying that we were the ones blaming Buster and we're the reasons why he's being harassed. And this is all — I got like this is all your fault, Mandy several times. And that was just all really, really weird. And it seemed to be all the part of the same machine moving and I'm not sure what was going on, but we're going to find out because it was just. I don't know. Horrible and manipulative it seemed like. And I just wanna know what's going on with Jim. Like I just wish that he knew that there's an out and he can take it at this point.

[00:45:37] **Eric Bland:** I don't recall any of us ever insinuating or accusing that Buster Murdaugh had anything to do with his death. I don't know where that came from and why people would associate that with you, Mandy. I just don't know.

[00:45:50] **Mandy Matney:** There seems to be somebody out there pushing a narrative, not sure who, and it seemed to be very much behind the scenes. His name coming up in the case file is different, but I don't know if it was a matter of people just getting the highlights of the story and not understanding and then saying we were the first to report all this, so it's all our fault. I don't know what was going on, but it seemed really gross.

[00:46:18] **Eric Bland:** Do you think it was in response to my press release? I never put that two to two together.

[00:46:24] **Mandy Matney:** I believe that they tried to hijack the headlines on Monday. So it was not about Stephen. It was about Buster. And that's what happened.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:46:32] **Liz Farrell:** And you know what sucks about it? Is that that kind of paints us into a corner because the question I have then is like, why did they need to hijack Stephen? Why did they need to hijack the headlines? So if you have nothing to do, and I'm not saying they do, I wanna make that very clear, but if somebody does not have something to do with something, somebody makes their statement earlier on, right? I mean, we're now eight years almost into this and now this is the first we're getting a statement since — I'll give him the benefit of the doubt. I mean, June 2021 might have been — any time since then he could have said something. But to hijack the headlines, it's very strategic and obviously we know they're working with a public relations company that is known for a lot of different things, including this type of strategy. So why employ that kind of strategy if you don't have anything to do with it?

[00:47:22] **Mandy Matney:** It just seemed like as soon as Stephen was getting — Stephen's case was getting momentum, I just noticed this huge amount of resistance online. That was very weird and like nothing that I've seen before. And it felt like there was some sort of strategic operation pushing this resistance to discredit Sandy, to discredit the GoFundMe. There was all sorts of what's she buying, what she gonna use the money for? There was just lots and lots of stress because that doesn't make any sense. What kind of human being doesn't wanna know. Like we're here for justice for Stephen, for a kid that was murdered when he was 19, and his mother and family still wants to know who did it. Who would be against finding that out? Bad people who have secrets to hide. That's who. We gotta figure that out.

[00:48:18] **Eric Bland:** Could it have been a result not so much of my press release, but that comment that somebody screamed out when Alex was being carted away in cuffs, you know, justice next for Stephen Smith? Could that have been the catalyst? What do you think, guys? I don't know.

[00:48:34] **Mandy Matney:** I really think it was the momentum that was in the last couple weeks that was moving to Stephen. I think that that really intimidated really bad people and got them scared and shaking as it should because money talks in cases like this and these evil people I'm sure know that. And the more money that you have, the more likely that you're gonna get to the bottom of the truth. And that's extremely unfortunate and I hate that but.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:49:01] **Liz Farrell:** Well, it's kind of a fighting fire with fire situation, right, Mandy? It's like money gets you out of it. Well, money's gonna get you into it. Like if you can use your money or your position of power and influence to avoid the consequences of some serious behavior, then there should be a counterinitiative to that or something that exists in opposition to that. So using money to find out who did something who should be held accountable is no different in my opinion. It's just the same. Just meaning that I guess what's good for the goose is good for the gander is what I'm trying to say. If you can use your money to get out of trouble, then certainly victims can use the money that they either raise through fundraisers like this or naturally have to get answers.

[00:49:53] Speaking of victims and money and where this money's coming from for the victims of Alex Murdaugh who had their money stolen from them, part of the trust that is Maggie's estate is staying with Buster obviously, but most of it is going to the Beach family and other clients of Mark Tinsley. And tonight at four o'clock, there was an auction in Georgia. It's a well-known auction house and it's really not that far from Hampton County. It's like I looked it up and it's west of Savannah. They put a couple I think it was almost 200 photos up on Facebook, showing pieces of Moselle that are up for auction. So it seems like we had this six-week trial, the very last day we have this field trip where they go to the jury's brought to Moselle, they see a bike in the front yard, they see somehow a shirt in the window, they see a chicken toy in one of the kennels. Obviously, someone staged it like it was a showing of a house.

[00:50:57] **Mandy Matney:** The Buster pot. Don't forget the Buster Christmas

[00:50:59] **Liz Farrell:** Oh, the Buster Pot. I forgot. The Christmas snowman Buster pot.

[00:51:03] **Mandy Matney:** With no pollen on it.

[00:51:04] **Liz Farrell:** Right. With no pollen. Very clearly this had been staged. And just as soon as Alex gets his sentencing, now we see that the contents of Moselle, the sale of Moselle is going through. The contents of Moselle are now up for auction. And I know that he probably like obviously, Alex doesn't need



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

those couches and all of that, so maybe they were holding onto them in the hopes that he was able to get out of this. But that money raised from the auction is going to go to the Beach family and Miley Altman and Morgan Doughty, the clients of the boat crash victims. Did you guys — was there anything that you were tempted to purchase from this auction?

[00:51:44] **Mandy Matney:** Well, wait. Can we pause for a second? How — we know for sure that the — I was wondering. That money for sure goes to the victims.

[00:51:51] **Liz Farrell:** Yes.

[00:51:52] **Mandy Matney:** Does any of it go to Buster in the —?

[00:51:54] **Liz Farrell:** Yeah. Buster gets 500 — so the agreement was already made that there's I think it's about 500 550 that will go to Buster of Maggie's more than four or five million. So that's already set in stone. This money is from the house and it goes into her estate, right? So her estate is worth around between four and five million dollars, let's say. This is part of the estate, so this is the valuation of that. So Buster gets this \$500,000 whatever they collect, right? That's already pre-agreed.

[00:52:26] **Eric Bland:** That's it.

[00:52:27] **Mandy Matney:** But he doesn't get more from them.

[00:52:29] **Liz Farrell:** There's a contract in place that says he just gets 500 — whatever it is, 500 and something thousand. But Mandy, I mean, obviously I don't think you would want the monogram pillows.

[00:52:38] **Mandy Matney:** No, the turtle lamps.

[00:52:40] **Liz Farrell:** Oh, I forgot about the turtle lamps.

[00:52:42] **Mandy Matney:** No, absolutely not. Like I'm a big believer in energy and things having good and bad juju, and I want nothing to do with anything that went near Alex Murdaugh. No like.





## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:52:55] **Eric Bland:** I don't want that karma. No, sir.

[00:52:58] **Mandy Matney:** Heck no. Yeah. I mean, I would I think the weirdest thing though was the popcorn that had left — the popcorn machine that had leftover popcorn in it. Like they all just abandoned the place and wanted Blanca to clean it up probably. But like, ew. Old popcorn from the — who's gonna buy that?

[00:53:19] **Liz Farrell:** I don't — there are people. I mean, this is the conundrum though. But, you know, it's a hard one because the money goes to the estate and the more money the estate has, the more money can go to the victims. So it's a really hard one because it is grim. I was reading some of the comments on Facebook. There was a Halloween decoration. Did you guys see it? It was a skull. And people in the comments, oh, I don't even wanna say what they said. But yeah, you probably wanna stay away from having a skull as part of it. But this, I mean, it never stops, right? I mean, it's just always like there's it's not that you have the murder trial and then it's just like you get some time off. Now, there's some shenanigans with like seeing just this gross murder house, the contents of a murder house.

[00:54:09] **Mandy Matney:** That's like the worst decorated murder house that you could ever possibly imagine like.

[00:54:15] **Eric Bland:** You know, it's a jack o'lantern.

[00:54:17] **Liz Farrell:** Books, too. That's surprising.

[00:54:18] **Mandy Matney:** Really? The Moselle sale, one more thing I wanted to say about that. I'm really glad that it's going to victims and I'm glad that they honestly waited for it 'cause the price of everything had to have gone up, right?

[00:54:36] **Liz Farrell:** That's a really good point.

[00:54:38] **Mandy Matney:** From the trial. Like the trial like —

[00:54:40] **Eric Bland:** Yeah. What did they raise? Do we know?



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:54:42] **Mandy Matney:** I don't know. I'm eager to find out. I've been seeing screenshots of it all day and like I don't wanna be anywhere near it. It creeps me out but.

[00:54:50] **Liz Farrell:** Was there a line? Did people were people lined up for it?

[00:54:53] **Mandy Matney:** Probably.

[00:54:54] **Liz Farrell:** Interesting. Well, did you see the BB&T bank bag that was like for cash? Did you see that on one of the in one of the lots?

[00:55:01] **Mandy Matney:** No. Oh my gosh.

[00:55:01] **Liz Farrell:** Yeah.

[00:55:02] **Mandy Matney:** Somebody get that for Eric.

[00:55:04] **Eric Bland:** What's going on with the misdemeanor charge for, you know, the transfer of the material at the trial?

[00:55:11] **Liz Farrell:** There's gonna be a trial. John Grisham is gonna be a witness. Let's reiterate, Mandy, if you could. Can you let people know again how they can help with the Justice for Stephen initiative and where they should go if they have information that they wanna share? And probably, I would just like to add that if you have information to share, maybe just make it the information that you actually know and not the information that is your theory.

[00:55:37] **Mandy Matney:** Yes.

[00:55:37] **Liz Farrell:** I wouldn't share — like please don't share — don't clog up the line with theories and what-ifs. If you've heard something related to it directly from somebody who would have knowledge, definitely call. But let's not clog it up.



## EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction

[00:55:52] **Mandy Matney:** Right. And that goes for our inboxes, too. A lot of people don't understand the difference between a tip and a theory and there's a huge difference like.

[00:56:00] **Eric Bland:** Yes, there is. I get a lot of theories.

[00:56:04] **Mandy Matney:** Right. I get theories all the time and I get people wanting me to call them and saying I have information and it's just a theory and it's like that doesn't help and you're just wasting everybody's time. So information either that you know first secondhand, anything that investigators should know about not only who killed Stephen, but what happened in the investigation. I urge everyone to contact SLED at the SLED tip line 803-737-9000 or [tips@sled.sc.gov](mailto:tips@sled.sc.gov). You can send an email there. And the other thing is JusticeForStephen.com is up and running and we will put announcements on that. But yeah, all of us will be pushing all of that information out going forward. And I greatly encourage everybody to donate at JusticeForStephen.com. That GoFundMe could be the key to all of this and I cannot wait to figure out the reward and announce that and not have a deadline on it.

[00:57:10] **Liz Farrell:** Awesome. Thank you, Mandy. Well, Eric, I hope you're feeling better. I'm gonna put my cups down. It's gonna be with best wishes for your knee. I'm sorry that you're still in pain and that it's a hard one. So cups down for you.

[00:57:23] **Mandy Matney:** You seem a little better today.

[00:57:25] **Eric Bland:** Yeah, modern medicine is wonderful, Mandy.

[00:57:28] **Mandy Matney:** Cups down, everybody.

[00:57:29] **Eric Bland:** Cups down.

[00:57:30] **Liz Farrell:** Cups down. Guys.

[00:57:38] **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,



## **EPISODE 23: Justice for Stephen Smith: We're Finally Moving in the Right Direction**

our executive editor, and Eric Bland, attorney-at-law, AKA The Jackhammer of Justice. From Luna Shark Productions.

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