

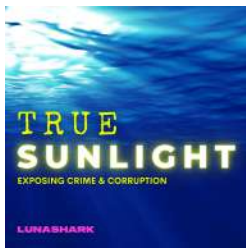
EPISODE 34: Light at the End of the Tunnel, Justice Toal Brings Order to Murdaugh Chaos

Mandy Matney 00:02

I don't know how much longer the media will continue to buy into the lies of Team Murdaugh. But on Tuesday for the first time in a long time, I felt confident that our system will finally put an end to the judicial terrorism. Finally, after almost five years, I can see a light at the end of the tunnel and I have real hope that Justice Toal will be the woman to save our system. My name is Mandy Matney. This is True Sunlight, a podcast exposing crime and corruption previously known as the Murdaugh Murder's Podcast. True Sunlight is a Luna Shark production written with journalists, Liz Farrell. Y'all, I just want to take a moment and give our team a big pat on the back. Because once again, we were right. Our sources were right. Our legal experts were right, our instinct to not take the defense at their word no matter how many times we were called crazy. They were right. It's been a weird 134 days since team Murdaugh set fire to the justice system and led the media on a wild clerk of court chase accusing Becky Hill of jury tampering and convincing the media that Alex Murdaugh was all but guaranteed a new trial. Now, I will be the first to admit that this story is personal to me. Next month, we'll mark five years for Liz and I in which we've dedicated 1000s of hours of our free time in acres of our brain space and memory to investigating the Murdaugh family and exposing the deep corruption poisoning our justice system in the low country. I'm not sure how this story couldn't be personal for someone in our shoes. But because it is so personal. I remember very vivid details of what was happening in my life during different moments of Murdaugh madness. At the end of August, we took a trip to Europe to celebrate the last few years of building a company starting to number one podcast and ultimately exposing a lot of bad people who I don't think would have ever been held accountable, had it not been for us. I remember on the plane right there. I was excited about the next chapter of beyond the

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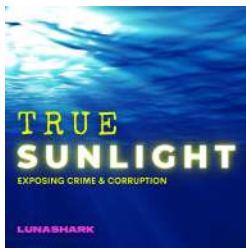


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Murdaugh madness. We were starting to get deep into the Soloman story in Tennessee, and we felt confident about our plans to begin new investigations elsewhere. A couple days into our trip. I heard from a friend who heard from Team Murdaugh, that there were going to be bombshells in the Murdaugh case in the following week. I was annoyed now what can't we just be done with them? A few days later, on September 5 2023. Those alleged bombshells dropped when Dick and Jim held a press conference and claimed to have a stack of evidence proving the clerk of court Becky Hill tampered with the jury. I remember it perfectly. I was helping my friend get ready for her wedding in Florence, Italy when I heard the news, just like it did on so many other Murdaugh madness days. In the past few years. My cell phone blew up immediately. I was getting messages like Did you hear what Becky Hill did? Can you believe Alex is getting a new trial. And then a lot of messages from our sweet fans saying I don't buy what the media is saying. And I'm waiting to hear from y'all. Are these accusations from the defense legit? I didn't have a lot of time. But I did a Google search and honestly, I had to do a few takes at what I was saying. Here's David reading a few of those headlines from September 5 2023.

DAVID MOSES 03:54

Alec Murdaugh alleges jury tampering demands new trial. The Greenville news Alec Murdaugh's lawyers new bombshell claims about trial, Newsweek, Murdaugh's lawyers seek new trial saying clerk tampered with jury, New York Times. South Carolina Attorney Jeanral asks for a state investigation into Alec Murdaugh, jury tampering allegations, CNN



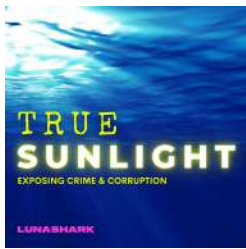
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Mandy Matney 04:21

My head started spinning. What I have seen poor journalism throughout this saga, but it was clear that every single news outlet in the country that had been following this story was taking these allegations extremely seriously and lending all sorts of undeserved credibility to teen Murdaugh who had lied and lied to them and made them look foolish time and time again. The person I was two years ago would have ditched my friend and our plans for Florence that night to go hide in my hotel room and read the files line by line tweeting my findings and writing a new podcast script for that week. I used to constantly feel like it was my obligation and my duty to correct the Murdaugh misinformation until I realized how toxic that was to my own mental health. Thankfully, Liz, the voice of reason quickly read the defense's filings and told me to calm down. She said she wasn't seeing anything to fret over and whatever it was, we could deal with it when we got home no more letting team Murdaugh ruining our good times. A few days later, David and I got some time to read the filings before we recorded a cup of justice episode. I remember looking at him and saying, is this really it? There is nothing here. Am I missing something? I say these things because no matter how often I am right, I still doubt myself, David, who just read the exact same pile of papers that I had read agreed. I remember him saying I cannot believe they've made such aggressive accusations with such little evidence in the media just ran with it. For the next month, we were hit with several rounds of criticism and accused constantly of ignoring the Becky story because it doesn't fit our narrative when in reality, we had more important things to cover like Cory Fleming finally getting sentenced and we need a time to dissect the documents that Dick and Jim had filed and talk to sources about what is really going on. And over those next several months, harassment against us escalated. People constantly CALLED

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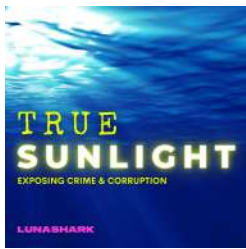


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US team Becky they called us bad journalists for not being able to look at the facts. They accused us of losing our sources and the last year and claimed that we lost our way it was hurtful. When all along our view stayed the same no matter how many times people said that we were wrong and how many reporters made rude remarks about our take on this. We said that the allegations made against Becky's ethics should be separate from the allegations about jury tampering. We said all along that unless Dick and Jim revealed more evidence of jury tampering the chances of a new trial for Alex Murdaugh, we're very small. And in the past 134 days Dick and Jim did not show any more evidence of jury tampering. What did happen though was piece by piece Dick and Jim working hand in hand with their friends in the media attacked Becky Hill's credibility the media and the defense managed to convince a sizable audience that the decision for Alex getting a new trial would come down to Becky's credibility. They said this over and over again while chipping away at Becky Hill and her reputation. Oh, and Becky did make that easy from her emails trying to be popular with reporters to her book that was problematic to begin with given her position as a public servant and even more problematic now that she plagiarized a story from BTC that was accidentally emailed to her. Becky has not made this easy. Oh, and when Justice Toal was picked to preside over the jury tampering hearing the same reporters who took part in convincing the public that Becky's tarnished credibility would weigh heavily against the prosecution. They all shouted what a win it was for Alex Murdaugh and how smooth his path to a retrial with looking Oh, but uh, when it was not judged hole was a wild card for us. We heard from several sources that she was hard to predict, but also they said it would be easy to know where she was headed right out of the gate. And boy, were those sources accurate. The biggest question heading into this hearing on Tuesday with how Justice Toal would interpret the

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law is she would decide on Alex Murdaugh's new trial based on evidence of Becky's actions with jurors affecting the verdict or based on evidence showing that Becky's communication with the jurors could have affected the verdict. It didn't take Justice Toal long at all to make a clear decision on that and set the tone for the entire hearing.

Justice Jean Toal 09:07

A presumption is not the way to examine this issue, but rather specific evidence about what was said when it was said and how it was perceived by the Bureau is what I believe is required by state versus green in other cases, we will get into

Mandy Matney 09:25

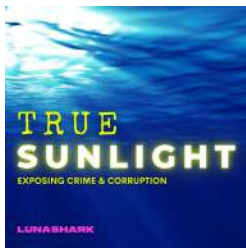
this more but wow Justice Toal was incredibly decisive, confident and clear throughout Tuesday's three hour hearing. There was no guessing whatsoever in what she was thinking.

Justice Jean Toal 09:38

As in Bob's questions to miss Hill several. This is not a time to explore every mistake are incorrect statement or false statement that ever has been made by this witness and judge of the credibility of this witness for purposes of this new trial motion I don't think it's necessary nor do I think it's proud to explore each and every impropriety alleged had been committed by the clerk

Mandy Matney 10:17

and she was not having whatever made up most Dick our Boolean was serving if they were friends, as several people suspected, and there was historical evidence of the inJustice Toal swept that relationship out the door and focused on the facts of the case. That makes sense.



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Justice Jean Toal 10:35

It doesn't make sense to me, because this is not at the front of this hill. And issues about unloaded and so forth in the possible permission arms are not what this inquiry is about her contact with any juror and what you said.

Mandy Matney 10:54

A swear I watched it shrink several inches as Justice Toal schooled him on the law.

Justice Jean Toal 11:03

You're speaking to me about something complete back as far as I'm concerned, so I can't really evaluate

Mandy Matney 11:11

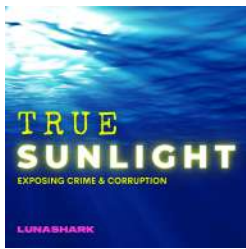
Oh, and she was crystal clear that she was in command.

justice Jean Toal 11:16

I'm perfectly capable of evaluating what the jurors terrapins do that I think I'm also perfectly capable of evaluating credibility. On this hill.

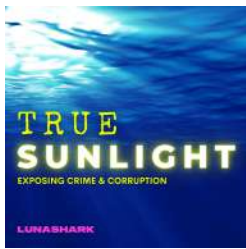
Liz Farrell 11:29

I am the jurors. Just like our Cup of Justice co-host Eric Bland told us what happen, Justice Toal took immediate control of her courtroom. For much of the status conference, the camera was mainly focused on Team Murdaugh Dick, Jim, Alex & Phil Barber and all of their reddening faces. And when I say reddening, I am talking all the shades of red right down to the purple hue that Dick's faced or to take on toward the end. But we'll get to that Justice Toal was presented to viewers from home which included Mandy and me as mostly a disembodied voice that was



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strong, commanding, and free from doubt. Every word she said was intentional and felt solid is a brick with each brick forming an even more formidable structure. So no matter how much Dick Huff's and puffs throughout the next few weeks, he's not going to be able to blow her house down, that's for sure. From the get go. justice Toal set the agenda. She told the State and Defense that they were here to discuss four matters first was whether an evidentiary hearing was necessary, even though she had already decided there would be a hearing, she wanted the arguments preserved for the record. The second was determining who had the burden of proof what must be shown to meet that burden of proof and what must be shown to contest that burden of proof. Third, was hearing from both sides about the procedural timing issue in which the state believes that Dick and Jim knew about the allegations from the egg lady juror immediately after the trial. And therefore they're arguing that all of this is moot because team Murdaugh was required to bring these allegations to the Court's attention within 10 days if they wanted to use it as a reason for a new trial. And then fourth, and finally, and what just told called the heart and soul of her agenda, they were to discuss the guidelines for who would be a witness, what evidence would be allowed and who would do the questioning. So for both me and DME, this was our first time seeing Justice Toal in action. And we were both struck by how thorough she was and how clear when someone is that thorough and that clear, you immediately know that person is aware of their own thoroughness and their own clarity. And by golly, you had better be listening with both ears, meaning if she were your professor, you'd be sitting up straight and taking notes, but not Arctic Harper, Julian, when he stood up to address the court, one of the first things he said was this.



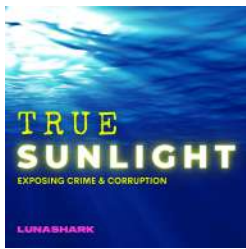
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Dick Harpootlian 14:05

Court, Your Honor evening, you've raised I assume you want to go in the order in which you did. I would have you raised a number of legal issues from whether we've weighed meat enough to get for what you just took. Mr. Griffin is going to address those.

Liz Farrell 14:26

He said, I assume you want to address the issues in the order you very deliberately raised them and I've already forgotten what that order was. So here's the thing about that. We all know that justice tol has a series of firsts on her resume. She became a lawyer at a time when she wasn't even legally allowed to be a juror as a woman. She was the first woman on the state Supreme Court and the first woman to become Chief justice. She has spent her entire career having to contend with the buffoonery that the state's good ol boy attorneys could and continue To get away with this goes without saying, but there are very few if any women attorneys or attorneys of color who would ever think they could get away with standing in front of a South Carolina judge mere moments after being given instructions and essentially say, it wasn't that important to me. So I've already forgotten what you said. The point being Dick should have had a conversation with themselves in the mirror before he got to the courtroom Tuesday morning and advised himself to be less of a Dick harpoon then, because his usual power wrangling wasn't going to work on her. And God, are we here for that? Like we said throughout the proceedings, she put Dick on notice over and over. So let's talk about what Dick and Jim wanted and what they got. The first thing they wanted was to have a hearing. And they got that Justice Toal has scheduled an evidentiary hearing for January 29, and possibly the 30th and 31st. In Richland County Courthouse. The state argued against this thing that a hearing wasn't necessary because



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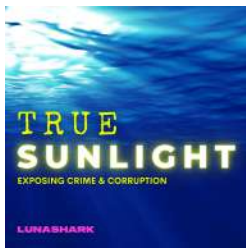
a Dick and Jim knew about these allegations right after the trial and therefore miss their window in terms of raising the issue and be the only deliberating juror that Dick and Jim have who is making allegations against Becky is juror 630. And she doesn't cite Becky as the reason for her guilty verdict. She cites other jurors. And of course the law

Creighton Waters 16:22

is crystal clear in multiple cases, that that sort of internal debate is actually 606 B that that's not any sort of misconduct or anything that is the appropriate venue or mechanism in order to attack the burning. Yesterday

Liz Farrell 16:35

during the status conference, we fielded a few questions in our live stream from soak up the sun members about an argument that Jim Griffin was making in regards to having the hearing. Jim studied a case called Rema and refer to the hearing is a rumor hearing. Rema v. United States is a case that one have essentially granted the defense wider latitude during this evidentiary hearing at the end of the month. This is important. It's one of the key things that Dick and Jim have wanted, because remember what we said in the last episode, they have nothing. They do not have evidence of jury tampering. They wanted to use this hearing as a fishing expedition and Justice Toal shut down any notion of that a few times. First, she told Jim, this was not going to be a Rema hearing. So even though the hearing is the one when the defense can point two yesterday, it's far in a way not the hearing they wanted. Here's what Justice Toal set.



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Justice Jean Toal 17:30

I don't think we need to go back and forth many times. I think I understand your position. Here's my position on that. First of all, this is not I'm not conducting a rumor hearing. Rumor is a 1954 decision of the United States Supreme Court that deals with questions of influence of the jury, and a motion for new trial on the basis of after discovered evidence of that. I rely on the sockliner decision about Supreme Court justice Kittredge state vs. Green, and the green decision specifically says that rumor is not the guidance that SATCOM projects should look to in conducting hearings on after it's got it out. Now that says nothing about what the burden of proof should be on I don't like to to say anything thereby. But I do intend to tell you right away that I will be relying on Sacramento's jurisprudence and South Carolina's jurisprudence on specifically on hat on what must be proved in a hearing of this nature. And who bears the burden of that? Alright.

Liz Farrell 19:02

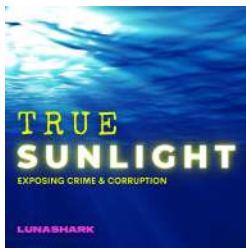
So right there,

Mandy Matney 19:04

right there.

Liz Farrell 19:05

In that moment, team, Murdaugh knew that their house of cards was falling to the ground, just as tall was essentially telling them, I'm going to use the case law that does not favor your position to make my decisions. The same case law they argued against being used in their pre hearing briefs, Because don't forget, they needed the rules of the game to be totally in their favor in order to get anywhere. They were hoping that all that pre hearing publicity, all the publicity that had

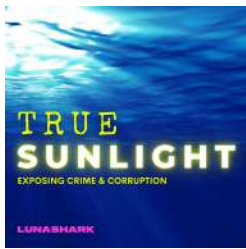


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nothing to do with the allegations of jury tampering would help stir things up enough so that by the time they had their evidentiary hearing witnesses to include the jurors might have become so influenced by the media, but the power of suggestion and through the wild theories and accusations and misinformation being spread on social media that when questioned, they might say something that would help Alex case Tim Murdaugh wanted the court to use a standard of presumption where it's presumed that Becky's alleged statement about quote, watching Alec's body language could affect the verdict instead of the standard of prejudice in which the court wants to see evidence of an actual prejudicing of the jury. So the next big issue, the defense lost on the burden of proof, Tim Murdaugh's argument was that all they had to do is produce some evidence that supported their claim of jury tampering, and that they had done that, that it was now up to the state to prove that jury tampering didn't occur, that the jurors verdicts were not influenced by Becky Hill. Now, in making that argument, they basically cited one case which we've talked about a few times on the show, State v. Cameron. Obviously the state disagreed with that. And not only disagreed, but B C II came on the metaphorical stage with his metaphorical Cutajar ready to metaphorically shred. Big crane energy came on strong by citing nine cases that supported the state's position, including state V. Cameron, he took the defense's own case law and sent it back to them as an origami swan.

Creighton Waters 21:16

It Cameron has a case that they rely on a lot. And I would say this about camera. And that camera, of course goes on to say that the mere fact of any official communication does not necessarily mean that the jury was prejudiced and went on again to do a prejudice analysis and harmless error analysis. So the case law in South Carolina, both from our state



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supreme court as well as our state court of appeals, it's clear it's NSYNC. Its uniform, that is the defendants burden to show breakfast. And that's, of course, only after there's a determination that any sort of extraneous influence occur. And that would be the state's position that it is the defendants burden. And again, we can address at the appropriate time, but the state's position is as to the order in which the evidentiary hearing should go.

Liz Farrell 21:58

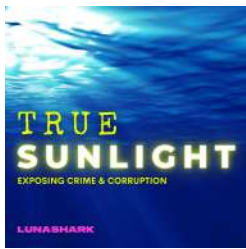
And here is just this Toal delivering one of the biggest blows to the defense.

Justice Jean Toal 22:02

I do not regard state vs. Cameron is the guidance that needs to be used by me in making a determination about this case. It's a court of appeals case. Since that case, in 1993, there have been several cases, including green Oliver and others that very specifically talk about this issue of what the burden is on a motion for a new crown basis for Apple discovered evidence that involves tampering or alleged tampering with the jury. All those cases, say that prejudice must be proved not presumed. And may very well be that that is what's going to be shown. But for purposes of what the defendant must show, as the case goes forward to an evidentiary hearing, the presumption simply by the contact, which we don't have any sworn evidence about except in the area of one juror, this term of presumption is not the way to

Liz Farrell 23:34

examine this. You have no idea how good it felt to hear justice tol say the thing that we've been screaming from the rooftops since this began, Team Murdaugh has one affidavit from one juror, and it boils

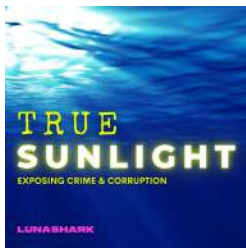


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down to that. It also felt good to hear her say that there have been several cases since State v. Cameron, the case that the defense is almost fully relying on here that deal with the issue of the burden of proof, meaning, you might see news agencies or people online or talking heads who continue to carry the water for Dick and Jim by claiming that justice tol is stomping on Alex Sixth Amendment right to an impartial jury. But Justice Toal is very clearly saying here that subsequent case law supports her decision. They have not made any definitive showing that jury tampering occurred. They have one juror saying she felt pressured by her fellow members of the jury justice told not only told the defense, sorry, but your case law encasing for me. She gave them a good idea of just how restrictive the questioning of a jury would be. Like we said at the beginning of the show, she told them she expected to ask jurors three questions What was said when it was said and how it was perceived by the juror. And with that the defense fishing expedition was canceled.

Mandy Matney 25:02

After determining who had the burden of proof, the defense Justice Toal then discussed her thoughts on the state's assertion that Dick and Jim had missed their window of opportunity to make a motion to file for a new trial on after discovered evidence because they discovered the so called evidence when the egg lady juror obtained counsel counsel being Dicks bestie Joe makalah, who sat behind the defense on Tuesday along with Tiktok Laurie by his side for some reason, just as Toal informed the defense that she was going to conduct a hearing to determine when they found out about the alleged contact between Becky in the jurors Luna Shark reporter Beth Braden contacted First Amendment attorney and media liaison for this hearing J bender to ask whether justice tol intended to hold this hearing separate and apart



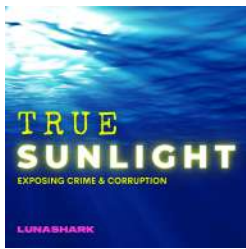
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from the January 29. Hearing, we were told that she will handle all matters in this case, including this one at that time. Now for the heart and soul part of the status conference. This is where things got gnarly for old Dick and Jim. Remember, at this point in the proceeding, they already know they've lost big time, justice tol had already told them that the rules of the game were not going to be the rules they were not just hoping for but depending on she was about to call their bluff in an epic way. So another question we got from soak up the sun members during our live stream chat on Tuesday was about Dicks fixation with sleds mo eyes. I want to take a quick second to explain that issue. Before we get into who is testifying and how Team Murdaugh wants to question the jurors and Becky and if they can't question them, they want to be able to provide questions to the judge for her to ask them. Remember the perfectly capable quote from the beginning of the show. That's when justice tol reminded Dick that she has got this as a part of its investigation into jury tampering allegations slip provided the Attorney Jeanral's office with memoranda of investigation or analyze. They are summaries of what they found summaries of interviews, summaries of facts, etc. Dick and Jim contend that those emotions are written in such a way that they are favorable to the state and that because of that the judge cannot rely solely on them when determining what to ask the witnesses really what they want is for the record to reflect anything that makes Becky look bad. According to their pre hearing brief filed earlier this month. They specifically want to know what the Barnwell clerk of court Rhonda McIlveen told investigators Becky, who calls Rhonda one of her closest friends in her book enlisted Ron has helped during the trial. Here is David with what the defense wrote about Rhonda.

DAVID MOSES 27:57

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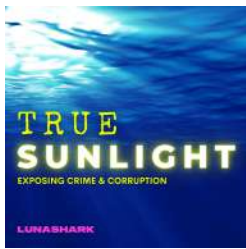


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Mr. Murdaugh also plans to call Rhonda McIlveen the Barnwell clerk of court who assisted at the trial, the state presumably would object to her for the same reason Mr. Murdaugh objects to calling persons who were not in the jury room to say they never heard something allegedly said in the jury room. She was not in the jury room. Mr. Murdaugh, however, believes based on her sled interview that she will corroborate expected juror testimony about Ms. Hill statements because she will testify that Ms. Hill made substantively identical statements to her during trial and because she received several complaints from court staff about Ms. Hill having inappropriate and excessive contacts with jurors. She therefore may have personal knowledge of facts probative of whether Ms. Hill made the statements jurors say she made if the state objects to her testimony, Mr. Murdaugh would ask the court to review her video recorded interview with sled and decide for itself whether her testimony would assist the court as fact finder. If the court does so however, it is important to review the video recording of her entire interview and not that sled memorandum summarizing it. In

Mandy Matney 29:18

their list of expected exhibits. Team Murdaugh listed two things, the affidavits of Georgia 630 and 785, aka the egg lady and this interview, that is how critical they think this interview is to their case. But here is the thing. Now that Justice Toal has put the burden of proof on the defense and now that she has said that the prejudice must be proven meaning show that a juror felt pressured by Becky to change their verdict. It dramatically changes the playing field for Team Burdock. And that should have been clear to Dick at this part of the hearing. But he's Dick. So even though this is when he started to become the incredibly is shrinking Dick Harpootlian he forged on a head trying to get every one of his war toys on the field. Now, we figured out that Dick has a tell



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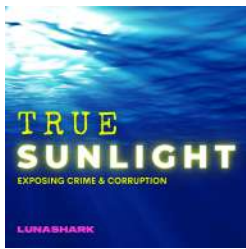
when he's losing an argument. He'll say we'll do that thing later, or that's fine here while politely suggesting that he and gym could submit questions to the judge so that she doesn't have to rely on the MO lies, he subconsciously admits defeat while telling on himself, meaning he admits they have nothing, and she has left them with nothing.

Dick Harpootlian 30:34

Now, if your honor is going to be very restricted with him, ask did the corporate communicate something to you? And did it affect your decision? I guess that's what we'll be doing. Your Honor. When you fall into paper three, if you're going to say that, I asked those questions. I mean, there's some of these jurors who indicated they heard the court say what the the jury gave the affidavit for us say, and I think they're gonna say it didn't affect them.

Liz Farrell 31:17

Which is fine. This is the part in the deck documentary where the narrator would say it was not fine. So Dick admits to the judge that they don't got it but that's okay. Because they have one juror and didn Team Murdaugh's opinion anyway. They only need the one except they don't have that juror will keep saying this until it hurts juror 630 does not say she was affected by Becky. In fact, let's take a second to talk about what she did say in line two of her affidavit. Juror 630 says that Becky quote told the jury, quote, not to be fooled. She says the jury Becky told the jury, but according to the written statements provided to sled, no juror corroborate that. In line three. She says again, that Becky quote told the jury to quote watch him closely. Now, no juror corroborates that, again, according to the statements that have been made public but a few jurors noted that Becky had advised them generally to pay attention and one juror noted that they remember Becky saying to pay attention

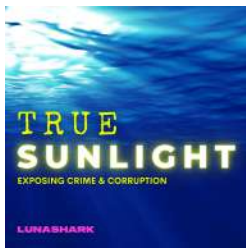


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to Alex body language. And again, no juror says that their verdict was influenced by these comments. But it's interesting to note that juror 630 Doesn't say Deki said this to me, but rather to the jury as a whole and no one remembers being told, quote not to be fooled, or quote, watch him closely. Finally, in line 10 of her affidavit, Juror 630 says quote, I had questions about Mr. Murdaugh's guilt but voted guilty because I felt pressured by the other jurors. Not only is this evidence of what the state has been saying about juror 630 being influenced by other jurors, it shows that even if Becky said what juror 630 says she heard juror 630 was not affected by it because she went into those deliberations with questions about his guilt, meaning Becky didn't change her mind before juror 630 went into that room. Juror 630 says it right there herself. Okay. So one of the other major components of Team Murdaugh strategy is they want to impeach Becky's character. There is this one part where Dick oh so casually acts like Team Murdaugh has merely been a witness to the ongoing demolition of Becky's reputation. And this is another Dick's strategy by the way, he tells the judge what he's not going to do as a way of getting derogatory information about his opponent on the record.

Dick Harpootlian 33:49

So we think that the examination of the court should be wide open. And we think that the exhibits we would use to impeach her, we would attempt to keep it relevant to the specific issues in this case. I mean, her son is going in that direction, her son has been indicted for wiretapping. There seems to be some inference with what we read in the paper, and we don't have any specific knowledge and achievement aware of that, and then wiretapping was in relation to some ethics complaint about her. That's not relevant. We're not going to ask her about it. Now, we're continuing to examine whether or not there is some connection there



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and we're investigating at this point. I will tell you that's not what will go.

Liz Farrell 34:37

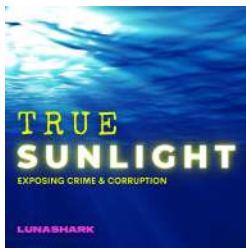
He also uses this Oh, so casual approach to bring up the egg Lady and the Facebook post.

Dick Harpootlian 34:44

Where we are going, by the way some sample is we have been furnished an email that she she got on February 24. From somebody we Choosing a photo a screenshot of a looks like a posting on so forth. Facebook page where the ex husband of Ager, the AYP alleges that his ex wife is talking about the case, and she's going to fall vote guilty because she hates men. Now, we we know she got it. We know she got it on February 24.

Liz Farrell 35:31

So this is interesting. It's the first time we've heard anything about this February 24 email, we had reporter Beth braid and look through Becky's emails, the ones that were provided in those two data dumps. And because those emails are just emails that Becky sent, it was not among them. What Dick seems to be saying here is that Becky received notice of this Facebook post from a third party and that she waited three days to say something and that when she did finally say something she took credit for finding the post predicted and say to justice tall is that February 24, was a Friday and that three days after that was a Monday, meaning Becky doesn't so much appear to have sat on it. She appears to have experienced what we in the non good ol boy lawyer community where things get twisted would call a normal weekend. At any rate, Dick was dropping these little bombs about



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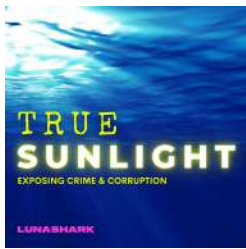
Becky in the hopes of persuading the judge to allow team Murdaugh to question Becky freely and not have limits put on it. He told justice told that he wanted to trade Becky as a hostile witness which would allow him to ask her leading questions. By the way, since we're on the topic of the egg lady Dick repeatedly referred to her as just that the egg lady juror which is highly unprofessional, but likely a calculated move on his part. For the court record, she is juror 785. But in the press and on social media became known as the egg lady juror because after getting dismissed from the jury by Judge Newman, she asked for somebody to retrieve a dozen eggs that another juror had brought in for her and her fellow members of the jury. I'm trying

Dick Harpootlian 37:07

to make sure I understand your what you just rule. Are you ruling that we cannot call the alternate juror or the so called sequenti to corroborate what was said to the city of jurors as they were all folders at the same time. The

Mandy Matney 37:27

fact that Dick continued to use that nomenclature for her was likely purposeful because of how he wants the headlines to go if he calls her juror 785. The judge will fully understand to whom he is referring to but he runs the risk of the media not recognizing that he is talking about the egg lady calling her the egg lady sure does seem like a dog whistle to his friends in the media, or at least shows how much Tim Murdaugh's case relies on this being a big old circus. Another issue Dick raised was about how the jurors would be questioned. The jurors, by the way, are going to be subpoenaed and will appear in open court, their names will not be used media will be barred from photographing them, and they will likely be referred to by new numbers to further protect them from



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being identified. And by jurors. We mean not the egg lady and not alternate juror 741. Because again, like we've been saying they did not render verdicts. So they do not factor into this something that Justice Toal made very clear on Tuesday. Dick's in very interested and leaving open the possibility that jurors could be questioned about what went on during deliberation if he and Jim are able to prove what Becky said to the jurors. And Justice Toal was like, No, that is not what the rule says. So he asked again, again, she was like no, that is not the rule.

Justice Jean Toal 38:59

I think it's very important to understand that no one so anyone else is going to be asking the mature about the specifics of their deliberations and rules. Lastly, there. Okay, again, I'm the one who question at this point.

Dick Harpootlian 39:16

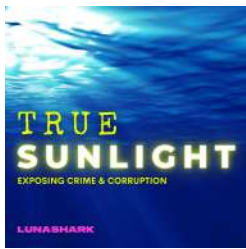
Yeah,

Justice Jean Toal 39:17

I'm trying to see what you're all asking him about despite what their reaction to what you said. Thank you.

Mandy Matney 39:25

After Dick sat down, the Creighton energy came on strong the way big Creighton energy does. Speaking for nearly 10 minutes, Creighton told the court that he agreed with the judge's interpretation of the rule after we published last week's episode, the defense submitted a revised pre hearing brief adding Creighton waters in his paralegal Carly Jewel to the witness list. The defense contends that Becky favor the state during the trial and as evidence they're using forwarded emails from Becky to the



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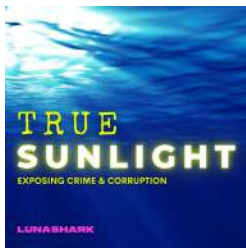
prosecution. The emails are from people who were watching the trial asking her to forward these emails to Creighton. According to Creighton on Tuesday, the state and the defense traded all correspondence they receive from Becky during the trial. And lo and behold, the defense was also receiving information from Becky, meaning she wasn't just favoring the state as they claim. Additionally, Creighton put this on the record,

Creighton Waters 40:22

the only juror that we have is the one who filed the affidavit that 630. And even she or that person only said that she, you know, eventually voted guilty because she felt pressured by the other jurors to not even mention any external impact. And so unless she's going to change her story, that is what was in her affidavit, unless

Mandy Matney 40:41

she is going to change her story. That's a very important point moving forward, by the way, now that the defense has been hobbled and told to stick to the facts. What do they have? The jurors are locked in by their statements? If they change their stories on January 29. There goes their credibility not to mention each one of those jurors was pulled by Judge Newman. They already attested to their verdict being impartially there's the jurors have little wiggle room for changing what they have already said. Okay, so Creighton's flawless 10 minutes in front of the judge and rage deck, it was clear he had been holding it together as best as he could thus far when justice tol asked him if he would like to reply, here is how that went horrible for it.



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Dick Harpootlian 41:31

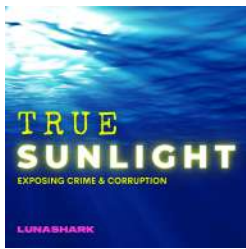
somewhat ironic. Status quoting to a forum for your honor, one of the exemptions to 404, I noticed that being surprising to dewaters. His motive is if you've never heard that before, he told me this morning, one of the assistants that work for Ms. Hill during this trial was told by Mrs. Hill during the trial that a guilty verdict would be good for sales and above moated selling books. So we believe we should be able to get into that we should be able to ask myself out and if denied to call that witness that assistant and have her testify that she was told that we Why would a court do what we believe she did we think is important for your honor, in terms of credibility and content. That's number

Liz Farrell 42:26

one. It's super trippy to hear Dick Harpoon, and of all people talk about the importance of credibility. So this book sales thing, we've talked about this before, but in no way would any rational person believe the argument that a guilty verdict would be better for book sales of a self published book by a small town clerk of court, a job most people don't understand or even know exists than a not guilty verdict would have. But here Dick is beating that drum again. And here Justice Toal shuts him down,

Justice Jean Toal 42:59

I can tell you that I am very, very reluctant to turn this hearing about zero contact into a wholesale expiration of every piece of conduct by the clerk alleged to have been improper on its own indicative of her characteristics or personality or anything of that nature. This is a very focused inquiry that deals with this year. And what impact contact any had on this jury? So I'm very mindful of the limited nature of it. As I say, I'm not excluding submission in advance of information. If we take the



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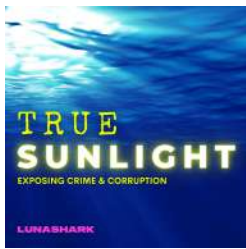
questions beyond the limited questions I've initially indicated, but I would be very hesitant about any of those questions as an involves propounding those questions to the jury. As it involves questions to miss Hill similarly, this is not a time to explore every mistake or incorrect statement or false statement that ever has been made by this witness and judge the credibility of this witness for purposes of this new trial motion. I don't think it's necessary, nor do I think it's proper to explore each and every impropriety alleged had been committed by the quarter. She

Liz Farrell 44:49

said what she said, we're narrowing the scope and we're not going to handle the case the way Tim Murdaugh wants it to be handled. So our legal sources have pointed out that a lot of what Dick was doing in his arguments was preparing for a future appeal of justice towards decision if she ends up denying them a new trial and limiting the scope of the evidentiary hearing. She's limiting what they can bring up not just in terms of who gets questioned, and who does the questioning. But in terms of the timeline, she's limiting them to the six weeks of trial, anything that he did outside of that timeframe is not considered material unless it relates directly to allegations of the jury tampering, meaning the ethics complaints, the books, all of it is not going to be allowed, in response to that Deke wanted to offer a proffer a written record of the allegations against Becky that they want to raise and that the judge won't allow. Here's how justice Toal responded to that. But

Justice Jean Toal 45:47

I will put certain limitations on just a wholesale exploration of every problematic piece of conduct, ethical dealings with the county, and so forth. This is a very focused inquiry about this year. And its ability to



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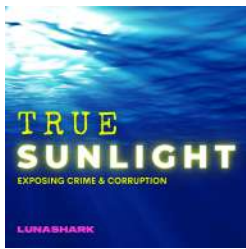
render the verdict it runs in an impartial room. So I say that to tell you that when the clerk is off, and then I think the clerk is gonna have to be offered as a witness, the whole application revolves around the contingent that the clerk made contact with the jury about matters of material delivery, that that contact was improper, and that it impacted their birth. This, there's a whole lot more that Mr. Hart currently has indicated he'd like to explore that I regard is totally extraneous to the inquiry that we've maintained. I'm not going to allow those questions to be asked by way of proffer, and then have the clerk answer those questions and have that be the proper although I consider him irrelevant questions. We're not going and location that way.

Liz Farrell 47:23

Totally extraneous to the inquiry, irrelevant questions. These are not phrases that are music to Tim Murdaugh's ears. Not only it was just a soul, saying, I'm going to limit what you can ask in court, I'm going to limit what you say in your proffer. And then she called them out for their antics. But

Justice Jean Toal 47:41

I also think the record of cases not to be used as a platform to explore each and every fallout of each and every witness, whether it be the juror or or the clerk, and I'm not going to have a hearing conducted in that manner. Like they're always preserving topics that I grew should not be pursued, than having those questions asked and answered, even though I agree with them not properly. So I hope that explains kind of where I am on the subject of how questions arise.



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Liz Farrell 48:18

And even after that Dick still pressed on with his quest to destroy Baqi and Justice Toal was not having it after Justice Toal allowed the room to take a 20 minute break, Dick came back with more again, admitting they have nothing

Dick Harpootlian 48:34

whoscored Your Honor, just a couple of issues. One, we don't know who we're going to call to impeach Michelle. Because we don't know what she's gonna say. So it's difficult for us. I mean, we at once you testified at that point, we say we'd like to call so and so and so and so and such and such and such and such number one. So it more maybe no one I mean, she made could see every issue we have, for instance, she did tell according to state she did tell one of our systems where people help her you know, I hope you found guilty because it'll help book sale. Now.

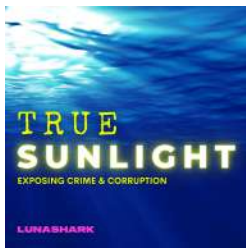
EXPOSING CRIME & CORRUPTION

Justice Jean Toal 49:18

Last time, you're gonna repeat that until I asked for again, Mr. Carpet. I told you that I can't imagine a situation in which I would go that far. So a statement like that. And she may well have said I would if it goes to anything is considered would be to her credibility and evaluate Well, I think that's even proper as but let's move on. And

Liz Farrell 49:51

take still didn't drop it. He told the judge if Becky did what they're accusing her of then it's a crime and so they have to get to the why Have that that's when this exchange happens. That



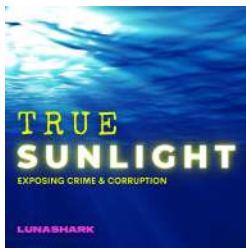
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Justice Jean Toal 50:03

makes sense. It doesn't make good sense to me, because this is not the trial of Ms. Hill. And issues about downloading and so forth and the passport permission crimes are not what this inquiry as it is about her contact with Dean Girard and what she said. So, I will be treading very carefully on the thought. I'm gonna do what you say about what you might or might not ask.

Liz Farrell 50:39

So one last thing about Tuesday's status conference that's important, even though Justice Toal effectively ruined Dick and Jim's dastardly plans to trick this system into allowing Alec to have a new trial she did so artfully. And according to the law, she was clear about her reasoning, she offered support for her opinions, and she was circumspect. She not only ruled on the matters in front of her, but on matters that may come out of any future appeal, meaning she didn't shut them down completely on everything. She quite consciously left open the possibility that she might change her mind if the defense is able to provide more evidence than they have thus far. So the biggest question right now is what will Dick and Jim do next? On our livestream chat with soak up the sun members, we joke that the only solution for them moving forward would be to withdraw their motion for a new trial, because it's quite possible that after the jurors testify, the hearing is over. Now, do we believe that will happen? No. We believe Dick and Jim are already implementing their plan B through the media by introducing more misdirection. For instance, a state news agency posted what appeared to be sled evidence from the jury tampering investigation, presenting it as somehow pro defense. That evidence was under a protective order issued by justice total meaning how they get that and what motive lies behind that leak. On Tuesday, the defense

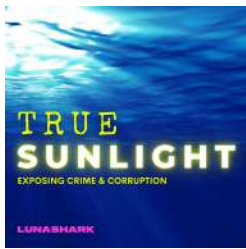


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also filed this reply to the state's pre hearing brief their reply is a reiteration of previous points but presented in a much more tabloid manner. It's filled with accusations stated as fact and glib arguments that sound like a high school or wrote them frankly, and the reply continues to focus on impeaching Becky's character in a broad way that goes outside the scope that justice total has now set for them. One thing we might expect to see at this point is attempts to delay the proceedings but we're not sure how far timbernook can get without considering what we said earlier about huffing and puffing and not being able to blow Justice Toals house down.

Mandy Matney 52:42

As pleasantly surprised, I was to see Jean Toals poetic destruction of teen Murdaugh's chance of a new trial, I was equally disappointed to see the headlines that covered the hearing headlines matter. Any reporter who takes journalism seriously understands how important they are, especially in a world of social media scrolling and a lot of news tucked behind paywalls headline should not be misleading, meaning reporters writing their headlines should expect a majority of people to not click on their stories and headlines should be written in a way that the audience takeaway from just the headline alone is accurate. When I worked from McClatchy, we were taught to use the most aggressive form of the truth in our headlines to Jeanrate more clicks for the company in this case has been an example of how that goes wrong and how dangerous that practice is because of how often it leads to widespread misinformation. A quick case in point of that being a bad strategy C reporter and ZDNet Levy's lawn crime pre hearing story titled she pees in every corner of the courtroom fireworks expected at Alex Murdaugh new trial status conference. That aggressive quote, of course came from cup of justice and was taken completely out of context. It



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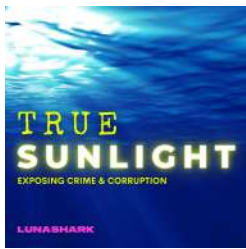
was originally a dead quote repeated by Eric Bland by the way, which our fans understand, and I don't feel like we need to explain how that aggressive form of the truth was wildly misleading. The thing was there were fireworks on Tuesday, but apparently not the fireworks that mainstream media reporters wanted the fireworks were from Justice Toal, calling out Dick and Jim's nonsense and making them look like rookie attorneys who had no clue what they were doing. Silly me I was thinking I would see just a few reporters at least it meant that they misled their audience with their months have destroyed Becky and get Alex Murdaugh a new trial coverage. Maybe I thought they finally realized that the whispers from Dick and Jim to write certain stories in exchange for tips leaks and access weren't worth it. Because maybe they realized They look bullish and untrustworthy after all of that hype panned out to be nothing. But alas, I was wrong again. The headlines yesterday were confirmation. Nothing has changed for the media. They will continue to cover this case for clicks and nothing else. Just from yesterday's headline of the status conference alone. You would think it focused primarily on Becky and her bad deeds.

DAVID MOSES 55:27

Alec Murdaugh's lawyer accuses court clerk of jury tampering to boost book sales and BC Murdaugh clerk said guilty verdict would boost her book sales defense lawyers, Daily Beast, judge orders clerk of court Becky Hill to testify and Alec Murdaugh's bid for new trial. The state Alec Murdaugh in court as judge orders Becky Hill to be subpoenaed Court TV.

Mandy Matney 55:57

It's like the media so desperately wants the public takedown of Becky Hill to grant Alex Murdaugh a new trial. So honestly, they don't have to

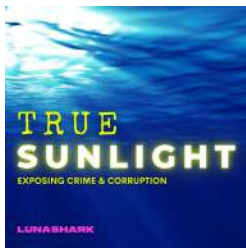


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find another story that people click on. They want the new trial to happen to make their jobs easier, no matter what it does to our justice system, no matter what it means for the victims of Alex Murdaugh. It's like they've been trying to make Becky Hill a thing when it comes to Alex's chances of a new trial, they still want to exaggerate her role to justify their previous coverage. As justice total said, this is not the trial of Becky Hill, the media was unfortunately duped again into thinking it would be but even after one of the brightest and most respected legal minds in our state made it clear that those shenanigans would not be happening. The media still favors the defense in their headlines and sidenote, I hope that we get answers for what Becky did in her position of clerk of court. I hope that the media who covered every step of her downfall when they were hopeful of it bringing a new trial for Alex Murdaugh, I hope that they still care about her being held accountable. Aside from that, I hope that she is held accountable if she did something illegal, and I hope it doesn't just fizzle out because her downfall is no longer linked to Alex Murdaugh's escape plan. The scary thing is we don't know what Dick and Jim will do next. But we do know whatever wild and crazy moves they make those same reporters who have been fooled and embarrassed time and time again will legitimize the defense with their headlines and their slanted articles. The chaos will continue as long as the media and frankly the South Carolina Supreme Court allows these attorneys to lie and deceive the public on behalf of a murderer. Think about the amount of taxpayer funded time and resources that had been sucked up by these allegations of jury tampering that aren't at all supported by evidence. Think about the media space, the TV time, the newspaper stories, podcasts, etc, etc. that have been wasted on dissecting Dick and Jim's nonsensical journey to get their client of murder liar and thief out of prison. And by the way, deceiving the public is not a lawyer's duty. I don't regret the last four

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months covering this case because we were in the minority view all along and without us shouting from the rooftops that Becky's bad credibility does not equal a new trial. I don't want to think about where they would have spun the narrative had we not been there. I'm angry about the time that it wasted. I am angry about the cases like Stephen Smith that didn't get the attention they deserve because of this monster Alex Murdaugh and I worry what will be next if this long shot plan of theirs fails like the others did. Also, I worry about the amount of dedication Alex Murdaugh's legal team spins on the court of opinion alone. I worry that maybe there's a long game in mind that we haven't thought about before. However, after Tuesday, I felt hopeful more so than ever that Team Murdaugh's reign of judicial tear will end soon in that justice told just might be the woman to finish the job. Stay tuned, stay pesky, and stay in the sunlight. True Sunlight is a Luna Shark production created by me Mandy Matney and co hosted by journalist Liz Farrell. Learn more about our mission and membership at [Luna Shark media.com](https://lunasharkmedia.com) interruptions provided by Luna and Joe Pesky.