

**STATE OF SOUTH CAROLINA
COUNTY OF SUMTER**

**COURT OF GENERAL SESSIONS
THIRD JUDICIAL CIRCUIT**

State of South Carolina,

Indictment Nos. 2022-GS-15-00592, -593,
-594, and -595

v.

Richard Alexander Murdaugh,

**MOTION TO COMPEL PRODUCTION
OF CELLULAR TELEPHONE
EXTRACTION FILES AND
MEMORANDUM IN SUPPORT**

Defendant.

Defendant Richard Alexander Murdaugh, pursuant to Rule 5, SCRCrimP, the Due Process Clause of the Fourteenth Amendment to the United States Constitution, Article I, Sections 3 and 14 of the South Carolina Constitution, and *Brady v. Maryland*, 373 U.S. 83 (1963), respectfully moves the Court for an order compelling the State to produce the forensic extraction files acquired from the cellular telephones seized during the investigation of the deaths of Maggie Murdaugh and Paul Murdaugh, together with the associated keychain files and extraction logs. The defense requested these files in writing on September 21, 2026, and asked the State to respond by September 25, 2026. The State has not responded.

I. Introduction

The State's case at the first trial was built on the contents of cellular telephones. The kennel video that placed Mr. Murdaugh at the scene came from Paul Murdaugh's telephone. The timeline on which the State fixed the moment of the murders came from Maggie Murdaugh's telephone: the last message read, the last movement of the device, the moment the screen locked, the steps counted, the orientation changes recorded. A SLED examiner extracted the data from those devices, ran it through commercial software, and prepared reports. The State introduced the reports at trial and its witnesses testified from them for days. The retrial will follow the same course.

The defense has the reports. It does not have the data. A Cellebrite Reader report or a Magnet AXIOM report is not the extraction; it is a presentation of those portions of the extraction that the examiner's software recognized and that the examiner chose to include. The extraction itself, a full file system extraction, is a copy of the telephone's file system, and it contains what the report does not: the databases from which the reported artifacts were parsed, the records those databases hold that the software did not parse or the examiner did not select, deleted entries recoverable from the databases' unallocated pages and write-ahead logs, system logs, configuration files, and the metadata that shows when each record was created and changed. The defense's certified digital forensic examiner cannot verify the State's timeline, test the State's interpretation of it, or search for what the State's examiner left out, without the extraction files themselves.

None of this is contested in principle. The State has said the same thing to this Court. In its motion of August 7, 2026, seeking an order compelling the defense to surrender a defense-retained expert's extraction of Mr. Murdaugh's telephone, the State told the Court that a logical extraction "only extracts 'surface' aka user accessible data such as texts, call logs, pictures and video," whereas "[a] full extraction extracts the entire data footprint from the phone, which can find deleted files and non-user accessible data such as knowledge C databases," and that an extraction "could contain valuable data artifacts" in "SQLite databases (such as Knowledge C)" that "continuously overwrite themselves, sometimes in a matter of days." (State's Mot. as to Privilege Review of Def.'s Phone & Mot. to Compel Def. to Turn Over Digital Evid., Aug. 7, 2026, at 1 n.1, 2 n.2, 5 & n.3.) The State has also shown that it knows how to produce these files, and when it is prepared to do so. On January 30, 2023, the first day of the second week of trial and the day before its digital forensic examiner took the stand, it delivered the full file system extraction

of Mr. Murdaugh's own telephone, a GrayKey archive of more than eighty gigabytes made sixteen months earlier, together with its keychain file and hash verification records, and the Cellebrite extraction files for the telephone of Curtis Edward Smith. What it has never produced are the extraction files for the telephones of the two victims, or for any of the other devices identified in the September 21 letter.

The extraction files are tangible objects and documents material to the preparation of the defense within the meaning of Rule 5(a)(1)(C), SCRCrimP, and the results of scientific tests within the meaning of Rule 5(a)(1)(D). They are the underlying data of the forensic analysis on which the State will rely, and our Supreme Court has held that the defense is entitled to look behind the State's forensic reports to the data that produced them. The Court should compel production.

II. Procedural Background

Mr. Murdaugh served his Rule 5 and *Brady* motion on July 15, 2022, and moved to compel on August 16 and October 14, 2022. On August 5, 2026, he served a Supplemental *Brady* and *Giglio* Motion for Disclosure in Advance of Retrial, invoking the State's continuing duty under Rule 5(c), SCRCrimP. At the hearing of August 14, 2026, the Court asked the State whether there were any problems with discovery. Mr. Waters answered that the State was "obviously always auditing discovery," that "there may have been things that we would turn over that developed since that time," and that the State was "not aware of any discovery issues at this time." (Hr'g Tr. 6-7, Aug. 14, 2026.) Later in the hearing he assured the Court that "[w]e are constantly, always doing discovery audits and discovery checks." (Hr'g Tr. 14, Aug. 14, 2026.)

The extraction files have been the subject of a pending request since 2022. The Rule 5 motion of July 15, 2022, requested the documents, tangible objects, and results of scientific tests that Rule 5(a)(1)(C) and (D) describe, including electronically stored information, and the extractions of the seized telephones fall within each category. By letters of September 7 and

September 13, 2022, Mr. Harpootlian advised Mr. Waters that the State had not complied with any of the defense's requests for electronically stored information and asked that the material be provided "as quickly as possible." The State responded by producing reports. On September 21, 2026, undersigned counsel wrote to Senior Assistant Deputy Attorney General S. Creighton Waters identifying, file by file, the extraction files that remain outstanding. (Ex. A.) The letter explained that the defense had received Cellebrite Reader reports and AXIOM HTML reports prepared from the extractions, that those reports "reflect only those portions of the extracted data selected for inclusion," and that the defense "has no means of determining what has been omitted." (Ex. A at 1.) It identified each extraction by SLED case number, item number, and, where known, by the file name the extraction tool assigns, and it requested the extraction files, the associated keychain files, and the GrayKey or Cellebrite extraction logs for each. (Ex. A at 1–2.) It asked that, if any file is designated by a different name or any additional extraction of the same telephones exists, the State produce those files as well, and it offered to furnish external media or to receive the files by whatever secure means SLED prefers. (Ex. A at 2.) The letter asked the State to advise by the close of business on Friday, September 25, 2026, whether it would produce the files, and stated that the defense would otherwise seek relief from the Court. (*Id.*) The State did not respond by that date and has not responded since.

III. The Extractions and What the State Produced

A. The Extractions

SLED's Computer Crime Center examined the telephones seized in this case under two case numbers: 7021-0204, the homicide investigation, and 7021-0307, the investigation of the roadside shooting of September 4, 2021. The homicide file includes extractions of Maggie Murdaugh's iPhone 11 Pro Max (Item 1), Timothy Gillespie's iPhone 11 (Item 4), Paul Murdaugh's iPhone 12 (Item 5), Paul Murdaugh's iPhone 5s (Item 6), and the extraction of Paul Murdaugh's

telephone obtained by the United States Secret Service in March 2022 (Item 10), as well as the advanced logical extraction of Mr. Murdaugh's iPhone performed with his consent on June 10, 2021. The roadside-shooting file includes the extraction of Mr. Murdaugh's iPhone 11 made on or about September 6, 2021 (Item 1), and an extraction of Christy Murdaugh's iPhone 8 Plus (Item 2). (Ex. A at 1–2.)

The State's examiner described the methodology at the first trial. Lieutenant Britt Dove testified that he performed "a full file system extraction" of Mr. Murdaugh's telephone, that he "used GrayKey to collect the extraction, then . . . processed it and decoded through Cellebrite Physical Analyzer, and also AXIOM by Magnet Forensics," and that what he placed on the hard drive introduced at trial was "a full copy of the Cellebrite report." (Trial Tr. 1257.) Paul Murdaugh's telephone could not be opened by SLED in 2021; in March 2022 the Secret Service obtained "a full file system extraction," which Lieutenant Dove then "processed . . . with Cellebrite Physical Analyzer and also verified . . . with AXIOM by Magnet Forensics." (Trial Tr. 1284.) The exhibit introduced for that telephone was again a report: asked whether the State was "entering the entire download," the prosecutor answered, "Correct, the full Cellebrite report." (Trial Tr. 1285.)

A full file system extraction of an iPhone is, for the telephone, what a forensic image is for a computer hard drive. GrayKey and Cellebrite deliver it as a compressed archive of the device's file system, conventionally named with the device's unique identifier followed by "_files_full.zip" or, for a partial extraction, "_files_partialbfu.zip" or "_files_partial_afu.zip," together with a "_keychain.plist" file containing the device's keychain, which is required to decrypt protected content within the archive, and a log recording the tool, version, settings, and results of the acquisition. (Ex. A at 1–2.) Cellebrite Physical Analyzer and AXIOM are not extraction tools in this context; they are parsing tools. They open the archive, apply the parsers they contain to the

databases and files they recognize, and present the results. A Reader report or an HTML report is an export of those results, filtered by the examiner.

B. What the State Produced

For the telephones of Maggie Murdaugh and Paul Murdaugh, and for the other devices identified in the September 21 letter, the State produced Cellebrite Reader reports and AXIOM HTML reports. (Ex. A at 1.) It did not produce the extraction archives, the keychain files, or the extraction logs. The defense therefore has the examiner's selection from the data and no means of testing it against the data itself.

For two telephones, the State produced the extraction files, and the timing of that production is instructive. Jury selection began on Monday, January 23, 2023; opening statements were delivered on January 25; and the State called its first witness on January 26. On Monday, January 30, 2023, the first day of the second week of trial, the State delivered a hard drive containing the GrayKey extraction of Mr. Murdaugh's iPhone 11 made on September 6, 2021, under case number 7021-0307, consisting of the file-system archive of approximately eighty-one gigabytes, the keychain file, the associated password and passcode-history files, and a spreadsheet of hash values that SLED had generated on January 20, 2023, together with the Cellebrite extraction files for the telephone of Curtis Edward Smith. The State's supplemental discovery list for that production identifies only the Smith extractions. Lieutenant Dove took the stand the next morning, January 31, 2023, and testified through February 1. (Trial Tr. 1257, 1284-85.) The State's August 7, 2026, motion confirms that "[i]n the discovery process leading up to the first murder trial, SLED provided the defendant with full unredacted copies of the above phone extractions" of Mr. Murdaugh's telephone. (State's Mot., Aug. 7, 2026, at 2.) An eighty-one-gigabyte forensic archive delivered on the sixth day of trial, the day before the examiner who made

it testified, is not a production that permits examination; no forensic examiner could have opened, verified, and analyzed it in the time available, and the defense had no opportunity to do so.

IV. Argument

A. **The extraction files are discoverable under Rule 5.**

Rule 5(a)(1)(C), SCRCrimP, requires the State, upon request, to permit the defendant to inspect and copy “books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the prosecution, and which are material to the preparation of his defense or are intended for use by the prosecution as evidence in chief at the trial, or were obtained from or belong to the defendant.” Rule 5(a)(1)(D) requires the State to permit the defendant to inspect and copy “any results or reports of physical or mental examinations, and of scientific tests or experiments, or copies thereof,” within the State’s control, “the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the prosecution, and which are material to the preparation of the defense or are intended for use by the prosecution as evidence in chief at the trial.” The rule reaches evidence held by the investigating agency as well as the prosecutor. *State v. Kennerly*, 331 S.C. 442, 453, 503 S.E.2d 214, 220 (Ct. App. 1998), *aff’d*, 337 S.C. 617, 524 S.E.2d 837 (1999). Materiality under Rule 5 carries the same meaning as under *Brady*. *Id.*

The extraction files satisfy every prong of the rule. They are copies of the contents of tangible objects seized in the investigation, and they are the data on which the State’s forensic examination rests. They are within the possession of SLED. They are material to the preparation of the defense because the State’s case depends on what they contain, and they are intended for use by the prosecution as evidence in chief because the reports derived from them were the State’s exhibits at the first trial and will be its exhibits at the second. The extraction of Mr. Murdaugh’s

telephone made on June 10, 2021, was in addition obtained from the defendant. Rule 5(a)(1)(C) requires production on that ground alone.

Production of a report generated from data is not production of the data. Our Supreme Court has said so in the closest analogue this State's decisions offer. In *State v. Proctor*, 358 S.C. 424, 595 S.E.2d 480 (2004), the defendant sought the records behind SLED's DNA analysis, and the State offered an affidavit describing them in place of the records themselves. The Court held that it was error to accept the State's description, that "[w]here a defendant makes a threshold showing that the evidence he seeks is material within the meaning of *Brady* and Rule 5, the trial judge should conduct a hearing" and examine the material, and that the State could not be permitted to "arbitrate whether scientific information is too sophisticated for the average trial judge." *Id.* at 429-30 & n.7, 595 S.E.2d at 482-83 & n.7. Because the State relied on the laboratory's results "to bolster the lab's credibility, it should not be surprised that defense counsel will seek to look behind its representations." *Id.* at 430 n.7, 595 S.E.2d at 483 n.7. In *State v. Register*, 323 S.C. 471, 476 S.E.2d 153 (1996), the trial court ordered the State to produce SLED's underlying statistical data and protocols and permitted the defense's experts to visit SLED "to examine and copy data relating to the DNA evidence," and our Supreme Court found no error in the handling of the forensic discovery. *Id.* at 482, 476 S.E.2d at 160. A Cellebrite report stands in the same relation to the extraction as a DNA report stands to the electropherograms and bench notes. It is the analyst's account of the data. The defense is entitled to the data.

The same principle governs the defense's right to examine physical evidence with its own experts. "Included in the opportunity to present a complete defense is a defendant's privilege to request and obtain material evidence from the state for testing." *State v. Mabe*, 306 S.C. 355, 358, 412 S.E.2d 386, 388 (1991). The defense has retained a certified digital forensic examiner. That

examiner cannot examine a report. The examination that the rule contemplates, and that the State's own examiner performed, is an examination of the extraction with forensic tools.

B. Courts confronting the same question have ordered production of the extraction files.

No published decision of our appellate courts addresses a request for the native extraction of a cellular telephone, but the question has been decided under the federal rule from which Rule 5 is drawn, and it has been decided in the defense's favor on facts that match this case. In *United States v. Parker*, No. CR 25-96 (JDB), 2026 WL 2641855 (D.D.C. Sept. 8, 2026), the government had extracted several iPhones with GrayKey and Cellebrite, producing both full file system and partial extractions, and had disclosed "only . . . the readable reports from the extraction of each of the phones in this case, not the underlying raw data." *Id.* at *1. The court explained, on the testimony of the forensic examiners, that the native extraction "typically contains the entire contents of the phone without any filters or other limitations," that the examiner then loads it into "a tool that allows for the data to be read and analyzed, such as Cellebrite's Physical Analyzer or Magnet Forensics' Axiom," and that at that step "an examiner can—but does not have to—apply filters that limit what data from the native extraction file will ultimately be displayed in the report." *Id.* at *1–2. Applying Rule 16(a)(1)(E) and (F), Fed. R. Crim. P., the counterparts of Rule 5(a)(1)(C) and (D), the court granted the motion to compel production of "the full system extraction/forensic image of the device" for every telephone the prosecution team had extracted, and ordered the government to produce the native files "before introducing any portion of the reports generated from the extraction . . . at trial." *Id.* at *4, *8. The court rejected the government's characterization of the Cellebrite reports as summaries of the data, holding that they "are best understood as original evidence, presenting the data from an extraction of a cell phone in

a human readable form,” and cautioned the government “not to present the Cellebrite reports as if they display the entire contents of the extracted cell phones.” *Id.* at *6–7.

Parker follows a settled line of authority holding that a forensic copy of seized digital media is discoverable under Rule 16 and that the defense examiner must be permitted to examine it with the defense’s own tools. In *United States v. Hill*, 322 F. Supp. 2d 1081 (C.D. Cal. 2004) (Kozinski, J., sitting by designation), *aff’d*, 459 F.3d 966 (9th Cir. 2006), the court held that the rule “clearly covers” seized computer media as “data, photographs, [and/or] tangible objects” in the government’s possession, and rejected the government’s offer to permit examination only at its own laboratory as “inadequate,” because “[t]he defense expert needs to use his own tools in his own lab.” *Id.* at 1091–92. In *United States v. Knellinger*, 471 F. Supp. 2d 640 (E.D. Va. 2007), the court ordered a mirror-image copy of the seized drive delivered to the defense even under a statute that presumptively forbids copying the material at issue, because the defense’s experts could not feasibly perform their analysis at a government facility. *Id.* at 649–50. The Supreme Court of Delaware has described the same distinction the defense draws here: the forensic image “is not limited to certain categories of data or to particular time periods,” whereas the extraction report generated from it “can be limited to particular categories of data and particular dates.” *Terreros v. State*, 312 A.3d 651, 658 n.28 (Del. 2024). And the Ninth Circuit has described an extraction as “typically an exact replica of the data contained on a cell phone at the time of extraction,” noting Cellebrite’s own description of a full file system extraction as one that “allows investigators to access a vast array of data, including active files, deleted files, system files, application data, and metadata.” *Olson v. County of Grant*, 127 F.4th 1193, 1199 & n.2 (9th Cir. 2025).

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The State cannot distinguish these decisions. Rule 5(a)(1)(C) tracks its federal counterpart in every material respect, and the State's own motion of August 7, 2026, adopts the technical premise on which they rest. The one limitation the *Parker* court placed on its order, that the obligation runs only to files in the prosecution team's possession, is no limitation here: every extraction identified in Exhibit A was made by SLED or delivered to SLED, and SLED holds them under the case numbers the letter recites.

C. The State's own submissions establish materiality.

The Court need not take the defense's word for what the extraction contains that the reports do not. The State has described it. A full extraction, the State told this Court on August 7, "extracts the entire data footprint from the phone, which can find deleted files and non-user accessible data such as knowledge C databases," and an extraction "could contain valuable data artifacts" in databases that "continuously overwrite themselves, sometimes in a matter of days." (State's Mot., Aug. 7, 2026, at 2 n.2, 5 & n.3.) The State made that argument to obtain an extraction from the defense. It cannot maintain, when the defense asks for the State's extractions of the victims' telephones, that the reports it chose to prepare are all the defense needs. The deleted files, the system databases, and the data artifacts that the State considered valuable enough to seek by motion are in the archives the defense has requested and in nothing the State has produced.

Materiality is also apparent from the use the State made of the data. The State's timeline at the first trial rested on records drawn from the victims' telephones by its own examiners and analysts, records of screen locks, orientation changes, step counts, and application activity that are not user-visible content but entries in the telephones' system databases. Those are the databases the reports summarize and the extractions contain. Whether the State's witnesses read them correctly, whether the settings that govern their meaning were as the State assumed, whether the records were complete, and whether other records in the same databases point elsewhere, are

questions that can be answered only from the source. The defense should not be required to accept the State's reading of the data on which the State proposes to prove the time of the murders.

Finally, the defense cannot identify what was omitted from the reports, because that is the nature of the omission. A report does not list what it excludes. That is why *Proctor* rejected the State's offer to describe the underlying records in place of producing them, and why the burden of disclosure rests with the State and not with the defense. *State v. Durant*, 430 S.C. 98, 108–09, 844 S.E.2d 49, 54–55 (2020); *Riddle v. Ozmint*, 369 S.C. 39, 44, 631 S.E.2d 70, 73 (2006) (“[t]he burden is on the solicitor to disclose material evidence which is exculpatory or impeaching”). The prosecutor's duty extends to evidence known to SLED. *Kyles v. Whitley*, 514 U.S. 419, 437 (1995); *Gibson v. State*, 334 S.C. 515, 524 n.3, 514 S.E.2d 320, 324 n.3 (1999).

D. There is no burden and no privilege to weigh against production.

The files exist in SLED's custody in the form in which they were acquired; producing them requires copying them to media the defense has offered to supply. The State has done exactly that for two telephones in this case. No privilege attaches to the telephones of Maggie Murdaugh, Paul Murdaugh, Timothy Gillespie, or Christy Murdaugh. The June 10, 2021, extraction of Mr. Murdaugh's telephone was screened for privilege by the Ninth Circuit Solicitor's Office before it was released to SLED, and the State has proposed a further privilege review of Mr. Murdaugh's telephone data under a protocol to which the defense has not objected. (State's Mot., Aug. 7, 2026, at 2–3.) The privileged material in that extraction belongs to Mr. Murdaugh and his former clients; its production to Mr. Murdaugh's counsel, subject to the protective order in this case, raises no concern of the State's. Any residual concern about the contents of the victims' telephones is answered by the protective order already in place, under which the defense has held the reports for four years.

E. The Court should act now.

Trial begins April 5, 2027, and the Court has stated that it intends to keep that date. The archives the defense seeks are large; the extraction of Mr. Murdaugh's telephone alone exceeds eighty gigabytes, and a competent forensic examination of the victims' telephones, from the file system rather than from a report, will occupy the defense's examiner for weeks once the files are in hand. The State has had the extractions since 2021 and 2022. Its record on this subject is a production of the defendant's own extraction in the second week of trial, sixteen months after it was made, and no production at all of the others. It has had the September 21 letter for a week and let the response date pass without a word. The defense raises the matter now, six months before trial, so that the State cannot repeat in 2027 what it did in 2023. A request that could have been answered in a sentence, by naming a date for production, has instead required a motion. Rule 5(c) obliged the State to notify the defense of this material without a further request, and Rule 5(d)(2), SCRCrimP, authorizes the Court, upon a party's failure to comply with the rule, to "order such party to permit the discovery or inspection" and to "specify the time, place and manner of making the discovery and inspection." The defense asks that the Court hear this motion at the earliest date available, without awaiting the hearing set for November 13, 2026, and that it direct production within ten days of its order.

V. Relief Requested

Mr. Murdaugh respectfully requests that the Court enter an order:

1. Directing the State to produce, from SLED case file 7021-0204, the extraction files and associated keychain files for Item 1 (Maggie Murdaugh's iPhone 11 Pro Max), Item 4 (Timothy Gillespie's iPhone 11), Item 5 (Paul Murdaugh's iPhone 12), Item 6 (Paul Murdaugh's iPhone 5s), and Item 10 (the extraction of Paul Murdaugh's

telephone received from the United States Secret Service), as identified in Exhibit A;

2. Directing the State to produce the advanced logical extraction of Mr. Murdaugh's iPhone performed on June 10, 2021, in its native, unredacted form as acquired, together with its keychain file, and to identify the item number under which it is held;
3. Directing the State to produce, from SLED case file 7021-0307, the extraction files and associated keychain file for Item 2 (Christy Murdaugh's iPhone 8 Plus), as identified in Exhibit A;
4. Directing the State to produce the GrayKey or Cellebrite extraction log for each extraction identified in paragraphs 1 through 3 and for the September 2021 extraction of Mr. Murdaugh's iPhone 11 held as Item 1 of case file 7021-0307, together with the hash values or hash verification records generated for each extraction;
5. Directing the State to produce any other extraction of any of the telephones identified in Exhibit A, by whatever name the file is designated, and to identify in writing each extraction of those telephones that was attempted, the tool used, the date, and the examiner;
6. Directing the State, if any extraction file, keychain file, or log identified above no longer exists or was not retained, to state in writing when, how, by whom, and under what authority it was deleted or not retained, and reserving to the defense the right to seek an appropriate remedy;

7. Directing the State to complete the production ordered within ten days of the Court's order, on external media supplied by the defense or by such secure means as SLED prefers;
8. Setting this motion for hearing at the earliest date available to the Court; and
9. Granting such other and further relief as the Court deems just.

VI. Conclusion

The State extracted the contents of the victims' telephones, chose what to report from them, and tried Mr. Murdaugh on the reports. It has told this Court that a full extraction holds data a report does not, and when it produced the full extraction of the defendant's own telephone it did so in the second week of trial, when the production could serve no purpose. It has not answered a letter asking for the same files for the telephones at the center of its case. Rule 5 does not permit the prosecution to be the sole judge of what the defense may see, test, or investigate. Mr. Murdaugh respectfully requests that the motion be granted.

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Respectfully submitted,


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September 28, 2026
Columbia, South Carolina.

Attorneys for Richard Alexander Murdaugh

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COLLETON CO GS.GARY HALE

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

) IN THE COURT OF GENERAL SESSIONS
) FOURTEENTH JUDICIAL CIRCUIT
)

The State of South Carolina,

Plaintiffs,

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Indictment Nos. 2022-GS-15-00592, -593,
-594, and -595

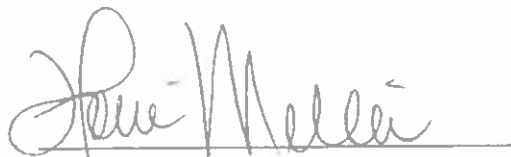
CERTIFICATE OF SERVICE

I, Holli Miller, paralegal to the attorney for the Defendant, Richard A. Harpootlian, P.A., with offices located at 1410 Laurel Street, Columbia, South Carolina 29201, hereby certify that on September 28, 2026, I did serve via electronic delivery the following document to the below mentioned person:

Document: Motion to Compel Production of Cellular Telephone Extraction File and Memorandum in Support

Served: Creighton Waters, Esquire
Office of The Attorney General
Rembert C. Dennis Building
Post Office Box 11549
Columbia South Carolina 29211-1549
cwaters@scag.gov

SEP 28 2026 PM 1:38
COLLETON CO GS, GARY HALE


Holli Miller

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EXHIBIT A

(Letter to C. Waters, September
21, 2026)

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COURTESY OF A
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September 21, 2026
VIA EMAIL ONLY

S. Creighton Waters
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P.O. Box 11549
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In re: State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -00593, -00594, and -00595

Dear Creighton,

I write to request the raw extraction files acquired from the cellular telephones seized during the investigation of the murders of Margaret and Paul Murdaugh. Those files have not been produced to the defense.

The defense has received Cellebrite Reader Reports and Axiom HTML reports prepared from the extractions. Those reports convey information, but they do not contain the underlying data. They reflect only those portions of the extracted data selected for inclusion, and the defense has no means of determining what has been omitted. In order that a certified digital forensic examiner may review the entire contents of each extraction with industry-standard forensic tools, the defense requires the extraction files themselves, together with the associated keychain files. The extractions at issue are a combination of full file system extractions and partial extractions, which are for a telephone what a forensic image is for a computer hard drive.

The files requested from SLED case file 7021-0204 are the following:

1. Item 1 (Margaret Murdaugh iPhone 11 Pro Max):
00008030000324393E87802E_files_full.zip and
Keychain/00008030000324393E87802E_keychain.plist.

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2. Item 4 (Timothy Gillespie iPhone 11): 00008030001168963AD9802E_files_partialbfu.zip and 00008030001168963AD9802E_keychain.plist.
3. Item 5 (Paul Murdaugh iPhone 12): 00008101001A111E0150001E_files_partialbfu.zip and 00008101001A111E0150001E_keychain.plist.
4. Item 6 (Paul Murdaugh iPhone 5s): 19f5b97f2e419b56b273f2c93cd81a4d3cb0eb41_files_full.zip and 19f5b97f2e419b56b273f2c93cd81a4d3cb0eb41_keychain.plist.
5. Item 10, received from the United States Secret Service (Paul Murdaugh iPhone 12): Universal_iOS Generic.zip, together with any associated keychain files.
6. Item number unknown: the advanced logical extraction performed on June 10, 2021, on Alexander Murdaugh's iPhone. If that extraction was performed with GrayKey, the files are likely named 00008030-000C041C1A20402E_files_partial_afu.zip and 00008030-000C041C1A20402E_keychain.plist. If Cellebrite was used, the zip file containing the extraction will bear a generic name.

The files requested from SLED case file 7021-0307 are the following:

1. Item 1, extraction conducted on or about September 6, 2021 (Alexander Murdaugh iPhone 11): 00008030-000C041C1A20402E_files_full.zip and 00008030-000C041C1A20402E_keychain.plist.
2. Item 2 (Christy Murdaugh iPhone 8 Plus): 5cc924b169bfa3e5139c5dfa6c6cc915d908023f_files_full.zip and 5cc924b169bfa3e5139c5dfa6c6cc915d908023f_keychain.plist.

The defense also requests the GrayKey or Cellebrite extraction logs, in PDF form, for each of the extractions identified above.

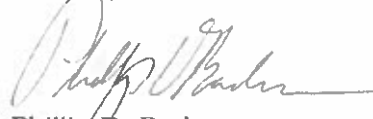
Should any of the files identified above be designated by a name other than the one given, or should any additional extraction of any of these telephones exist, the defense requests that the State produce those files as well. The defense will furnish external media for the production, or will receive the files by whatever secure means SLED prefers.

Please advise by the close of business on Friday, September 25, 2026, whether the State will produce the extraction files and logs identified above. If the State has not responded by that time, the defense will seek relief from the Court by motion.

Thank you for your attention to this matter.

With warm personal regards, I am

Sincerely,



Phillip D. Barber

cc:

Counsel of Record

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