

2023 NJSBA Fall Conference

Litigation Lessons from the Murdaugh Trial

The story of the Alex Murdaugh Murder Trial is a story of substance abuse, disregard for lawyer ethics, and murder. And yes, the three are related. From small town USA, the Murdaugh family has controlled the law in Hampton County for almost 100 years. Corners were cut. Misdeeds ignored. Could this include murder? A jury, after hearing about Alex Murdaugh's ethical violations and the facts surrounding the murder of his wife and son, convicted him of first-degree murder in less than 3 hours. This amazing story, that grabbed America's attention like no other recent case save *People v. OJ*, is a cautionary tale about the dangerous lures of power, greed and substance abuse in the practice of law. And along the way, we will examine the trial strategies that worked – and failed – in this cautionary story.

Featured Speaker:

Joel Oster, Esq.

Comedian of Law, LLC

Speaker:

David J. Bruno, Esq.

The Bianchi Law Group, LLC, Parsippany

COMEDIAN **of Law**

The Murdaugh Murder Trial: Lessons Learned

Copyright © 2023 by Comedian of Law LLC

All rights reserved. Printed in the United States of America. Written permission must be secured from the publisher to use or reproduce any part of this book, or stored in a data base or retrieval system, except for brief quotations in critical reviews or articles and as permitted in the United States Copyright Act of 1976.

Copies of the book can be ordered at www.comedianoflaw.com.

COMEDIAN of Law

The Murdaugh Murder Trial: Lessons Learned

Introduction

The story of the Alex Murdaugh Murder Trial is a story of cunning trial strategy, substance abuse, disregard for lawyer ethics, courtroom greed, and yes, murder. In small town USA, the Murdaugh family controlled the law in Hampton County for almost 100 years. Corners were cut. Misdeeds ignored. Could this include murder? A jury, after hearing about Alex Murdaugh's ethical violations and the facts surrounding the murder of his wife and son, convicted him of first degree murder in less than 3 hours. This amazing story, that grabbed America's attention like no other recent case save People v. OJ, is a cautionary tale about the dangerous lures of power, greed and substance abuse in the practice of law.

Chapter 1 – The Murder of Stephen Smith

On July 8, 2015, Stephen N. Smith, 19 years of age, was found dead in the middle of a rural road in Hampton County, South Carolina. At the time of his death, he was a nursing student at Orangeburg-Calhoun Technical college. How he died is still a mystery.

While his death was ruled a hit and run, his car was found 3 miles away with the gas cap off. He had deep gashes in his head. According to Sandy Smith, the victim's mother, "They said he was shot in the head, then it turns out it was a hit and run, and then he was beat up. So, the story just kept changing over and over."

One of the troopers on the scene the night of Stephen's death troopers said in the docuseries that Stephen's demise didn't look to be related to a car accident.

Stephen's friend Olivia was interviewed for the Netflix series and shared thatg Stephen was an openly gay teenager. He didn't care what other people thought about him. Classmates Buster and Stephen supposedly had a secret, intimate relationship that would have "damaged" the Murdaugh family name if it ever got out.

After Paul and Maggie's death, SLED said they were re-opening Stephen Smith's murder case. The investigation was opened "based upon information gathered during the course of the double murder investigation of Paul and Maggie Murdaugh," a SLED spokesperson said.

Chapter 2 – The Murder of Mallory Beach

On February 23, 2019, Mallory Beach and her friends planned to spend Saturday night at a house party and oyster roast on Paukie Island. They decided to meet first at "Murdaugh Island," a river property owned by the family of their friend Paul Murdaugh. Paul and his then-girlfriend, Morgan Doughty, were also going to the party, so the friends agreed they would take Paul's family's boat.

After drinking heavily that night at the Oyster roast and Luther's Bar, Paul Murdaugh crashed a boat against a bridge pylon, killing 19-year-old Mallory Beach and seriously injuring two other passengers. When Paul was murdered, he was awaiting trial after being charged with several felonies in connection to the deadly crash, including boating under the influence.

At about 2:20 a.m., the boat crashed into the Archers Creek Bridge. Mallory was ejected from the boat into the water. Connor called 911 and the first responders immediately began searching for Mallory.

Medical staff at the hospital drew Paul's blood. Several hours after the crash, his blood alcohol content (BAC) was .24 — three times over the legal limit. Hospital staff told investigators that they observed Alex Murdaugh going from room to room, attempting to speak with the other survivors. A security guard said he overheard Alex on the phone saying "She's gone. Don't worry."

On March 3, 2019, two volunteers found Mallory's body about 5 miles down the river from the crash scene.

On April 18, 2019, Paul Murdaugh was indicted and charged with three felony counts of boating under the influence, including causing the death of Mallory Beach and seriously injuring two other passengers.

In 2021, passenger Connor Cook also filed a lawsuit against Alex Murdaugh. He claims that Murdaugh had tried to frame him as the driver of the boat.

Chapter 3 – Death of Gloria Satterfield

In February 2018, there was another mysterious death involving the Murdaughs. Gloria Satterfield was the housekeeper for the Murdaughs for over 20 years. She died on the front steps of the Murdaugh home. It has been ruled a slip and fall.

Gloria Satterfield was an integral part of the Murdaugh family. She was their housekeeper, nanny and cook. In addition, she helped raise the Murdaugh sons, Buster and Paul. She went on vacations with the family, celebrated Christmas with them and her own children. She was part of the Murdaugh family.

Gloria's death was supposedly due to her tripping over the Murdaughs' dogs and falling on the stairs and later dying from her injuries in the hospital. According to the family, Gloria came by to get her check at the family's hunting lodge. A family dog jumped on her at the top of a flight of stairs, causing her to fall.

Recordings of a 911 call made after Gloria Satterfield's death state she had hit her head and was bleeding out of her left ear.

The 57-year-old woman then died at the hospital. Her family said Alex Murdaugh, a prominent lawyer, approached them at the funeral and suggested Gloria Satterfield's sons, Tony and Brian Satterfield, sue him for insurance money.

The family was set to get more than \$4.1 million from her fall. But Tony and Bruce Satterfield never saw a dime of that money.

Alex admitted to taking the 4.1 million, and he was disbarred immediately by the South Carolina bar.

Chapter 4 – The Financial crimes

During Alex Murdaugh's murder trial, the state's lengthy cross-examination, which largely focused on his financial crimes. During that cross, the defendant admitted to stealing from no fewer than 18 different clients over the years, as well as from the since-defunct law firm that used to bear his name.

Prosecutors said that Alex Murdaugh's money schemes began as early as October 2015. His MO was to defraud victims out of settlement money.

Nineteen different indictments include 99 financial-related charges that include fraud, attempted tax evasion, money laundering, embezzlement, breach of trust with fraudulent intent, obtaining signature or property by false pretenses, computer crimes, forgery, insurance fraud, and conspiracy to commit insurance fraud.

According to the South Carolina Attorney General's Office, Alex Murdaugh stole from his victims roughly \$9.3 million.

"Alex's financial crimes are nothing more than a Ponzi scheme, and all Ponzi schemes work in the same way—I have to continue to steal from new people to replace the money I've stolen from old people," Ronnie Richter, an attorney representing victims of Murdaugh's alleged financial crimes, says. "All Ponzi schemes end the same way. Sooner or later it's like musical chairs: the music stops and someone is without a chair. And that's exactly what happened with Alex. The music stopped, he ran out of places to get money and all of his financial crimes were exposed."

Prosecutors argue in order to steal the millions of dollars, Murdaugh billed personal expenses to clients and on firm credit cards or accounts, and the state alleges he stole client money by having checks for clients made out to Palmetto State Bank, whose former CEO, Russell Laffitte, converted for Murdaugh's personal use.

Russell Laffitte, the banker already convicted as an accomplice to Murdaugh's financial crimes, is now asking for a new trial after Alex took the stand in the double murder case and admitted to financial crime after financial crime.

"You keep talking about what I did with Russell Laffitte. But what I want to let you know is that I did this and I'm the one that took people's money that I shouldn't have taken and that Russell was not involved in helping me," Murdaugh said on the stand. "I can tell you that Russell Laffitte never conspired with me to do anything. Whatever was done was done by me."

Chapter 5 – June 7, 2021: A day like any other

Alex Murdaugh has asked his wife, near Edisto Island, and son, in Beaufort County, to meet at the family's Moselle property in Colleton County. On the same day, Alex is confronted at his law firm about missing funds.

12:06:47 p.m.: Alex Murdaugh's vehicle leaves the Moselle property headed to the PMPED law firm in Hampton.

12:24:06 p.m.: Alex Murdaugh arrives to the PMPED law firm.

3:28 p.m.: Murdaugh housekeeper Blanca Turrubiate-Simpson finishes cooking dinner for Alex, Maggie and Paul at Moselle. She texts Maggie, who is in the Charleston area, "Dinners on the stove, just left."

3:40 p.m.: Maggie texts Blanca "Thank you."

3:41 p.m.: Alex Murdaugh places a FaceTime call to his wife Maggie. It goes unanswered. A SLED agent testifies that the record of the call is later manually deleted from Alex's phone.

Before 4 p.m.: Roger Dale Davis arrives to Moselle to feed the dogs, chickens and clean the dog pens. He said no one else was at the property when he arrived and nothing was out of place.

3:55 p.m.: Maggie texts Blanca, "I'm waiting at doctor. Alex wants me to come home. I have to leave door open at Edisto. I trust Mexicans to shut and lock for me. His dad is back in hospital. No cancer. It's pneumonia."

Marian Proctor, Maggie's sister, later testifies that Maggie thought she was going to Moselle to see Alex's dying father.

3:57 p.m.: Maggie texts Blanca regarding Alex having a lot of pressure on him to care for his ailing parents, "Alex is about to die. Hope he doesn't go down there to sleep. Alex needs to take care of himself as well."

3:57 p.m.: Alex texts Maggie, "How's your doctor appt?"

Maggie responds: "Waiting as usual."

4:06 p.m.: Maggie texts Blanca, in reference to the ailing Randolph Murdaugh, "I'm scared for him and Alex and all of us."

Blanca texts Maggie, "I know just pray about it. Just pray about it and hope he gets a little better. Alex and you really need to relax. Always being on the go with little to no sleep is not healthy. I have a doctor's appointment in the morning in Beaufort. If I go to Moselle I will let you know."

4:10-6:25 p.m.: Alex Murdaugh's phone places him at the PMPED law firm in Hampton.

4:25-7:05 p.m.: Maggie's phone places her in the West Ashley area, near Charleston.

4:30 p.m.: Roger Dale Davis leaves Moselle after caring for the dogs and chickens.

4:35 p.m.: Alex places a FaceTime call to Maggie. It goes unanswered. A SLED agent testifies that the record of the call is later manually deleted from Alex's phone.

5:30-6:09 p.m.: Paul Murdaugh's phone places him in Okatie.

6:04:11 p.m.: Paul Murdaugh calls Will Loving.

6:04:25 p.m.: Will Loving calls Paul Murdaugh.

6:08:57 p.m.: Paul Murdaugh calls "Dad." No record of the call is found on Alex Murdaugh's phone.

6:09:48: Maggie Murdaugh texts Paul saying she's getting a foot massage.

6:20:53 p.m.: Marian Proctor calls her sister Maggie's phone. Maggie texts Marian saying she can't talk and she's getting a foot massage.

6:23:27 p.m.: Paul texts his mom asking what Blanca cooked for dinner. She replies country fried steak and macaroni and cheese.

6:24 p.m.: Alex Murdaugh's vehicle leaves the PMPED law firm, headed to Moselle.

6:25:35 p.m.: Alex Murdaugh's phone receives a call from Jay Parker.

6:17-6:53 p.m.: Paul's phone shows him traveling from Okatie to Moselle.

6:40:01 p.m.: Paul Murdaugh calls "PA" (Alex Murdaugh's phone). The call lasts 2 minutes and 29 seconds. There is no call log for it in Alex Murdaugh's phone.

6:42 p.m.: Alex Murdaugh's vehicle arrives at Moselle.

6:43 p.m.: Alex calls his wife's phone. The call lasts 104 seconds. There is no call log for it in the data extractions of Alex's phone.

6:53:44 p.m.: Paul Murdaugh's phone calls John Marvin Murdaugh.

7:04 p.m.: Paul Murdaugh is at Moselle.

7:05 p.m.: Alex texts Maggie, "Paul says you are getting pedi!! Call when you get done."

7:00:06 p.m.: Paul texts CB Rowe asking if he's coming to the property the next day.

7:18:40 p.m.: Alex texts CB Rowe stating "Call me pls."

7:07-7:50 p.m.: Maggie's phone places her traveling from the North Charleston area, taking Highway 17, towards Moselle.

7:09:43 p.m.: Maggie Murdaugh calls Courtney Shelbourne. The call lasts 3 seconds.

7:09:43 p.m.: Maggie Murdaugh calls "Mom." The call lasts 8 minutes and 17 seconds.

7:14:13-7:22:19 p.m.: Paul Murdaugh's phone records 208 steps taken.

7:15:35-7:21:52 p.m.: Alex Murdaugh's phone records 200 steps taken.

7:18:40 p.m.: Maggie Murdaugh calls "Barbara." The call lasts 2 seconds.

7:18:44 p.m.: Alex Murdaugh texts CB Rowe stating, "Call me pls."

7:25:03-7:34:47 p.m.: Paul Murdaugh's phone shows 139 steps taken.

7:28:35-7:37:11 p.m.: Alex Murdaugh's phone records 47 steps taken.

7:31:13 p.m.: Maggie Murdaugh calls her sister Marian Proctor. The call lasts 7 minutes and 39 seconds.

7:35:10-7:41:43 p.m.: Paul Murdaugh's phone records 171 steps taken.

7:37 p.m.: Paul Murdaugh receives a Snapchat message from "michellebeck" stating, "BC I have short term memory loss."

7:38:34 p.m.: Paul receives an iMessage from Meagan Kimbrell stating, "Paul."

7:39:48 p.m.: Maggie Murdaugh calls "Barbara." There is no answer.

7:39:55 p.m.: It appears Paul Murdaugh records the video of his father he sends as a Snapchat video about 15 minutes later.

7:41:23-7:48:49 p.m.: Alex Murdaugh's phone records 29 steps.

7:45-7:56 p.m.: Paul's phone places him by the kennels on the Moselle property.

7:50 p.m.: Maggie's phone is in Walterboro, roughly a half hour away from Moselle. It's the last location data pulled from her phone.

7:50:03 p.m.: Maggie calls "Barbara." The call lasts 8 seconds.

7:55:44-8:05:28 p.m.: Paul Murdaugh's phone records 262 steps.

7:55:32-8:05:07 p.m.: Alex Murdaugh's phone records 270 steps.

7:56 p.m.: Paul sends a Snapchat video. In the below video, Paul laughs as Alex is seen standing by a little tree at Moselle as it flops over.

8:05:35-8:09:52 p.m.: Alex Murdaugh's phone records 54 steps.

8:05:46-8:15:24 p.m.: Paul Murdaugh's phone records 303 steps.

8:06 p.m.: Paul's phone begins moving from the kennels to the main house.

8:07:20 p.m.: Paul Murdaugh sends a Snapchat message to several friends.

8:09-9:02 p.m.: Alex's phone records no steps, indicating he was not moving with the phone in his possession. He later told investigators he was sleeping during that time.

8:11:08-8:31:15 p.m.: Maggie Murdaugh's phone is locked.

8:14-8:35 p.m.: Paul Murdaugh's phone puts him at the main house.

8:15:55-8:21:45 p.m.: Paul's phone records 140 steps.

8:17-8:18 p.m.: Maggie Murdaugh's phone records 38 steps taken.

8:19:23 p.m.: Paul Murdaugh receives a Snapchat message from "Ansley Wilson," stating "He's got the magic touch."

8:23:33 p.m.: Paul sends a Snapchat message to "Marlene Robinson," stating, "He's hurt."

8:24:08 p.m.: Paul sends an iMessage to Meagan Kimbrell stating, "Meagan."

8:28:07 p.m.: Paul receives an iMessage from Meagan Kimbrell stating, "We're u avoiding me."

8:28:35 p.m.: Paul responds to Meagan Kimbrell with, "When?"

8:28:54 p.m.: Paul receives an iMessage from a Mrs. Morgan stating, "I have not received anything back yet. Did you get the lease email?"

8:29:06 p.m.: Paul receives an iMessage from Meagan Kimbrell stating, "You didn't send me any movie recommendations."

8:29:36 p.m.: Paul responds, "Haha I didn't have a good one. Wills might."

8:30-8:33 p.m.: Maggie Murdaugh's phone records 43 steps taken.

8:31 p.m.: John Marvin Murdaugh sends a text to several family members, including Alex and Maggie, which reads, "I plan to go over to visit dad tomorrow afternoon. Is anyone else planning to go?" Maggie Murdaugh's phone did not unlock for the notification until 8:49:26 p.m. Alex Murdaugh read it at 1:44 p.m. the following day.

8:32:10 p.m.: Paul receives a call from Lucile Boyle. The call is not answered.

8:32:25-8:42:11 p.m.: Paul's cell phone records 283 steps taken.

8:38 p.m.: Paul's phone places him by the kennels.

8:40:20 p.m.: Paul calls longtime friend Rogan Gibson asking if something is wrong with the tail of Gibson's dog, who was staying in the Murdaugh kennels. The call lasts 4 minutes and 14 seconds.

8:41:38 p.m.: Paul receives a Snapchat message from Rogan Gibson.

8:44:34 p.m.: Paul Murdaugh initiates a FaceTime call with Gibson. It lasts 11 seconds.

8:44:55 p.m.: Paul records a video for Gibson at the kennels, showing the dog. Watch it below. Three voices are heard in the video. Multiple witnesses testify those voices are Paul, Maggie and Alex Murdaugh.

8:47:55 p.m.: Paul sends an iMessage to Meagan Kimbrell stating, "Haha kidding."

8:48:05 p.m.: Paul again sends an iMessage to her, stating, "Star was born is the movie."

8:48:29 p.m.: Meagan Kimbrell texts Paul, "No I need something happy" and "Don't like watching sad movies."

8:49:01 p.m.: Paul Murdaugh's phone is locked.

8:49:26 p.m.: Maggie Murdaugh's phone unlocks and she reads another text in the group chat about Randolph Murdaugh.

8:49:28 p.m.: Maggie Murdaugh's phone accesses an application and implements orientation change to landscape.

8:49:31 p.m.: Maggie Murdaugh's phone is locked and not unlocked until it's found a quarter mile away the next afternoon.

8:49:35 p.m.: Rogan Gibson texts Paul about the dog's tail, "See if you can get a good picture of it. MaryAnn wants to send it to a girl we know that's a vet. Get him to sit and stay. He shouldn't move around too much." The text goes unread.

Investigators believe Maggie and Paul Murdaugh are killed around 8:50 p.m. near the kennels. Paul is shot twice with a shotgun, once in the chest and once in the head. Maggie is shot 5 times with 300 Blackout ammo from an AR-style rifle. Two of those shots strike her in the head.

9:18:46 p.m.: Alex calls John Marvin Murdaugh. The call lasts 106 seconds. There is no record of the call in the data extraction of Alex's phone.

9:20 p.m.: Chris Wilson calls Alex back. Alex says he's getting close to his mom's house and asks if he can call him back. The call lasts 3 minutes.

9:22:06 p.m.: Alex's vehicle arrives at his mother's Alameda property.

9:22:39 p.m.: Alex's vehicle pauses halfway up the driveway and parks by the woodline, away from the home.

The speed of the trip is faster than any trip he took that day, reaching 74 miles per hour.

9:24:13 p.m.: Shelly Smith, Libby Murdaugh's caregiver, testifies that Alex calls her from outside the home and asks to be let inside. She's able to get to the door 5 minutes later. Smith testifies that Libby, in the advanced stages of dementia, is asleep during the visit and that Alex is on his phone a lot.

9:34 p.m.: Rogan Gibson, after not hearing back from Paul, texts Maggie Murdaugh, "Tell Paul to call me." The text goes unread.

9:35:55-9:45:37 p.m.: Alex Murdaugh's phone records 60 steps taken.

9:43:05 p.m.: Alex's vehicle is taken out of park at Alameda.

9:43:59 p.m.: Alex's vehicle is put into park.

9:44:54 p.m.: Alex's vehicle is taken out of park.

9:46:35 p.m.: Alex calls Paul Murdaugh's phone. The connection lasts 18 seconds. There was no record of it in the data extraction from Alex's phone.

9:47 p.m.: Alex texts Maggie, "Call me babe." The text goes unread.

9:52:15 p.m.: Alex texts Chris Wilson, "Call me if u up."

9:52:59 p.m.: Chris Wilson calls Alex. There is no answer.

9:53:55 p.m.: Chris Wilson calls Alex again. Alex picks up. Chris wanted to talk about some cases but Alex said he was almost back home and would call him back.

9:54:24 p.m.: Alex Murdaugh's vehicle reaches 74 miles per hour as he returns to Moselle.

9:56:57-10:06:57 p.m.: Alex Murdaugh's phone records 231 steps taken.

9:57:09 p.m.: Rogan Gibson calls Paul Murdaugh. There is no answer.

9:58 p.m.: After not hearing from Paul or Maggie, Rogan Gibson texts Paul "Yo."

10:00:36 p.m.: Alex returns to Moselle and places his vehicle into park at the main house. On the drive back from Alameda, the vehicle reached 80 mph where the max speed limit was 55 mph.

10:01:17 p.m.: Alex takes the vehicle out of park.

10:01:29 p.m.: Alex puts the vehicle into park.

10:01:30 p.m.: Alex takes the vehicle out of park.

10:01:43 p.m.: Alex puts the vehicle into park at the main house at Moselle.

10:04:49 p.m.: Alex takes the vehicle out of park.

10:05:04 p.m.: Rogan Gibson calls Buster Murdaugh. The connection lasts 2 seconds.

10:05:06 p.m.: Alex Murdaugh's vehicle drives to the kennels from the main house.

10:05:55 p.m.: Alex puts the vehicle into park by the kennels.

10:06:14 p.m.: Alex calls 911 from the Moselle property. The call is received by Hampton County dispatch before being transferred to Colleton County.

In the 7-minute call, he says he found Maggie and Paul shot and neither were breathing.

During the call, he notes he is not presently by the bodies. He said he touched them after finding them but only to see if they were still breathing.

He hangs up after saying he needed to call family members.

10:06:57-10:16:37 p.m.: Alex Murdaugh's phone records 594 steps.

10:11:45 p.m.: Alex takes the vehicle out of park at the kennels and returns to the main house.

10:12:38 p.m.: Alex puts the vehicle into park at the main house.

10:13:39 p.m.: Alex takes the vehicle out of park at the main house, returning to the kennels.

10:14:30 p.m.: Alex Murdaugh's vehicle returns to the kennels.

10:17:49 p.m.: Alex Murdaugh calls Randy Murdaugh. The connection lasts 16 seconds. There is no record of the call in the data extraction of Alex's phone.

10:18:45 p.m.: Alex Murdaugh iMessages Randy Murdaugh, stating, "Pls call me. Emergency."

10:18:53-10:28:05 p.m.: Alex's cell phone records 525 steps taken.

10:19:32 p.m.: Alex Murdaugh calls Randy Murdaugh. The connection lasts 1 second. There is no record of the call in the data extraction of Alex's phone.

10:19:44 p.m.: Alex Murdaugh calls John Marvin Murdaugh. The call lasts 40 seconds. There is no record of the call in the data extraction of Alex's phone.

10:21:25 p.m.: Alex Murdaugh calls Rogan Gibson. There is no answer. Gibson testified he was already asleep.

10:21:57 p.m.: Alex Murdaugh calls Christy Murdaugh. The call lasts 53 seconds.

10:24:43 p.m.: Alex Murdaugh texts Rogan Gibson, stating "Call me."

10:25:49 p.m.: Alex Murdaugh attempts to FaceTime Rogan Gibson. There is no answer.

10:25 p.m.: The Colleton County Sheriff's office arrives to the kennels. The South Carolina Law Enforcement Division is contacted for assistance.

10:28:54-10:37:27 p.m.: Alex Murdaugh's phone records 320 steps taken.

10:29:17 p.m.: Alex Murdaugh calls Randy Murdaugh. The call lasts 42 seconds. There is no record of the call in the data extracted from Alex's phone.

10:30:31 p.m.: Alex Murdaugh again attempts to FaceTime Rogan Gibson. There is no answer.

10:34 p.m.: Nolen Tuten calls Paul Murdaugh's phone. Paul Murdaugh's phone dies.

10:35 p.m.: Alex Murdaugh calls John Marvin Murdaugh. The call lasts 28 seconds.

10:36 p.m.: Alex Murdaugh calls Randy Murdaugh. The call lasts 56 seconds.

10:40 p.m.: Alex Murdaugh searched "Whaley's Edisto" in Safari browser.

10:40:19-10:50:02 p.m.: Alex Murdaugh's phone records 244 steps taken.

10:44:20 p.m.: Alex Murdaugh calls Buster Murdaugh. The connection lasts 8 seconds.

10:45 p.m.: Alex Murdaugh calls Brooklyn White. The connection lasts 13 seconds. There is no record of the call in the data extraction of Alex's call.

10:46 p.m.: Alex Murdaugh calls Tracy White. The connection lasts 14 seconds. There is no record of the call in the data extraction of Alex's call.

10:46 p.m.: Buster Murdaugh calls Maggie Murdaugh. There is no answer.

10:47 p.m.: Alex Murdaugh texts Buster, Tracy White and Brooklyn White stating, "Call me urgent."

10:47 p.m.: Buster Murdaugh calls Alex. The call lasts 162 seconds.

10:55 p.m.: Alex Murdaugh calls Brian White. The connection lasts 8 seconds.

10:56 p.m.: Buster Murdaugh calls Alex Murdaugh. The call lasts 216 seconds.

11:17 p.m.: Alex Murdaugh calls Bart Proctor. The connection lasts 14 seconds.

11:19 p.m.: Randy Murdaugh, using Alex's phone, texts Bart Proctor stating, "Bart this is Randy Murdaugh. There has been a terrible tragedy and I need you to call me phone number XXX-XXX-XXXX immediately."

11:28 p.m.: LaClaire Laffitte texts Alex Murdaugh, stating, "Our hearts hurt for you and with you Charlie and LaClaire."

11:56 p.m.: Tracy White texts Alex Murdaugh stating, "I am so so sorry!!!! Let me know how I can help!!! I am here for you all!"

11:47 p.m.: SLED arrives to the scene.¹

Chapter 6 – Lies, lies and more lies

Alex Murdaugh repeatedly told police he didn't go with his wife and son to the dog kennels where they died. His initial alibi purported that he stayed in the house, where he said he took a nap before leaving to see his ailing mother.

But in court, witnesses identified Murdaugh's voice in a video taken by Paul at the kennel around 8:45 p.m. – minutes before investigators say the shooting started.

Murdaugh then made the extraordinary decision to testify. And while he still insisted he didn't shoot his wife and son, Murdaugh was forced to acknowledge lying to investigators about his whereabouts.

"I lied about being down there. And I'm so sorry that I did," he said.

The former lawyer acknowledged his voice is heard in a video that appeared to be filmed at the dog kennels where the bodies of his wife and son were found. Prosecutors have used the video to put Murdaugh at the scene of the killings, contradicting his repeated statements to law enforcement that he had not been there that night.

Numerous witnesses had testified his voice is in the background of the video recorded by Paul at 8:44 p.m. June 7, 2021.

"Mr. Murdaugh, is that you on the kennel video at 8:44 p.m. on June 7," defense attorney Jim Griffin asked, "the night Maggie and Paul were murdered?"

¹ <https://www.wjcl.com/article/murdaugh-murders-timeline-evidence/42846491#>

“It is,” Murdaugh said.

Waters also pointed out that Alex Murdaugh repeatedly could not remember the details of his final conversations with his family in interviews with law enforcement and under oath. But he could remember certain details that firmed up his alibi.

Murdaugh admitted Thursday to stealing from his law firm and his clients, which ultimately led to his resignation from the firm, then known as PMPED and since renamed Parker Law Group.

“I admit, candidly, in all of these cases, Mr. Waters, that I took money that was not mine, and I shouldn’t have done it,” Murdaugh said in response to prosecutor Creighton Waters during the prosecution’s cross-examination.

“I hate the fact that I did it. I’m embarrassed by it. I’m embarrassed for my son,” he said.

“I’m embarrassed for my family, and I don’t dispute that I did it,” he continued.

During his cross examination of Murdaugh, Waters pointed out inconsistencies in the former lawyer’s videotaped statements to police after the killings – including his claim that he had not been at the dog kennels, where his wife and son had been killed. Parts of the taped interviews were played for the jury.

“Everything about me not going to the kennel was a lie,” Murdaugh said.

“You’re able to just do that so easily and so convincingly and so naturally?” the prosecutor said about the lies.

“That’s not for me to judge,” the once prominent attorney responded.

“That’s true,” Waters agreed.

“He lies convincingly and easily, and he can do it at the drop of a hat,” the prosecutor said near the end of his statement. “He’s been doing it to all the people who trust him for years. And he did it to y’all.”

Chapter 7 – The Trial

The key moments during trial were:

Murdaugh takes the stand

Was this a hail mary? The Defense suggested that Murdaugh had to take the stand because the judge allowed in so much character evidence that he had to defend himself. But as was stated above, this allowed for a lengthy cross examination on all of his lies.

Sloppy Forensics

A central contention by Murdaugh's defense team – that sloppy police and forensics work undermines the evidence against him – found real traction in court.

Numerous vehicles and people were allowed onto the Moselle grounds in the hours after the killings, including Murdaugh's relatives and friends. And on a night with misting rain and drizzle, Paul and Maggie's bodies were covered by sheets rather than tarps.

"People just kept piling in, just more and more people kept showing up," said Mark Ball, Murdaugh's former law partner. There was nothing to keep cars away, and first responders were walking around inside a taped-off area, he testified, adding that he saw water dripping from the kennel roof onto Paul's body.

In closing argument, Murdaugh's defense says investigators fabricated evidence

Ball said his large group eventually left the area – but instead of being sent away, they were told to go inside the main house, despite Ball's own concern that it could be part of the crime scene. Some of them tidied up the house, he said.

The next morning, Murdaugh asked family housekeeper Blanca Turrubiate-Simpson to clean the home the way Maggie would have liked. She testified the house had no crime-scene tape, and she washed a towel and khaki pants she found on the floor. Investigators came inside while she was there, she said, but they didn't question her.

Despite the large and complex crime scene, state law enforcement released Moselle back to the family on the morning after the murders, according to Murdaugh's brother, John Marvin. He recounted cleaning up parts of Paul's remains that were still sitting out in the open. Alex asked Maggie to come to Moselle, witnesses said

Marian Proctor, Maggie Murdaugh's sister, testified that Maggie called her in the late afternoon on the day she died.

Maggie was enjoying her home in nearby Edisto Beach and hadn't planned to see her husband that night, Proctor said. But Alex Murdaugh's father was dying and his mother was ailing, and Proctor encouraged her sister to support him.

Sponsor Message

"Go be with him if he needs you," Proctor said. That was the last time the sisters spoke.

Proctor said she was surprised to hear her sister hadn't gone with Alex to see his mother: "That's the whole reason she went home that night."

On the stand, Murdaugh said his wife "wasn't planning to go with me" to see his mother, adding, "Maggie didn't really like to visit my mom."

Proctor testified that even after the murders, Murdaugh was focused on a different case, over a fatal boating accident in which Paul was criminally charged. It struck her as odd.

"He said his No. 1 goal was clearing Paul's name," Proctor said of Murdaugh, her voice cracking. "And, I thought that was so strange because my No. 1 goal was to find out who killed my sister and Paul."

Where's the murder weapon?

Prosecutors say a "family weapon" was used to kill Maggie. But they never produced the murder weapons — a .300 Blackout assault-style rifle prosecutors say was used on Maggie and a 12-gauge shotgun used on Paul.

The Blackout rifle has been mentioned repeatedly, as experts concluded that rifle shell casings from the murder scene matched tool markings on weathered casings found near the house, indicating they were cycled through the same gun.

The Murdaughs originally had two custom Blackout rifles, given to Paul and his brother, Buster, as Christmas presents. Paul's was apparently stolen in 2017, and a replacement was bought; that newer gun has not been found.

Prosecutors also rejected the idea that Murdaugh was too tall to have fired the shots that killed Paul, citing numerous variables such as the likely chaos at the scene and the potential of firing from a kneeling position.

The state's final rebuttal witness, forensic expert Kenneth Kinsey, told Attorney General Alan Wilson that the defense's theory the gunman had to be shorter than Murdaugh's 6-foot-four-inch frame was "preposterous."

Where's Murdaugh's clothes?

Jurors watched a short Snapchat video from Paul, showing his father wearing a blue shirt and long khaki pants about an hour before the murders. Those clothes have never been found.
Sponsor Message

The outfit matches testimony from Turrubiate-Simpson, the housekeeper, who even recalled fixing Murdaugh's collar that morning. She also told jurors about a conversation with her employer two months after the murders.

She said Murdaugh paced back and forth as he told her he'd worn a Vineyard Vines shirt the day Paul and Maggie were killed.

"I felt confused at first," Turrubiate-Simpson testified. "I know what he was wearing the day he left the house."

It was one of several implications that Murdaugh sought to orchestrate the narrative around the murders.

Car and phone data

The prosecution sought to tie inconsistencies in Murdaugh's story to the murders using cellphone and GPS data.

Early in the evening of June 7, his phone seemed to be sitting immobile at the main house. But cellphone data then shows Murdaugh in a burst of activity starting at 9:02 p.m., when he took 283 steps in four minutes. That's immediately after the time experts say the murders took place.

"What were you so busy doing?" Waters, the prosecutor, asked Murdaugh. The accused man didn't give details, saying only that he was getting ready to visit his mother, who has Alzheimer's.

It wasn't until during the trial that General Motors produced ONSTAR data from Murdaugh's Chevrolet Suburban.

The vehicle records show Murdaugh speeded down rural roads on that nighttime trip, reaching speeds up to 80 mph on the rural roads – far above posted speed limits. He also drove past the spot on the roadside where Maggie's phone was later found.

Questions about Murdaugh's visits to his mother

Alex Murdaugh said his mother was awake when he went to her house. But her caregiver, Shelley Smith, testified the ailing woman was asleep.

Smith said Murdaugh stopped by that night for 20 minutes. But, she added, Murdaugh later tried to convince her the visit was more like 30 to 40 minutes. Smith felt so uncomfortable, she said, that she immediately called her brother, who works in law enforcement.

Sponsor Message

Smith also said she'd never seen Murdaugh visit his parents' home at 6:30 in the morning. But, she said, that's what he did one day shortly after the shootings, carrying what looked like a blue vinyl tarp that was bundled up as if something was inside.

Murdaugh denied doing that. Investigators testified they later found a blue raincoat with gunshot residue at the house, leading to speculation that it had been wrapped around a recently fired weapon.

Character evidence

Another key point came when an apparent mistake by Murdaugh's defense team allowed prosecutors to introduce evidence of the disbarred lawyer's financial crimes that the state claimed motivated the murders by creating a distraction that would gain sympathy and time.

The circuit court judge Clifton Newman said that the defense had "opened the door" to allowing Murdaugh's financial situation brought into evidence after defense lawyers questioned witnesses on the stand about his character and if Murdaugh had any reason to kill his wife and son.

Newman then said the jury was "entitled to consider whether the apparent desperation of Mr Murdaugh because of his dire financial situation and threat of being exposed ... While motive is not a necessary element, the state must prove malice, and evidence of motive may be used to prove it."

Judge Clifton Newman allowed prosecutors to present allegations that Murdaugh stole huge amounts of money from his law firm, clients and friends. Newman said the defense "opened the door" by asking witnesses about Murdaugh's character and possible motive.

Murdaugh admitted numerous misdeeds, and several of his former colleagues described him as a duplicitous man who was hard to read.

Paralegal Annette Griswold described Murdaugh as a "Tasmanian devil" who showed up late for work and was all over the place. It was Griswold who first discovered missing settlement fees from early 2021. Griswold said she initially assumed Murdaugh had misplaced them. But she grew suspicious and told the firm's chief financial officer, Jeanne Seckinger.

Seckinger, who has known Murdaugh since high school, said that when she went to confront him about the missing money on June 7, he shot her a dirty look that she'd never seen before, asking, "What do you need now?"

Maggie and Paul were killed that night, and sympathy and consideration for Murdaugh's loss outweighed concerns about the missing funds, Seckinger and Griswold said.

Months after the murders, Griswold testified, she was getting a file in her boss's office when a check "floated like a feather to the ground," revealing he was siphoning money. It hit her hard, she said: "I was beside myself. ... He'd been lying the whole time."

Sponsor Message

"I don't think I ever really knew him," Seckinger said. "I don't think anybody knows him."

On the stand, Murdaugh acknowledged swindling people who were vulnerable, as Waters recited his former clients' names.

Murdaugh told the court, "One of the saddest parts of this whole thing is, they're people I still care about and I did them this way."

But, Murdaugh insisted, he's no killer.

The Snapchat video

Another shocking moment came earlier when prosecutors introduced cellphone video Paul Murdaugh sent to a friend minutes before he was killed. It showed a chocolate Labrador retriever and three voices could be heard in the background.

During his testimony, Murdaugh admitted one of the voices was his. "Mr Murdaugh, is that you on the kennel video at 8.44pm on June 7," defense attorney Jim Griffin asked, "the night Maggie and Paul were murdered?"

"It is," Murdaugh said.

Chapter 8 – The verdict

After about two and a half hours of deliberation, the jury found Murdaugh guilty of two counts of murder and two counts of possession of a weapon.

The speed of this verdict could be explained by the relatively smallness of the county in which it was tried. This county would have known all about Alex Murdaugh's stranglehold on the legal community in Hampton County. They would have known about the attempted cover-up of Mallory's death and his son's reckless drunken actions that caused that death. This is a county that lived the Netflix special. If Netflix comes to NYC to film a special, it will get lost in rushhour traffic. When Netflix comes to Hampton County, the entire County shows up to watch casting.

So when Alex Murdaugh took the stand to admit his lies, there was no one on the jury willing to believe a word that came out of his mouth. Paul's snap-chat video that showed Alex was at the site was all the evidence they needed to remove any reasonable doubt.

How ironic that in a community ruled for a century by old school despotism and nepotism, it was undone by a Snap.

Chapter 9 – Appeal/Motion for New Trial

The prosecution said, "he failed to give an explanation for his whereabouts to law enforcement." Is this a 5th Amendment violation?

Griffin, Murdaugh's attorney, said the defense may pursue a federal appeal, because they believe prosecutor Creighton Waters' questioning of why Murdaugh did not volunteer information about a cellphone video shot by Paul after he was arrested violated Murdaugh's

Fifth Amendment right against self-incrimination. That video placed Murdaugh at the scene of the crime. Murdaugh admitted on the stand he had lied about being at the kennels to investigators.

“There’s a huge federal issue,” Griffin said. “The state asking Alex about why he didn’t come forward and tell law enforcement where he was at the time of the kennel video after he was arrested. ... U.S. Supreme Court cases are clear that post-arrest silence can’t be used against you. That’s a classic violation of the Fifth Amendment.”

But in order to win on this argument, Alex needed to have invoked his right to remain silent. Kind of an Oxy-Moron.

The Supreme Court’s decision in *Salinas v. Texas*, 570 U.S. ___ (2013), dealt with a situation in which the defendant spoke to the police voluntarily during a murder investigation, meaning that he was not under arrest when the purportedly incriminating event occurred. When the police officer asked the defendant about his possible involvement in the murder, the officer testified, the defendant became very quiet, and his entire demeanor changed. Police offered the defendant’s silence and behavioral change as incriminating evidence. The court held that police did not violate the defendant’s rights against self-incrimination, in part because the defendant did not expressly invoke his Fifth Amendment rights.

The California Supreme Court reached a similar conclusion in a recent decision, *People v. Tom*, No. S202107 (Cal., Aug. 14, 2014), which involved evidence of literal silence after an alleged drunk-driving accident—specifically, that the defendant “expressed no concern about the well-being of the other people involved in the collision.” Since this lack of concern occurred after the defendant’s arrest but before he received Miranda warnings, and because he did not expressly assert his right to silence, the court held that his rights were not violated.

Another appellate issue will be whether the court erred in admitting all of the financial crimes as character evidence

South Carolina Rules of Evidence 404 –

(1) Prohibited Uses. Evidence of any other crime, wrong, or act is not admissible to prove a person’s character in order to show that on a particular occasion the person acted in accordance with the character.

(2) Permitted Uses. This evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.

In this situation the rule does not require that the evidence be excluded. No mechanical solution is offered. The determination must be made whether the danger of undue prejudice outweighs the probative value of the evidence in view of the availability of other means of proof and other factors appropriate for making decisions of this kind under Rule 403. *Slough and Knightly, Other Vices, Other Crimes*, 41 Iowa L.Rev. 325 (1956).

Was the financial crimes motive just a ruse to get in the character evidence? During closing argument, the defense suggested motive wasn't important. The jurors "heard everything that would be in an HBO or Netflix documentary," Jim Griffin said.

Normally, juries can't consider other crimes a defendant may have committed in deciding their guilt in the charges they were being tried on, particularly crimes the defendant has not been convicted of. But prosecutors argued those financial crimes — and the looming circumstances that might lead to their exposure — motivated Murdaugh to commit the murders.