

**STATE OF SOUTH CAROLINA
COUNTY OF SUMTER**

State of South Carolina,

v.

Richard Alexander Murdaugh,

Defendant.

**COURT OF GENERAL SESSIONS
THIRD JUDICIAL CIRCUIT**

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

**MOTION TO COMPEL PRODUCTION
OF DNA EVIDENCE, BALLISTIC
EVIDENCE, AND FARO SCAN DATA,
AND MEMORANDUM IN SUPPORT**

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, *Brady v. Maryland*, 373 U.S. 83 (1963), and this Court's ruling of August 14, 2026, respectfully moves the Court for an order compelling the State to produce three categories of evidence that the defense has requested in writing and that the State has either refused or ignored: (1) the biological material and laboratory records relating to SLED Items 70, 71, and 25.1; (2) the ballistic evidence and records relating to shootings committed with .300 Blackout ammunition in the Second and Fourteenth Judicial Circuits since January 1, 2021; and (3) the raw data of the FARO laser scan of the crime scene.

I. Introduction

Mr. Murdaugh has been in custody since October 2021. He was tried in the first months of 2023, convicted, and sentenced to two consecutive life terms. Our Supreme Court has since vacated that verdict because the Clerk of Court tampered with the jury. He will be tried again beginning April 5, 2027. In the interval, the State has had continuous and exclusive custody of every item of physical evidence in this case, including the biological material that is the subject of Part III of this motion, for more than five years. It has tested what it wished to test, in the sequence it wished to test it, without notice to the defense and without the defense's consent. It now proposes that the defense may not do the same.

The three requests at issue were put to the State in writing. On September 11, 2026, undersigned counsel wrote to Senior Assistant Deputy Attorney General S. Creighton Waters concerning the fingernail clippings designated Items 70 and 71, the swabs from Maggie Murdaugh's telephone designated Item 25.1, and the .300 Blackout cartridge cases recovered at Moselle. (Ex. A.) On September 15, 2026, Richard A. Harpootlian wrote to Mr. Waters concerning the raw data of the FARO scan. (Ex. C.) The State responded to the first letter on September 17, 2026. (Ex. B.) It has not responded to the second.

The State's response declines to consent to testing of DNA evidence and conditions any further discussion on the defense's disclosure of the testing it intends to conduct. It answers none of the six questions the defense posed about the .300 Blackout evidence, and instead advises that .300 Blackout is the "second most popular cartridge for AR chambering in the United States," that SLED "gets .300 Blackout cartridge cases on a weekly, if not daily, basis," and that it has entered seven hundred twenty such cases into its ballistic database since January 2021. (Ex. B at 2.) That representation cannot be reconciled with the testimony the State elicited from its own case agent in 2023, in response to a question posed by Mr. Waters himself, that .300 Blackout weapons "were just not that common" and that the agent had never worked a criminal investigation in which one was the murder weapon. (Trial Tr. 1051–52 (Ex. G).) The State has not answered the September 15 letter concerning the FARO data.

Each category of evidence is material to the preparation of the defense within the meaning of Rule 5(a)(1)(C) and (D), SCRCrimP, and each is favorable to the accused within the meaning of *Brady*. 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, and requesting, among other things, “[a]ll *Brady* material in this case, in the broadest sense of the term,” and “[a]ny updates, corrections, retractions, or additional analysis concerning forensic or DNA testing, methodologies, proficiency testing, or software used in this case since the original disclosures.” The State has not responded to that motion in writing.

On June 24, 2026, Mr. Murdaugh moved for an order requiring the State to release the DNA evidence recovered from beneath Maggie Murdaugh’s fingernails to Othram, Inc., for independent laboratory analysis. The State opposed the motion. It argued that the evidence was not “new,” that the defense’s expert had described further testing as “high risk,” and that the Preservation of Evidence Act, S.C. Code Ann. §§ 17-28-300 to -360 (2014), forbade the State from releasing the material without “oversight or assurances regarding preservation or sharing of test results.” (State’s Resp. to Def.’s Mot. for Indep. Lab. Review of DNA Evidence, Aug. 7, 2026, at 1, 8.) The Court heard the motion on August 14, 2026, and granted it:

I’m going to grant your motion. I’m gonna let you take it. The leftover, the new. Y’all make sure you make a chain of custody. I’m going to let you have the analysis done quantitative and I want you to report back to the court and tell me if there’s leftovers.

(Hr’g Tr. 80, Aug. 14, 2026 (Ex. I).) The Court directed the defense to report the quantitation results before proceeding further, after which the Court would “have a discussion with y’all on what we’re going to do.” (Hr’g Tr. 80, Aug. 14, 2026.) Mr. Griffin advised the Court that the defense would raise no objection to chain of custody or accreditation when the material returned from Othram to SLED, and Mr. Waters advised that the State would not challenge chain of custody if the transfer procedure was agreed and SLED’s scientists were satisfied. (Hr’g Tr. 77, 134, Aug. 14, 2026.) The Court further directed that a hearing on the DNA be held “long before November,” and both sides agreed. (Hr’g Tr. 133–34, Aug. 14, 2026.)

The material was transferred to Othram, and Othram completed its quantitation. Consistent with the Court's instruction, the defense reported the results to the State in the September 11 letter, and it reports them to the Court here, before any further action is taken with the fingernail material. (Ex. A at 1–2.) Othram quantified four samples, with concentrations expressed in nanograms per microliter. Sample OCN260901-02-01, the DNA extract from Item 70, the left-hand clippings, returned an autosomal concentration of 0.034 on the long target and 0.188 on the short target, a Y-chromosome concentration of 0.001, and a degradation index of 5.57, in a volume of 23 microliters. Sample OCN260901-02-02, the extract from Item 71, the right-hand clippings, returned autosomal concentrations of 0.024 and 0.252, a Y-chromosome concentration of 0.002, and a degradation index of 10.41, in 23 microliters. Sample OCN260901-02-03, the previously untested reserve clippings from Item 70, returned autosomal concentrations of 0.016 and 0.036, no detectable Y-chromosome target, and a degradation index of 2.27, in 48 microliters; Sample OCN260901-02-04, the reserve clippings from Item 71, returned autosomal concentrations of 0.015 and 0.043, no detectable Y-chromosome target, and a degradation index of 2.80, in 48 microliters. (*Id.*) Othram has advised that these figures are a summary of quantitation results rather than a forensic report, that a male contributor is represented in both extracts, and that further testing will consume the samples in their entirety and may require that the extracts from Items 70 and 71 be combined, so that no material will remain for examination by either party. (*Id.*) Having reported the quantitation as the Court directed, the defense asks the Court's leave to proceed.

The September 11 letter also asked the State to state, by the close of business on September 15, 2026, whether it consented to further testing of Items 70 and 71 and to the preservation and transfer of Item 25.1, and to answer six questions about the .300 Blackout evidence. (Ex. A at 2–

3.) At the State's request, the deadline was extended to the close of business on September 17, 2026. The State's response arrived that day. (Ex. B.)

III. The DNA Evidence: Items 70, 71, and 25.1

A. What SLED Found and What It Reported

Items 70 and 71 are the fingernail clippings taken from Maggie Murdaugh's left and right hands at autopsy. Item 25.1 consists of the swabs taken from the sides of her cellular telephone, which was found in the grass beside Moselle Road roughly half a mile from the kennels. All three items were extracted, quantified, amplified, and interpreted by SLED in June 2021.

SLED's published results are brief. The June 25, 2021, DNA Analysis report states that Item 70 yielded a mixture of two individuals, that fourteen named persons including Paul Murdaugh and Mr. Murdaugh "are excluded as contributors," and that the profile is approximately eleven times more likely if Maggie Murdaugh and "an unidentified unrelated individual" contributed to it than if Maggie Murdaugh and Claude Rowe did. (Ex. D at 16.) For Item 71, the report states in a single sentence that "[t]he DNA profile developed is attributable to Margaret Murdaugh." (*Id.*) For Item 25.1, the report states that "[a] partial DNA profile was developed," and that "[d]ue to the limited information obtained and the inability to determine the number of contributors, no further interpretation will be offered." (Ex. D at 12.) A supplemental report issued November 2, 2022, excludes Curtis Edward Smith as a contributor to Item 70 and says nothing about Item 71 or Item 25.1. (Ex. F at 7.)

At trial, SLED's analyst confirmed that the foreign alleles on Item 70 came from a male. Asked whether "there [was] DNA from an unrelated male under her fingernails," Ms. Zapata answered, "For Item 70, yes. One of the alleles indicates a male contributor," and agreed that Paul Murdaugh and Mr. Murdaugh were excluded. (Trial Tr. 3287.) Asked whether it would have been possible to develop a Y-chromosome profile from that male DNA, she answered:

It is possible, but because there were so many male individuals who were related to each other as standards that were submitted, it was decided that that would not be the best course of action to continue analysis because the male -- the Y chromosome testing that you were discussing is inherited along the males of the familial line, and so there would be no way to distinguish between any related people, any related males.

(Trial Tr. 3288.) The profile was never submitted to CODIS. (Trial Tr. 3289–90.) “[I]t was decided not to do this further Y chromosome analysis on it.” (Trial Tr. 3290.)

B. The underlying data do not support the reports.

The State’s response to the September 11 letter characterizes the male DNA in the fingernail clippings as “extremely low,” describes the samples as “pretty much a sole source sample from Maggie,” and asserts that Othram’s own quantitation found no Y-chromosome target in the reserve samples. (Ex. B at 1.) The State’s own laboratory records tell a different story, and the difference bears directly on the relief sought.

Item 71 contained more male DNA than Item 70, and SLED reported none. SLED’s Normalization Worksheet dated June 16, 2021, records the starting concentration of DNA in each extract before amplification. (Ex. E at 49.) For Item 70, the left-hand clippings, the worksheet records a total human DNA concentration of 1.2137 nanograms per microliter and a Y-chromosome concentration of 0.0101 nanograms per microliter. For Item 71, the right-hand clippings, it records a total concentration of 3.0112 nanograms per microliter and a Y-chromosome concentration of 0.0225 nanograms per microliter. (*Id.*) The right-hand clippings therefore carried more than twice the male DNA of the left, by SLED’s own measurement. For comparison, the same worksheet records the Y-chromosome concentration in Maggie Murdaugh’s own reference sample, Item 23, as 0.0001 nanograms per microliter, and in the reference samples of two other women as 0.0000. (*Id.*) The male signal in Item 71 was two hundred twenty-five times the background level in the victim’s own buccal swab. Yet the report describes Item 71 as a single-

source profile “attributable to Margaret Murdaugh,” the November 2, 2022, supplemental report compares Curtis Edward Smith to Item 70 alone, and the analyst’s trial testimony concerning “unidentified male” DNA was confined to the left hand. (Ex. D at 16; Ex. F at 7; Trial Tr. 3287.) No SLED document produced to the defense explains how a sample containing a quantified male component more than twice that of its mate came to be reported as containing no one but the victim.

The laboratory’s own worksheets suggest the answer. SLED normalized each fingernail extract to a target concentration of 0.0750 nanograms per microliter of total DNA before amplification. For Item 71, the most concentrated of the four fingernail samples, that meant adding a single microliter of extract to 39.1 microliters of buffer, a forty-fold dilution; for Item 70 it meant a sixteen-fold dilution. (Ex. E at 49.) The procedure calibrates the reaction to the dominant contributor, here the victim, and dilutes any minor male component in the same proportion. By SLED’s own figures, the male DNA entering amplification was reduced to roughly 0.0006 nanograms per microliter for both items. That Item 70 then produced three stochastic foreign alleles and Item 71 produced none reflects the chance sampling of a minor contributor diluted to the edge of detection; it does not show that the right-hand clippings carried no male DNA, and SLED’s own quantitation shows the opposite. The forty-fold dilution of the sample with the most male DNA, followed by a report that the sample was single-source, is the inconsistency the defense’s testing is designed to resolve. The test that is designed to recover a male profile from beneath an overwhelming female background is Y-chromosome STR analysis, which amplifies only male DNA. SLED had that test available. It did not run it on Item 70, on Item 71, or on Item 25.1. The reason its analyst gave under oath, that the submitted male standards were related to one another, is not a reason at all. The purpose of the analysis is to characterize an unknown male who

is *not* a Murdaugh. A Y-chromosome profile would have excluded the entire Murdaugh paternal line with a single result, or it would have included it. Either answer is material. SLED chose to obtain neither.

Item 25.1 met SLED's own criteria for interpretation, and SLED declined to interpret it.

The Concentration Worksheet for June 16, 2021, records a starting Y-chromosome concentration of 0.0004 nanograms per microliter for the telephone swabs, against a total concentration of 0.0017, and a concentrated Y-chromosome value of 0.0009 against 0.0040. (Ex. E at 48.) Roughly one-fifth of the DNA on the sides of Maggie Murdaugh's telephone was male. The GlobalFiler table prepared by Ms. Zapata on June 17, 2021, records results for Item 25.1 at fifteen autosomal loci, together with the male-specific Yindel marker, which returned allele 2. (Ex. E at 135.) Maggie Murdaugh's own standard returns no result at Yindel. (*Id.*) Two alleles on the telephone belong to neither victim: TH01 allele 6, which appears in neither Maggie Murdaugh's profile (7, 9.3) nor Paul Murdaugh's (7, 9.3), and D10S1248 allele 14, which appears in neither (Maggie Murdaugh 16; Paul Murdaugh 15, 16). (*Id.*) Mr. Murdaugh's standard, Item 80, carries only allele 15 at D10S1248 and cannot account for allele 14. (*Id.* at 139.)

SLED's DNA Casework Operations Manual, Version 10, which governed this analysis, provides that "[a] sample with results at eight or more STR loci may be considered suitable for deconvolution" in STRmix™, that "[m]ixtures of up to four contributors may be considered suitable for deconvolution," and that the laboratory's stochastic-range restrictions "appl[y] to samples not analyzed with STRmix™." (SLED DNA Casework Operations Manual, Version 10, Bates 1360–63.) Item 25.1 returned results at fifteen loci, nearly twice the threshold, and no locus shows more than two alleles. The manual further directs that "[i]f available, Y-STR results . . . should be taken into account when determining the number of contributors," and that "[w]hen the

number of contributors cannot be determined . . . the reason for not declaring a number of contributors should be documented in the case file.” (*Id.*) SLED had a positive male quantitation and a called Yindel allele, and did not run Y-STR analysis. It did not attempt a STRmix™ deconvolution; the STRmix™ run files in the produced case file cover more than two dozen other items and contain nothing for Item 25.1. No documentation of the reason for declining to declare a number of contributors has been produced. The profile was never compared to anyone, and it was never entered into CODIS.

The result is that the one item of physical evidence in this case whose location is least explicable on the State’s theory, a telephone found on a public road half a mile from the bodies, carried a male DNA component and two alleles foreign to both victims, and SLED stopped its analysis at the threshold. The 2023 jury was told twice that this telephone was Paul Murdaugh’s. (Trial Tr. 1857–58, 3256–57.) It was Maggie Murdaugh’s. (Trial Tr. 969–70, 1190.)

C. The State’s response confirms that the material should be transferred.

The State’s September 17 response makes four points concerning the DNA, none of which supports withholding the evidence.

First, the State reports that Othram’s quantitation of the extracts previously tested by SLED found Y-chromosome concentrations of 0.001 for Item 70 and 0.002 for Item 71, and that Othram’s quantitation of the untested reserve samples found none. (Ex. B at 1.) Those are the figures the defense reported to the State on September 11 and has set out in Part II above. (Ex. A at 1–2.) They confirm what SLED’s own worksheet showed five years ago: the male component of Item 71 exceeds that of Item 70. The State’s characterization of the material as “pretty much a sole source sample from Maggie” is an argument about weight. It is not a reason to deny the defense the opportunity to test evidence.

Second, the State asserts that it is “unclear from your letter what testing is being proposed, the goal of the testing, the likelihood of any usable data, and much less why no extract would be remaining for SLED to test,” and that “we would need clarification as to what specific extracts are being combined before any opinion or consent can be contemplated.” (Ex. B at 1.) The defense declines to preview its forensic strategy to the prosecution, and the law does not require it to do so. Rule 5(b)(1)(B), SCRCrimP, makes the defense’s scientific results and reports discoverable only where the defendant “intends to introduce [them] as evidence in chief at the trial” or where they “were prepared by a witness whom the defendant intends to call at the trial,” and Rule 5(b)(2) otherwise exempts “reports, memoranda, or other internal defense documents made by the defendant, or his attorneys or agents in connection with the investigation or defense of the case.” The State’s demand to know the “goal of the testing” and the “likelihood of any usable data” before it will “contemplate” consent is a demand for defense work product, not for a report. The Court did not condition its August 14 ruling on any such disclosure. It authorized the defense to “take it,” “the leftover, the new,” subject to a documented chain of custody and a report on the quantitation before further testing. (Hr’g Tr. 80, Aug. 14, 2026.) The defense has complied, and this motion and the hearing the Court has directed are the occasion for the discussion the Court contemplated. The State’s response is not.

Third, the State relies on remarks attributed to Dr. David Mittelman of Othram during a July 7, 2026, conference, to the effect that further testing would be “high risk” and unlikely to produce usable results. (Ex. B at 1.) The defense’s expert is entitled to be candid with his client about the difficulty of the work, and the State is not entitled to convert that candor into a veto. Whether the defense will devote its resources to a difficult test of small quantities of evidence is a decision for the defense, not the prosecution. *See Roviato v. United States*, 353 U.S. 53, 64 (1957)

(whether to call or interview a potential witness “was a matter for the accused rather than the Government to decide”). Moreover, the same passage of the State’s letter concedes that “the existing quantifications from the previously analyzed samples from Items 70 and 71” showed a Y target in both. (Ex. B at 1.)

Fourth, and most fundamentally, the State has had these items in its exclusive possession since June 2021. It extracted them, quantified them, amplified them, and interpreted them, without consulting the defense. It declined to run the one test suited to the question the evidence posed, and it declined to submit the result it did obtain to the national database. It compared the material to the standards it chose, including that of Curtis Edward Smith fifteen months after the murders, and reported the comparisons it chose. It then argued to this Court, in opposing the defense’s motion, that “there is nothing ‘new’ or recently discovered about the DNA result” and that its “significance -- or frankly lack thereof -- was litigated during the first trial.” (State’s Resp., Aug. 7, 2026, at 1.) Having completed the testing it wanted and having declared the evidence insignificant, the State now objects that the defense’s testing might consume what remains. The Preservation of Evidence Act, on which the State relied in August, requires the custodian to preserve biological material “under conditions reasonably designed to preserve the forensic value” of the evidence, S.C. Code Ann. § 17-28-320(B); it does not authorize the State to veto forensic testing that it fears might not produce results favorable to the prosecution. The State’s concern for preservation is difficult to credit from an agency that, as the Court has heard, destroyed the evidentiary value of Mr. Murdaugh’s shirt by applying Leuco Crystal Violet.

The State’s letter reports that approximately one quarter of each swab from Item 25.1 remains, together with ten microliters of extract, and that “SLED has the electropherograms from this test that can be shared.” (Ex. B at 2.) The Court should order SLED to preserve that material

in its present condition, to conduct no further examination of it, and to transfer it to Othram under a documented chain of custody, as it did the fingernail material. The Court should further order the State to produce the electropherograms for Item 25.1 in native and printed form, the bench notes, technical-review records, and communications reflecting the decision not to declare a number of contributors or to attempt deconvolution, and the corresponding records for Items 70 and 71 reflecting the decision not to perform Y-chromosome analysis. Those records are “results or reports of . . . scientific tests” and documents “material to the preparation of [the] defense,” Rule 5(a)(1)(C), (D), SCRCrimP, and the decision to stop analysis of a male profile on the victim’s telephone and beneath her fingernails is favorable to the accused within the meaning of *Brady*.

D. The governing law requires production.

Rule 5(a)(1)(C), SCRCrimP, requires the State to permit the defendant to inspect and copy “tangible objects” and “documents” within its possession, custody, or control “which are material to the preparation of his defense.” Rule 5(a)(1)(D) requires the State to produce “any results or reports of . . . scientific tests or experiments, or copies thereof,” that are within its 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.” Materiality under Rule 5 carries the same meaning as under *Brady*. *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). The rule “seems to also apply to evidence within the possession of other government agencies.” *Id.* (citing *State v. Gullledge*, 326 S.C. 220, 487 S.E.2d 590 (1997))

Our Supreme Court has addressed the State’s obligation to produce the records behind a SLED DNA analysis. In *State v. Proctor*, 358 S.C. 424, 595 S.E.2d 480 (2004), the defendant sought SLED’s internal DNA proficiency test results in order to evaluate the accuracy of the laboratory’s DNA analysis. Our Supreme Court held 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 in camera, and that it was error to accept the State’s affidavit describing the material in lieu of that examination. *Id.* at 429–30, 595 S.E.2d at 482–83. The Court rejected the State’s argument that raw scientific data would be meaningless to the trial judge without expert assistance, declining to permit the State to “arbitrate whether scientific information is too sophisticated for the average trial judge,” and observing that 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. South Carolina courts have ordered precisely the access the defense seeks here, including permitting defense experts to examine and copy the laboratory’s underlying DNA data and protocols. *See State v. Register*, 323 S.C. 471, 482, 476 S.E.2d 153, 160 (1996) (trial court ordered the State to produce SLED’s statistical data and protocol manual and permitted defense experts to visit SLED’s headquarters “to examine and copy data relating to the DNA evidence”).

A defendant’s right to obtain the State’s physical evidence for independent testing is a component of the right to present a complete defense. *State v. Mabe*, 306 S.C. 355, 358, 412 S.E.2d 386, 388 (1991) (“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.”). The State’s constitutional obligation to disclose favorable evidence extends to evidence “known only to police investigators and not to the prosecutor,” *Strickler v. Greene*, 527 U.S. 263, 280–81 (1999), and the prosecutor “has a duty to learn of any favorable evidence known to the others acting on the government’s behalf in the case, including the police.” *Kyles v. Whitley*, 514 U.S. 419, 437 (1995). South Carolina applies the same rule. *Gibson v. State*, 334 S.C. 515, 524 n.3, 514 S.E.2d 320, 324 n.3 (1999) (prosecutor bears the burden “to know all the relevant facts of a case,” and information

known to investigative agencies may be imputed to the prosecutor); *State v. Durant*, 430 S.C. 98, 108–09, 844 S.E.2d 49, 54–55 (2020). Evidence that an unidentified male’s DNA was present beneath the victim’s fingernails and on her telephone, that the State’s laboratory measured that DNA in quantities well above background, and that the laboratory elected not to pursue it, is favorable to the accused on any view.

The Court should therefore order the relief set out in Part VII, paragraphs 1 through 6.

IV. The .300 Blackout Evidence

A. The State told the 2023 jury that .300 Blackout weapons were uncommon.

The six .300 Blackout cartridge cases recovered around Maggie Murdaugh’s body are the only physical evidence connecting any firearm to her death. The firearm has never been recovered. The State’s theory at the first trial was that the cases were fired from a rifle belonging to the Murdaugh family. It built that theory from three pieces: John Bedingfield, the licensed dealer and second cousin of Mr. Murdaugh who assembled the family’s rifles, testified that he “steered him towards the 300 Blackout just because of its effectiveness on hogs versus a 223 or 556” (Trial Tr. 1140); Paul Greer testified that the cartridge cases around Maggie Murdaugh had been cycled through the same firearm as weathered cases found beside the house and at the shooting range across the road; and Agent Croft testified that S&B 147-grain .300 Blackout ammunition, the ammunition found at the scene, “was mostly what we found” in the house (Trial Tr. 1050). One of the family’s three Blackouts was missing.

The weakness in that chain is apparent. A .300 Blackout at the scene proves that a family rifle was the murder weapon only if no one else could have brought one. The defense addressed that gap directly. Mr. Griffin asked Agent Croft whether the .300 Blackout was “not a rare gun in the area of Hampton and Colleton County” and whether “there are plenty out there,” for the purpose of showing that Mr. Murdaugh had no privileged access to a weapon of that caliber. The

agent conceded only that “[i]t’s not as common as the general 223 or the AR15, 308, different caliber rifles,” and said he could not “testify as to how many is out there.” (Trial Tr. 1007.) Mr. Griffin put the same point to Mr. Bedingfield, who agreed that Blackouts are sold at retail without a custom build, that “[t]he most common in the State of South Carolina is Palmetto State Armory,” that he had completed “a little over 600 firearms transfers” since 2016, that he recommends the Blackout to his hog-hunting customers, and that the number he had sold was “a lot, but I don’t know how many.” (Trial Tr. 1159–61.)

The State’s answer came on redirect of Agent Croft. Mr. Waters first established that ammunition was scarce during the pandemic and that S&B Blackout ammunition was abundant in the house. He then asked the agent, over the defense’s beyond-the-scope objection, which Judge Newman overruled, to explain why the other calibers “were more common.” The agent answered that the .223, 5.56, and .308 are used by law enforcement and the military and were cheap and plentiful, and that “300, on the other hand, is -- it’s just at that particular time, 300 rounds were just -- or weapons were just not that common.” Mr. Waters then asked: “How many criminal investigations have you worked where a 300 Blackout was the murder round?” The agent answered: “I have none.” (Trial Tr. 1050–52.) The purpose of that testimony was the mirror image of the defense’s: to persuade the jury that the .300 Blackout was uncommon enough that its appearance at Moselle pointed to the household that owned three of them, and away from anyone else. Mr. Waters completed the argument in closing: “A family Blackout killed Maggie. It was present just a couple of months prior to the murders, and it’s gone now. It’s gone now. The family weapon the defendant cannot account for killed Maggie.” (Trial Tr. 5619.)

The State’s position on rarity was also selective within the trial itself. At the *Council* hearing on the admissibility of Agent Greer’s toolmark testimony, the defense had pressed the

point that Greer knew of no validation study for the .300 Blackout, “a newer caliber,” assembled from mass-produced components. (Trial Tr. 349–52.) Mr. Waters answered that the .300 Blackout “is manufactured from commonly made components much like 223 or other rounds, there’s nothing fundamentally different about that.” (Trial Tr. 369.) To the Court, when the State needed the comparison admitted, the Blackout was a common weapon built from common parts. To the jury, when the State needed the missing family rifle to be the murder weapon, it was a weapon so uncommon that the case agent had never encountered one in a homicide.

B. The State now says the opposite.

The September 11 letter asked the State six questions about other shootings involving .300 Blackout ammunition in the Second and Fourteenth Judicial Circuits, prompted by public reports that cartridge cases from the April 25, 2026, homicide of Frank Alexander Brown III in Allendale were entered into the National Integrated Ballistic Information Network on August 13, 2026, nearly four months after the murder, and that Mr. Brown had resided in Islandton, a short distance from Moselle. (Ex. A at 2–3.) The State’s response answers none of the six questions. It states instead:

Since January of 2021 – SLED has entered seven hundred and twenty (720) .300 Blackout cartridge cases into IBIS, including evidence from this case.300 Blackout has been identified the second most popular cartridge for AR chambering in the United States, behind only 5.56/.223. . . . SLED gets .300 Blackout cartridge cases on a weekly, if not daily, basis these days as it is an incredibly popular round of ammunition.

(Ex. B at 2.) The letter goes on to concede that “[t]here was a .300 Blackout used in two shootings in Allendale earlier that same day” as the April 27, 2024, shooting of Allendale Police Sergeant James Hall Jr., that “that evidence has been entered into IBIS,” and that “SLED will object to turning over the cartridge cases from other Allendale cases as they remain open and ongoing

investigations, and there is no plausible or justifiable reason to make further comparisons.” (Ex. B at 2–3.)

The State cannot have it both ways. In 2023, when the rarity of the weapon served the inference that the murder rifle came from the Murdaugh gun room, the State’s case agent testified, in answer to the lead prosecutor’s own question, that .300 Blackout weapons “were just not that common” and that he had never worked a murder committed with one. In 2026, when the frequency of the weapon serves the argument that comparison to other shootings would be pointless, the same prosecutor advises that SLED receives .300 Blackout cases weekly if not daily, that it has entered seven hundred twenty of them into its database since the year of these murders, and that the cartridge is the second most popular rifle round in the country. Seven hundred twenty cartridge cases from a single caliber, entered by a single state laboratory in five and a half years, do not describe a weapon that is “just not that common.” They describe a weapon that any number of people in the Second and Fourteenth Judicial Circuits could have carried to Moselle on June 7, 2021. That is the fact the defense sought to establish through Agent Croft and Mr. Bedingfield, the fact the State’s redirect was designed to deny, and the fact the State has now conceded in writing.

C. The State’s present representation is *Giglio* material.

The State’s obligation under *Giglio v. United States*, 405 U.S. 150, 154 (1972), and *Napue v. Illinois*, 360 U.S. 264, 269 (1959), is not confined to inducements offered to witnesses; it extends to any information in the State’s possession that would impeach testimony the State presents, and it forbids the State to leave uncorrected testimony it knows to be false or misleading. Our Supreme Court has applied that rule without qualification: “The failure to correct false evidence is as reprehensible as its presentation.” *Riddle v. Ozmint*, 369 S.C. 39, 47–48, 631 S.E.2d 70, 75 (2006). The State elicited from its case agent, through its lead prosecutor, the testimony that .300 Blackout

weapons were uncommon and that he had never worked a homicide involving one, and it argued the inference to the jury. The State's own laboratory now reports that it had been receiving .300 Blackout cartridge cases from crime scenes since at least January 2021, five months before these murders and two years before the agent testified. Whatever SLED knew about the prevalence of the .300 Blackout in South Carolina crime scenes when Agent Croft took the stand was known to the State, *Kyles*, 514 U.S. at 437, and it was impeachment of testimony the State had chosen to present.

The point is not academic. Agent Croft will testify again. If the State intends to elicit the same testimony at the retrial, the defense is entitled now to the records that contradict it: the IBIS acquisition records for .300 Blackout cartridge cases by year, the case files from which those entries came, and whatever source SLED relied upon in advising the Attorney General that the cartridge is "the second most popular" AR chambering in the country. If the State does not intend to elicit that testimony again, it should say so, and it should disclose what it knew in January 2023 that made the testimony untenable. Either way, the same records answer the six questions the defense asked on September 11, and the State's refusal to produce them cannot be reconciled with its duty to correct the record it made in the first trial.

The State's reliance on its ballistic database does not answer the request. IBIS is an automated imaging system that generates candidate correlations; it does not perform a comparison, and a correlation becomes a "hit" only when a firearms examiner confirms it microscopically. The State's letter reports that SLED "has generated over 15,000 leads with the IBIS program since its inception; however, none have linked back to this case." (Ex. B at 2.) It does not say what correlation reviews were performed on the Moselle cases, when, by whom, against what candidate lists, or with what results, and it does not say why the cartridge cases from the homicide of a man

who lived a short distance from Moselle, committed with the same ammunition, were not entered into the database for nearly four months. A negative database result is not a comparison, and the defense is entitled to have a qualified examiner compare the Moselle cases to the cases from the Allendale shootings directly. More pointedly, language about “leads” that have not “linked back to this case” appears deliberately vague. The State’s objection that the Allendale investigations “remain open” is answered by a protective order and by supervised examination at the SLED laboratory, which preserves the chain of custody and imposes no burden on any investigation. See *In re Braxton*, 258 F.3d 250, 258 (4th Cir. 2001) (court may structure conditions for testing of evidence “to protect the integrity of the evidence and to ensure equal access to all parties”).

D. The requested records are material.

Evidence that the same weapon, or the same ammunition, has been used in other shootings in the same two circuits is evidence tending to point to another person as the perpetrator, and a defendant’s right to present such evidence is constitutionally protected. *Holmes v. South Carolina*, 547 U.S. 319, 324–31 (2006); *State v. Gregory*, 198 S.C. 98, 104–05, 16 S.E.2d 532, 534–35 (1941) (third-party guilt evidence admissible where it rests on “such a train of facts or circumstances, as tends clearly to point out such other person as the guilty party”). Under *Holmes*, “[p]rovided threshold admissibility is met, third-party guilt evidence may not be excluded based on the trial court’s view of the evidence or the perceived ‘strength’ of the State’s case.” *State v. Mercer*, 381 S.C. 149, 166 n.9, 672 S.E.2d 556, 565 n.9 (2009). The State’s position, in substance, is that the defense should not be permitted to investigate other .300 Blackout shootings because SLED’s database has not connected them. That is an argument that the strength of the State’s case renders the inquiry unnecessary, and *Holmes* forecloses it.

The information the defense seeks is compiled and readily available. The State’s own letter demonstrates as much: it was able to state, within days, the number of .300 Blackout cases SLED

has entered into IBIS since January 2021. The list of the shootings from which those cases came, by date, location, number of cases and projectiles recovered, weapons recovered, victims, and perpetrators where known, is in SLED's possession. The State's suggestion that the defense consult "the SC Crime Books" and "SC Crime Data" on SLED's website (Ex. B at 3) is not a response; those publications do not report caliber, and *Brady* does not permit the State to substitute a public statistical summary for evidence in its own files. See *State v. Durant*, 430 S.C. 98, 108–09, 844 S.E.2d 49, 54–55 (2020) (defense bears no due-diligence burden to unearth *Brady* material); *Riddle*, 369 S.C. at 44, 631 S.E.2d at 73 (it is "unrealistic" to require the defense to reconstruct the investigation, and "[t]he burden is on the solicitor to disclose material evidence which is exculpatory or impeaching").

The Court should therefore order the relief set out in Part VII, paragraphs 7 through 11.

V. The FARO Scan Raw Data

SLED scanned the crime scene at Moselle with a FARO three-dimensional laser scanner. On November 3, 2022, the State delivered to the defense a hard drive containing a 2.69-gigabyte archive labeled "CS_Faro." (Ex. H.) The archive contains a "SCENE 2go" file and a viewer application. SCENE 2go is a read-only export that permits the recipient to look at a rendered model; it is not the raw scan data, and it cannot be used to measure, register, or reconstruct the scene with the precision the underlying data permit. The defense's reconstruction expert has confirmed that the raw data consist of the individual ".fls" scan files together with the FARO SCENE project folder and its registration data, none of which was produced.

The kennel area at Moselle has since been demolished. No new scan of the scene can be made. The State's raw scan data and the scans taken by the defense's own engineer before the first trial are the only geometric record of the scene that exists, and the defense's shooting-reconstruction experts cannot complete their work from a viewer export.

On September 15, 2026, Mr. Harpootlian wrote to Mr. Waters asking the State to confirm that the raw scan data still exist and have been preserved, to identify who holds them, and, if they exist, to produce the raw .fls files, the complete SCENE project folder including the project file and registration data, the registration and scan-position report, the panoramic image data, the scanner make, model, and serial number, the scan dates, times, and operator, any processing logs, and native, unaltered files with hash values, by the close of business on September 17, 2026. (Ex. C.) The letter asked that, if the raw data no longer exist, the State say so in writing. (*Id.*) The State has not responded.

The raw scan data are a “tangible object” and “documents . . . or copies or portions thereof” within the meaning of Rule 5(a)(1)(C), SCRCrimP, and the “results . . . of scientific tests or experiments” within the meaning of Rule 5(a)(1)(D). Production of a viewer export in lieu of the native data does not discharge the State’s obligation any more than production of a laboratory report in lieu of the electropherograms would. *Cf. Proctor*, 358 S.C. at 430 n.7, 595 S.E.2d at 483 n.7 (defense counsel entitled to “look behind” the State’s representations concerning laboratory results). The State has an obligation to preserve evidence of apparent exculpatory value that the defendant cannot obtain by other means, *State v. Cheeseboro*, 346 S.C. 526, 538–39, 552 S.E.2d 300, 307 (2001); *California v. Trombetta*, 467 U.S. 479, 488–89 (1984), and the geometry of a demolished crime scene is evidence of that kind. If the raw data have been lost or destroyed, the defense is entitled to know that now, in writing, so that the Court may consider an appropriate remedy.

The Court should therefore order the relief set out in Part VII, paragraphs 12 and 13.

VI. The Court should act now.

Trial begins April 5, 2027, six and a half months from the date of this motion, and the Court has stated that it intends to keep that date. The forensic work the defense must complete before

then depends on the evidence this motion seeks. Othram has advised that its analysis of the fingernail material requires sixty to ninety days from receipt of the samples, and the Court observed on August 14 that “you need 90 days at least. So we need to get it started.” (Hr’g Tr. 80, Aug. 14, 2026.) The defense’s ballistics examiner cannot compare cartridge cases he has not been permitted to see. The defense’s reconstruction experts cannot build a model from a viewer export. Every week the State withholds this material is a week taken from the preparation of the defense, and if the delay continues the defense may be forced to seek a continuance that Mr. Murdaugh does not want and that the Court has said it will not grant. The State should not be permitted to create, through inaction, the very delay it would then oppose.

Nothing requested here is burdensome. The State’s own response shows how readily the ballistic information can be assembled: within days of the September 11 letter, SLED counted the .300 Blackout cartridge cases it had entered into IBIS since January 2021 and reported the figure to the penny. The list of the cases from which those entries came is the same database query. The electropherograms for Item 25.1 are, in the State’s words, records that “can be shared.” (Ex. B at 2.) The bench notes and technical-review records are in the DNA case file. The FARO data either exist on a SLED server or they do not, and the State can say which in a sentence. Each item can be produced in days, not months.

What the State offers instead is another conversation. Its June 28 response proposed “actual substantive conversations with the defense experts.” Its August 7 response proposed that SLED process the reserve samples and then “stop and consult with the defense.” Its September 17 letter proposes, three separate times, “another conversation between the experts,” “a conversation and consider any specific proposal,” and “conversations among the scientists to facilitate discussion as to a scientifically viable plan,” and it answers none of the six written

questions the defense asked. (Ex. B at 2–3.) The parties have conferred: on the July 7 WebEx, in the exchanges between counsel that followed, before the Court on August 14, and by letter since. The Court has ruled. A request for further discussion of a ruling already made, offered in place of compliance with it, is not cooperation; it is delay. The Court should set a short deadline and require the State to meet it.

VII. Relief Requested

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

1. Directing SLED to preserve all remaining material from Item 25.1, including both swabs, any cutting, and the ten microliters of extract, in its present condition; to conduct no further examination, amplification, re-extraction, re-injection, or other alteration of that material; and to transfer it to Othram, Inc., under a documented chain of custody in the same manner as the material from Items 70 and 71;
2. Confirming that the defense may proceed with further analysis of the material from Items 70 and 71 now in Othram's custody, including the extracts and the reserve samples, without disclosure to the State of the methodology, purpose, or anticipated result of that analysis, and directing that any material remaining after that analysis be preserved and its status reported to the Court;
3. Directing the State to produce the electropherograms for Items 25.1, 70, and 71 in native and printed form, together with all quantitation, normalization, concentration, amplification, and injection records for those items not previously produced;
4. Directing the State to produce all bench notes, worksheets, technical-review and administrative-review records, case-file documentation, and internal or external communications reflecting or relating to the decisions not to perform Y-

chromosome STR analysis on Items 25.1, 70, or 71; not to declare a number of contributors or attempt STRmix™ deconvolution of Item 25.1; not to submit any profile from those items to CODIS; and not to compare Item 71 to any known standard other than the victim's;

5. Directing the State to produce all communications between SLED, the Attorney General's office, and any other person concerning the consumption, retention, storage, or testing of the reserve samples and extracts from Items 70 and 71 from June 2021 to the present;
6. Directing the State to produce the STRmix™ run files, GeneMapper ID-X project files in original and re-exported form, and all electronic data for Items 25.1, 70, and 71 not previously produced;
7. Directing the State to produce a list of every shooting, homicide, or other crime reported to or investigated by SLED, the Colleton, Hampton, Allendale, Jasper, Beaufort, Aiken, Bamberg, and Barnwell County Sheriffs' Offices, and the municipal police departments within the Second and Fourteenth Judicial Circuits, since January 1, 2021, in which .300 Blackout cartridge cases or projectiles were recovered, stating for each the date, the location, the investigating agency and case number, the number of cartridge cases and the number of projectiles recovered, any firearm recovered and its present custodian, the identity of the victim or intended victim, and the identity of the perpetrator where known;
8. Directing the State to produce, for each .300 Blackout cartridge case from this case entered into IBIS or NIBIN, the acquisition record, every correlation request and correlation review report, every candidate list generated, and the disposition of

every candidate, together with the same records for the cartridge cases from the April 25, 2026, homicide of Frank Alexander Brown III and from the April 27, 2024, shootings in Allendale, and an explanation of the date on which the Brown cartridge cases were entered;

9. Directing the State to make the cartridge cases and projectiles recovered in the Brown homicide and the April 27, 2024, Allendale shootings available for examination and comparison to the Moselle cartridge cases by a firearms examiner retained by the defense, at the SLED laboratory or another location the Court designates, under a protective order and such conditions as the Court deems appropriate to preserve the chain of custody;
10. Directing the State to identify every firearm chambered in .300 Blackout recovered in connection with any crime within the Second or Fourteenth Judicial Circuit since January 1, 2021, its present custodian, whether it has been test-fired, and whether the resulting standards have been compared to the Moselle cartridge cases, and to produce the results of any such comparison;
11. Directing the State to produce, as *Giglio* material, every record in SLED's possession as of January 23, 2023, reflecting the number of .300 Blackout projectiles, cartridge cases or firearms received by SLED from crime scenes in South Carolina, by year;"
12. Directing the State to confirm in writing whether the raw data of the FARO scan of the Moselle crime scene exist and where they are held, and, if they exist, to produce the individual .fls scan files, the complete FARO SCENE project folder including the project file and registration data, the registration and scan-position report, the

panoramic image data, the scanner make, model, and serial number, the scan dates, times, and operator, all processing logs, and the native, unaltered files with hash values;

13. Directing the State, if the raw FARO data have been lost, destroyed, or overwritten, to state in writing when, how, by whom, and under what authority that occurred, and reserving to the defense the right to seek an appropriate remedy;
14. Directing the State to complete the production ordered within ten days of the Court's order, and in any event before the hearing on the DNA that the Court has directed be held before November 13, 2026; and
15. Granting such other and further relief as the Court deems just.

VIII. Conclusion

The State has held this evidence for more than five years. It has tested what it chose, compared what it chose, and reported what it chose, and it has given a jury one account of how common the murder weapon was and this Court the opposite. It produced a viewer export in place of the data from which the scene could be reconstructed, and it has not answered a letter asking whether the data still exist. Rule 5 and the Due Process Clause do 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.

Respectfully submitted,



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September 18, 2026
Columbia, South Carolina.

Attorneys for Richard Alexander Murdaugh

SEP 18 2026 PM3:55
COLLETON CO GS, GARY HALE

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT A

Letter from Phillip D. Barber to S. Creighton Waters,
September 11, 2026



HARPOOTLIAN

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September 11, 2026

S. Creighton Waters
Senior Assistant Deputy Attorney General
South Carolina Attorney General's Office
P.O. Box 11549
Columbia, South Carolina 29211

In re: State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -00593, -00594, and -00595

Dear Creighton,

I write on three subjects: the forensic DNA testing of the fingernail clippings designated items #70 and #71; the swabs taken from Margaret Murdaugh's telephone, designated Item 25.1; and the ballistic evidence recovered in the murder of Margaret Murdaugh and its relationship to other shootings in the Second and Fourteenth Judicial Circuits.

I. Quantitation Results and Proposed Consumptive Testing

The laboratory retained by the defense has completed quantitation of the material taken from items #70 and #71. The results are set out below, with concentrations expressed in nanograms per microliter and volumes in microliters.

Sample OCN260901-02-01, DNA extract, item #70, left fingernail clippings: volume 23; long autosomal concentration 0.034; short autosomal concentration 0.188; Y concentration 0.001; degradation index 5.57.

Sample OCN260901-02-02, DNA extract, item #71, right fingernail clippings: volume 23; long autosomal concentration 0.024; short autosomal concentration 0.252; Y concentration 0.002; degradation index 10.41.

Sample OCN260901-02-03, left fingernail clippings, item #70: volume 48; long autosomal concentration 0.016; short autosomal concentration 0.036; Y concentration 0.000; degradation index 2.27.

Sample OCN260901-02-04, right fingernail clippings, item #71: volume 48; long autosomal concentration 0.015; short autosomal concentration 0.043; Y concentration 0.000; degradation index 2.80.

The laboratory has advised that the foregoing is a summary of quantitation results and is not a forensic report. A male contributor is represented in samples OCN260901-02-01 and OCN260901-02-02.

The defense proposes to proceed with further testing of this material. That testing will consume the samples in their entirety, and it may require that the extracts from items #70 and #71 be combined. No material will remain for subsequent examination by either party.

Please advise whether the State consents to the consumptive testing described above.

II. Item 25.1 — The Swabs from Margaret Murdaugh's Telephone

The defense requests that SLED conduct no further testing or examination of Item 25.1, the swabs taken from the sides of Margaret Murdaugh's telephone. No portion of the swabs, of any cutting, or of any extract should be consumed, amplified, re-extracted, re-injected, or otherwise examined or altered by SLED or by any laboratory acting at the State's request.

The defense further requests that all remaining material from Item 25.1 be preserved in its present condition and made available to Othram, Inc., for further analysis. Please advise what material from Item 25.1 remains in SLED's custody, and whether the State consents to this request.

III. .300 Blackout Cartridge Cases

The .300 Blackout cartridge cases recovered at the scene of Margaret Murdaugh's murder remain the only physical evidence tying a firearm to her death, and that firearm has never been recovered. The defense understands from public reporting that cartridge cases recovered in the April 25, 2026, homicide of Frank Alexander Brown III in Allendale were entered into the National Integrated Ballistic Information Network on August 13, 2026, nearly four months later. Mr. Brown resided in Islandton, in Colleton County, a short distance from the Moselle property. The defense further understands that Allendale has experienced a series of shootings in recent years, among them the April 27, 2024, shooting of Allendale Police Sergeant James Hall Jr., classified by the Allendale Police Department as an attempted murder.

The defense therefore requests that the State provide its position on each of the following:

1. Whether SLED or any other agency has compared the .300 Blackout cartridge cases recovered at the scene of Margaret Murdaugh's murder to cartridge cases or projectiles recovered in any shooting in Allendale County, including the April 25, 2026, homicide of Frank Alexander Brown III and the April 27, 2024, shooting of Sergeant James Hall Jr., and the result of any such comparison.
2. Whether any such comparison has been made to cartridge cases or projectiles recovered in any other crime committed in the Second or Fourteenth Judicial Circuits since January 1, 2021, and the result of any such comparison.
3. The number of crimes committed in the Second or Fourteenth Judicial Circuits since January 1, 2021, in which .300 Blackout cartridge cases or projectiles were recovered.
4. The number of .300 Blackout cartridge cases and the number of .300 Blackout projectiles recovered in those crimes.
5. Whether any firearm chambered in .300 Blackout has been recovered in any of those crimes and, if so, its present custodian, whether it has been test-fired, and whether the resulting standards have been compared to the cartridge cases recovered at Moselle.
6. Whether the State consents to the examination of the .300 Blackout cartridge cases and projectiles recovered at the scene of Margaret Murdaugh's murder and in the Allendale shootings by a ballistics examiner retained by the defense, to determine whether they were fired by the same firearm, without regard to whether SLED has conducted or intends to conduct any comparison of its own.

Please respond to Parts I and II, and to each item in Part III, by the close of business on Tuesday, September 15, 2026. 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 these matters.

With warm personal regards, I am

Sincerely,



Phillip D. Barber

cc: Richard A. Harpootlian, Esq.
James M. Griffin, Esq.
Margaret N. Fox, Esq.

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT B

Letter from S. Creighton Waters to Phillip D. Barber,
September 17, 2026

SEP 18 2026 PM3:55
COLLETON CO GS. GARY HALE



ALAN WILSON
ATTORNEY GENERAL

September 17, 2026

Phillip D. Barber, Esquire
PO Box 1090
Columbia, SC 29202
(*via email only to pdb@harpootlianlaw.com*)

Dear Phil,

The Attorney General's Office has consulted with SLED concerning the three subjects in your letter dated September 11, 2026. Our response is as follows:

I. Quantitation Results and Proposed Consumptive Testing

- a. As you are aware, Dr. Mittleman from Othram stated on our call that the existing quantifications from the previously analyzed samples from Items 70 and 71 were extremely low as to any Y target – indeed, he stated it was pretty much a sole source sample from Maggie and that any further testing would be “high risk” and unlikely to generate anything usable for Othram. It also now appears that Othram’s quantification of the extract from the previously tested sample from SLED revealed similar extremely low levels of Y chromosome concentration – 0.001 for Item 70 and 0.002 for Item 71.
- b. It also appears that Othram’s quantifications of the reserve samples in Items 70 and 71 have revealed absolutely no Y chromosome target whatsoever – with the Y concentration being 0.000 for both samples Othram quantified.
- c. At this time, while your letter makes it very clear you plan to completely consume all of the remaining samples, it is unclear from your letter what testing is being proposed, the goal of the testing, the likelihood of any usable data, and much less why no extract would be remaining for SLED to test like SLED provided to Othram.
- d. Moreover, we would need clarification as to what specific extracts are being combined before any opinion or consent can be contemplated. There appear to be 4 extracts (a SLED and an Othram extract from Item

70, and a SLED and an Othram extract from Item 71). Does Othram plan to combine all four from two separate item numbers or just the two from each item? This is particularly questionable given that Othram's quantification showed zeroes on any Y chromosome target.

- e. It appears that the letter is a paraphrase from the original communication from Othram. It would be helpful if our scientists could evaluate the actual communication from Othram. Again, the best way to facilitate a path forward that is fair to both sides would be another conversation between the experts to discuss.
- f. Obviously, if you plan to consume everything left from the samples in its entirety, we would need more specific information as to what and why.

II. Item 25.1 - The Swabs from Margaret Murdaugh's Telephone

- a. Two swabs were collected and approximately ¼ of each swab remains. Also, 10ul of extract remains for this item. SLED has the electropherograms from this test that can be shared.
- b. As you are aware, SLED's DNA analysis concluded that while a partial DNA profile was developed, due to the limited information that could be obtained, no further interpretation can be offered according to viable and well-established scientific protocols.
- c. Again, your letter makes unclear what testing is proposed and the goal or likely success of that testing. I would be happy as always to facilitate a conversation and consider any specific proposal.

III. .300 Blackout Cartridge Cases

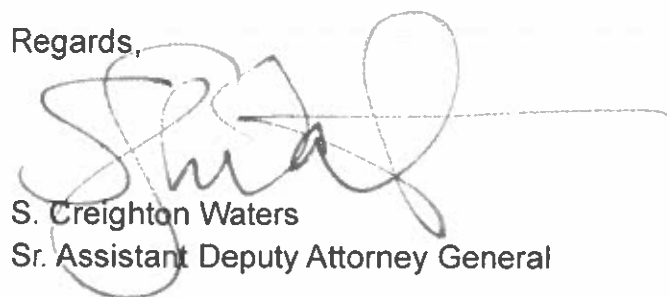
- a. Since January of 2021 – SLED has entered seven hundred and twenty (720) .300 Blackout cartridge cases into IBIS, including evidence from this case. Each entry is compared to all others in the system, which includes the cartridge casings from the murders of Maggie and Paul.
- b. .300 Blackout has been identified the second most popular cartridge for AR chambering in the United States, behind only 5.56/.223. See <https://www.firearmsnews.com/editorial/history-300-aac-blackout-cartridge/507831> See also <https://www.gunbuilders.com/blog/300-blackout-why-its-one-of-the-best-ar15-cartridges/>
- c. SLED gets .300 Blackout cartridge cases on a weekly, if not daily, basis these days as it is an incredibly popular round of ammunition.
- d. SLED has generated over 15,000 leads with the IBIS program since its inception; however, none have linked back to this case.
- e. The information that there was a .300 Blackout used in the shooting of Allendale Police Sergeant James Hall, Jr (L24-07412; 31240059) is

wrong. There was a .300 Blackout used in two shootings in Allendale earlier that same day, and that evidence has been entered into IBIS. It did not generate any lead or link to the murders of Maggie and Paul.

- f. SLED has advised you can review the SC Crime Books (<https://www.sled.sc.gov/index.php/crime-books>) and SC Crime Data (<https://www.sled.sc.gov/sc-crime-data>) for the information it collects from other jurisdictions.
- g. Firearms evidence from Moselle has been entered into IBIS. No leads have been generated to date to warrant further comparisons. Firearms evidence remains in the IBIS database for correlation to existing evidence and new evidence as it is entered into IBIS.
- h. SLED will object to turning over the cartridge cases from other Allendale cases as they remain open and ongoing investigations, and there is no plausible or justifiable reason to make further comparisons. These other active cases and the chain of custodies in those cases could be jeopardized by including outside testing in this case, which is completely and totally unnecessary given the IBIS review.

I trust this answers your questions as to our position, and again, I am happy to consult with you and/or arrange conversations among the scientists to facilitate discussion as to a scientifically viable plan before evidence is permanently destroyed.

Regards,



S. Creighton Waters
Sr. Assistant Deputy Attorney General

cc: Dick Harpootilian, Esquire (via email)
Jim Griffin, Esquire (via email)
Margaret Fox (via email)
DAG Don Zelenka (via email)
ADAG David Fernandez (via email)
AAG Savanna Goude (via email)
General Counsel Adam Whitsett, SLED (via email)

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT C

Letter from Richard A. Harpootlian to S. Creighton Waters,
September 15, 2026 (FARO scan raw data)

SEP 18 2026 PM3:55
COLLETON CO GS. GARY HALE



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Of Counsel
Admitted in Louisiana

September 15, 2026
VIA EMAIL ONLY

Creighton Waters
Office of The Attorney General
cwaters@scag.gov

Re: State v. Richard Alexander Murdaugh

Dear Creighton,

We received the crime scene Faro scan from you in the November 3, 2022 production. The file provided on an external hard drive was a Scene2Go file (a read-only viewer export), and not the raw laser scan.

Please confirm the raw scan data still exists and has been preserved, and identify who holds them. If the raw data is no longer available please notify me the raw data is gone in writing.

If the raw data exists, please provide the individual raw .fls scan files; the complete FARO Scene project folder including the project file and registration data; the registration/scan-position report; the panoramic color image data; scanner make, model and serial number; scan dates, times and operator; any processing logs; and native, unaltered files with hash values by the close of business on Thursday, September 17, 2026.

Sincerely,

Richard A. Harpootlian

RAH:hm

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT D

SLED Forensic Services Laboratory Report, DNA Analysis,
June 25, 2021 (L21-09074) (excerpts: pp. 1, 12, 16–18)
Items 25.1, 70, and 71

SEP 18 2026 PM3:55
COLLETON CO GS, GARY HALE

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

HENRY D. MCMASTER
Governor



MARK A. KEEL
Chief

June 25, 2021

David Owen, III
South Carolina Law Enforcement Division
4400 Broad River Road
Columbia, SC 29210

DNA ANALYSIS

SLED LAB: L21-09074
Your Case No: 31210061
Incident Date: 6/7/2021
[V-Deceased] Paul Murdaugh
[V-Deceased] Margaret Murdaugh
[W] Richard Murdaugh

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

COMPARISON STANDARDS

23 Buccal swabs from Margaret Murdaugh

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

24 Buccal swabs from Paul Murdaugh

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

26 Buccal swabs from Anthony Cook

RESULTS:

- The DNA profile developed is suitable for use as a known standard.

27 Buccal swabs from Roger Davis

RESULTS:

- The DNA profile developed is suitable for use as a known standard.



- Hp = Margaret Murdaugh and an unidentified unrelated individual contributed to the mixture.

- Hd = Two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 570 octillion ($5.7E29$) times more likely if Margaret Murdaugh and an unidentified unrelated individual contributed to the mixture than if two unidentified unrelated individuals contributed to the mixture.

25.1 Swabs from sides of Item 25 cell phone

RESULTS:

- A partial DNA profile was developed.
- Due to the limited information obtained and the inability to determine the number of contributors, no further interpretation will be offered.

30 Mossberg Model 835 Ulti-Mag shotgun (S/N: UM613411) (previously on pool table) with one (1) unfired 12GA shotshell

RESULTS:

- Presumptive testing for blood was negative.

31 Browning Auto-5 Light Vector + Special Steel 12GA shotgun (S/N: 03867NV211)

RESULTS:

- No apparent bloodstains present.

32 Benelli Super Black Eagle 2 12GA shotgun (S/N: U391148) with strap and two (2) unfired shotshells headstamped "WINCHESTER 12 GA" and "12 GA FEDERAL"

RESULTS:

- No apparent bloodstains present.

33 Palmetto State Armory PSA PA-15 MULTI rifle (S/N: PA068237) with "Pulsar" night vision scope

RESULTS:

- No apparent bloodstains present.



70 Left fingernail clippings from Margaret Murdaugh

RESULTS:

- A DNA profile suitable for comparison was developed.
- Paul Murdaugh, Anthony Cook, Roger Davis, Rogan Gibson, Connor Cook, Phillip Beach, Renee Beach, Robin Beach, John Murdaugh, Richard Alexander Murdaugh, Jr. (Buster), Richard Alexander Murdaugh, Randy Murdaugh, Miley Altman, and Morgan Doughty are excluded as contributors.
- Likelihood Ratios (LR) for this profile were calculated using STRmix™.
- **Proposition Set:**
 - The DNA profile was interpreted as a mixture originating from two individuals.
 - Margaret Murdaugh is contributing to the mixture.
 - Hp = Margaret Murdaugh and Claude (C.B.) Rowe contributed to the mixture.
 - Hd = Margaret Murdaugh and an unidentified unrelated individual contributed to the mixture.
- The DNA profile is approximately 11 (1/9.0E-2) times more likely if Margaret Murdaugh and an unidentified unrelated individual contributed to the mixture than if Margaret Murdaugh and Claude (C.B.) Rowe contributed to the mixture.

71 Right fingernail clippings from Margaret Murdaugh

RESULTS:

- The DNA profile developed is attributable to Margaret Murdaugh.

72 Left fingernail clippings from Paul Murdaugh

RESULTS:

- The DNA profile developed is attributable to Paul Murdaugh.

73 Right fingernail clippings from Paul Murdaugh

RESULTS:

- The DNA profile developed is attributable to Paul Murdaugh.



NOTES:

Serology and sample preparation performed by Forensic Serologist Rachel Nguyen.

DNA analysis was performed using Short Tandem Repeat (STR) PCR DNA analysis.

The following kits/loci were utilized in the analysis of this case:

GlobalFiler™: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, AMELOGENIN, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338

Any remaining evidence and/or packaging will be returned to the requesting agency.

The verbal scales listed in the tables below were implemented by SLED for use with STRmix™ results only. Verbal scales are designed to assist in conveying the weight of likelihood ratios.

Supported Proposition	Likelihood Ratio	Verbal Wording
First proposition (Hp) is supported against the alternative proposition (Hd)	1	Uninformative
	2 to 99	Weak support
	100 to 9,999	Moderate support
	10,000 to 999,999	Strong support
	≥ 1,000,000	Very strong support

Supported Proposition	Likelihood Ratio	Verbal Wording
The alternative proposition (Hd) is supported against the first proposition (Hp)	1	Uninformative
	2 to 99	Moderate support for Hd
	≥100	Exclusion

Reported likelihood ratios are based on the stated propositions. Alternate propositions may require calculation of additional likelihood ratios. If interpretation based on propositions other than those reported is needed, please contact the analyst listed below and allow up to **30 business days** for calculation and reporting of additional likelihood ratios.

Definitions:

Proposition: A statement, based on case circumstances and genetic results, that expresses an opinion

Hp: First proposition

Hd: Alternative proposition

Likelihood ratio: The comparison of the probabilities of Hp and Hd

Person of interest: An individual whose known standard has been submitted for comparison

This report contains the conclusions, opinions and interpretations of the analyst whose signature appears below.



Technical records supporting the conclusions in this report are available upon request. Afford sufficient time for production.



Sarah Zapata

Forensic Scientist



State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT E

SLED DNA Case File L21-09074 (excerpts)
Concentration Worksheet and Normalization Worksheet, June 16, 2021 (pp. 48–50)
GlobalFiler / GlobalFiler Express Tables, June 17, 2021 (pp. 135, 137, 139)

SEP 18 2026 PM3:55
COLLETON CO GS, GARY HALE



Department of Forensic
DNA Analysis
Concentration Worksheet



Date: 06/16/2021

Case Number(s): L21-09074

Operator(s): Sarah Zapata

Case #	Item #	Description	Starting conc. (ng/μL)	Y Starting conc. (ng/μL)	Starting volume (μL)	DSB added (μL)	Final volume (μL)	Resulting conc. (ng/μL)	Resulting Y conc. (ng/μL)
L21-09074	7.1	M-Vac collection from items 2-7	0.0050	0.0000	48.0	0.0	20.0	0.0120	0.0000
	0291-RBLV	RBLV060921 A	0.0000	0.0000	48.0	5.0	20.0	0.0000	0.0000
L21-09074	16	Two (2) swabs collected from barrel of camo Benelli 12 GA shotgun	0.0007	0.0003	48.0	5.0	20.0	0.0016	0.0007
L21-09074	22.1	Swabs from trigger of Item 22 shotgun	0.0169	0.0056	48.0	5.0	20.0	0.0405	0.0134
L21-09074	22.2	Swabs from rear stock, front stock and ejection lever on Item 22 shotgun	0.0463	0.0124	48.0	5.0	20.0	0.1111	0.0297
L21-09074	22.3	Swabs from head stamps of two (2) unfired shotgun shells with Item 22 shotgun	0.0000	0.0000	48.0	5.0	20.0	0.0000	0.0000
L21-09074	25.1	Swabs from sides of Item 25 cell phone	0.0017	0.0004	48.0	5.0	20.0	0.0040	0.0009
	0291-RBLV	RBLV060921 C	0.0000	0.0000	48.0	5.0	20.0	0.0000	0.0000
L21-09074	21.2	Cutting from left shoelace of pair of red, yellow, and white tennis shoes from Richard Murdaugh	0.0309	0.0225	48.0	5.0	20.0	0.0741	0.0540
	0291-RBE	RBE060921 A	0.0000	0.0000	48.0	0.0	20.0	0.0000	0.0000
L21-09074	56	Swabs from steering wheel (Chevy Suburban)	0.0102	0.0150	48.0	5.0	20.0	0.0244	0.0360
	0295-RBE	RBE061321 A	0.0000	0.0000	48.0	5.0	20.0	0.0000	0.0000

Reagents	Barcode
DSB	17828

SIZ

48517



Department of Forensic
DNA Analysis
Normalization Worksheet



Date: 06/16/2021

Case Number(s): L20-00419, L20-16023, L21-09074

Operator(s): Sarah Zapata

Case #	Item #	Description	Starting conc. (ng/μL)	Y Starting conc. (ng/μL)	DNA added (μL)	DSB added (μL)	Final volume (μL)	Resulting conc. (ng/μL)	Resulting Y conc. (ng/μL)
L21-09074	17	Two (2) swabs for touch DNA collected from ext. door knob of storage room door	2.3772	2.1333	1.00	30.7	31.7	0.0750	0.0750
L21-09074	10.1	Swabs from entire exterior of items 9 & 10	3.7054	3.9269	1.00	48.4	49.4	0.0750	0.0750
L21-09074	15	Two (2) swabs of suspected blood from camo Benelli 12 GA shotgun from receiver forward of the loading port	0.6114	0.1085	4.00	28.6	32.6	0.0750	0.0750
L21-09074	19.2	Cutting from exterior front, bottom edge of white shirt from Richard Murdaugh	0.5782	0.0069	4.00	26.8	30.8	0.0750	0.0750
L21-09074	20.2	Cutting from front, left interior pocket of pair of green shorts from Richard Murdaugh	0.3200	0.1780	4.00	13.1	17.1	0.0750	0.0750
L21-09074	22.4	Reddish-brown debris swabbed from the right side of the Item 22 receiver	0.1359	0.0030	8.00	6.5	14.5	0.0750	0.0750
L21-09074	70	Left fingernail clippings from Margaret Murdaugh	1.2137	0.0101	1.00	15.2	16.2	0.0750	0.0750
L21-09074	71	Right fingernail clippings from Margaret Murdaugh	3.0112	0.0225	1.00	39.1	40.1	0.0750	0.0750
L21-09074	72	Left fingernail clippings from Paul Murdaugh	5.0338	5.9247	1.00	66.1	67.1	0.0750	0.0750
L21-09074	73	Right fingernail clippings from Paul Murdaugh	2.8215	3.2746	1.00	36.6	37.6	0.0750	0.0750
L21-09074	23	Buccal swabs from Margaret Murdaugh	39.6487	0.0001	1.00	527.6	528.6	0.0750	0.0750
L21-09074	24	Buccal swabs from Paul Murdaugh	40.5331	39.3090	1.00	539.4	540.4	0.0750	0.0750
L21-09074	26	Buccal swabs from Anthony Cook	8.9106	6.6933	1.00	117.8	118.8	0.0750	0.0750
L21-09074	27	Buccal swabs from Roger Davis	6.0009	5.3112	1.00	79.0	80.0	0.0750	0.0750
L21-09074	28	Buccal swabs from Rogan Gibson	38.4697	39.2823	1.00	511.9	512.9	0.0750	0.0750
L21-09074	29	Buccal swabs from Claude (C.B.) Rowe	27.1874	23.9692	1.00	361.5	362.5	0.0750	0.0750
L21-09074	74	Buccal swab from Connor Cook	30.4969	24.8277	1.00	405.6	406.6	0.0750	0.0750
L21-09074	75	Known standard from Phillip Beach	0.7847	0.7027	1.00	9.5	10.5	0.0750	0.0750
L21-09074	76	Known standard from Renee Beach	0.9485	0.0000	1.00	11.6	12.6	0.0750	0.0000
L21-09074	77	Known standard from Robin Beach	0.3408	0.0000	4.00	14.2	18.2	0.0750	0.0000

SIZ

49112



Department of Forensic
DNA Analysis
Normalization Worksheet



Date: 06/16/2021

Case Number(s): 1.20-00419, 1.20-16023, 1.21-09074

Operator(s): Sarah Zapata

Case #	Item #	Description	Starting conc. (ng/μL)	Y Starting conc. (ng/μL)	DNA added (μL)	DSB added (μL)	Final volume (μL)	Resulting conc. (ng/μL)	Resulting Y conc. (ng/μL)
L21-09074	78	Buccal swab from John Murdaugh	19.6330	21.9315	1.00	260.8	261.8	0.0750	0.0750
L21-09074	79	Buccal swab from Richard Alexander Murdaugh Jr. (AKA Buster)	19.3499	21.1949	1.00	257.0	258.0	0.0750	0.0750
L21-09074	80	Buccal swab from Richard Alexander Murdaugh	6.7117	7.7557	1.00	88.5	89.5	0.0750	0.0750
L21-09074	81	Buccal swab from Randy Murdaugh	24.3335	30.0205	1.00	323.4	324.4	0.0750	0.0750
L21-09074	82	Buccal swab from Miley Altman	9.0564	0.0001	1.00	119.8	120.8	0.0750	0.0750
L21-09074	83	Buccal swab from Morgan Doughty	21.7069	0.0000	1.00	288.4	289.4	0.0750	0.0000
1.20-00419	3	Buccal swabs from Brian Summerson	7.7695	6.5446	1.00	102.6	103.6	0.0750	0.0750
1.20-16023	9	Buccal swabs from Nethanyl Alan Tognazzini	15.1677	15.7518	1.00	201.2	202.2	0.0750	0.0750

Reagents	Barcode
DSB	17828

SIZ

0.512



Department of Forensic DNA Analysis

Globalfiler / Globalfiler Express Table

Lab#: L21-09074
Examiner: Sarah Zapata
Date: June 17, 2021

Case Items	L21-09074_22.5	L21-09074_23 Margaret Murdaugh	L21-09074_24 Paul Murdaugh	L21-09074_25.1
D3S1358	17, 19	17, 19	16, 19	(17), (19)
vWA	16, 18	16, 18	17, 18	(18)
D16S539	11, 12	11, 12	12	-
CSF1PO	(12), 13, 14	13, 14	12, 14	-
TPOX	8	8	8	-
Yindel	(2)	-	2	(2)
Amel	X	X	X, Y	(X)
D8S1179	10, (13), 15	10, 15	13, 15	(10), (15)
D21S11	31, 32.2	31, 32.2	29, 31	(32.2)
D18S51	16, 22	16, 22	16, 17	(16)
DYS391	-	-	11	-
D2S441	(10), 14	14	10, 14	(14)
D19S433	13, 15	13, 15	14, 15	(15)
TH01	7, 9.3	7, 9.3	7, 9.3	(6), (7)
FGA	(21), 22, 25	22, 25	21, 25	-
D22S1045	15, 16	15, 16	14, 15	(15), (16)
D5S818	12	12	12	(12)
D13S317	10, 13	10, 13	10, 13	(10)
D7S820	(7), 12	12	7, 12	-
SE33	18, 19	18, 19	18, 25.2	(18)
D10S1248	(15), 16	16	15, 16	(14), (16)
D1S1656	14, 15, (16)	14, 15	14, 16	(14)
D12S391	15, 18.3	15, 18.3	18.3, 21	-
D2S1338	17, 20	17, 20	20, 24	(17)



Department of Forensic DNA Analysis
Globalfiler / Globalfiler Express Table

Lab#: L21-09074
Examiner: Sarah Zapata
Date: June 17, 2021

Case Items	L21-09074 56	L21-09074 70	L21-09074 71	L21-09074 72
D3S1358	(15), (16)	(15), 17, 19	17, 19	16, 19
vWA	(17), (18)	16, 18	16, 18	17, 18
D16S539	(12)	11, 12	11, 12	12
CSF1PO	(12)	(10), 13, 14	13, 14	12, 14
TPOX	(8)	8	8	8
Yindel	2	-	-	2
Amel	X, (Y)	X	X	X, Y
D8S1179	(10), (13), (14), (15)	10, 15	10, 15	13, 15
D21S11	(27)	31, 32.2	31, 32.2	29, 31
D18S51	(17)	16, 22	16, 22	16, 17
DYS391	-	(10)	-	11
D2S441	10, (14)	14	14	10, 14
D19S433	(13), 14, (15)	13, 15	13, 15	14, 15
TH01	(6), (9.3)	7, 9.3	7, 9.3	7, 9.3
FGA	(21), (25)	22, 25	22, 25	21, 25
D22S1045	(11), (14), (15), (16)	15, 16	15, 16	14, 15
D5S818	12	12	12	12
D13S317	(11), (13)	10, 13	10, 13	10, 13
D7S820	(9)	12	12	7, 12
SE33	(24.2)	18, 19	18, 19	18, (19), 25.2
D10S1248	15, (16)	16	16	15, 16
D1S1656	(15), (16), (16.3)	14, 15	14, 15	14, 16
D12S391	(21), (23)	15, 18.3	15, 18.3	18.3, 21
D2S1338	(17), (24)	17, 20	17, 20	20, 24



Department of Forensic DNA Analysis
Globalfiler / Globalfiler Express Table

Lab#: L21-09074
Examiner: Sarah Zapata
Date: June 17, 2021

Case Items	L21-09074_77 Robin Beach	L21-09074_78 John Murdaugh	L21-09074_79 Richard Alexander Murdaugh, Jr. (Buster)	L21-09074_80 Richard Alexander Murdaugh
D3S1358	14, 17	15, 17	15, 17	15, 16
vWA	16	17, 18	18	17, 18
D16S539	8, 11	12, 13	12, 13	12, 13
CSF1PO	10, 12	10, 11	12, 14	11, 12
TPOX	8	8, 11	8, 11	8, 11
Yindel	-	2	2	2
Amel	X	X, Y	X, Y	X, Y
D8S1179	12, 13	13, 14	10, 13	13, 14
D21S11	30	27, 29	29, 32.2	27, 29
D18S51	13, 16	17, 19	17, 22	17, 18
DYS391	-	11	11	11
D2S441	11, 14	10, 14	10, 14	10
D19S433	12, 13	14	13, 14	13, 14
TH01	6, 7	6, 8	9.3	6, 9.3
FGA	21	21, 25	25	21, 25
D22S1045	11	11, 14	11, 15	11, 14
D5S818	11, 13	12, 13	12	12
D13S317	10, 12	13	11, 13	11, 13
D7S820	7, 9	7, 8	9, 12	7, 9
SE33	18, 19	19, 27.2	18, 25.2	24.2, 25.2
D10S1248	14	15	15, 16	15
D1S1656	12, 14	16, 16.3	14, 16	16, 16.3
D12S391	18, 20	17, 23	15, 23	21, 23
D2S1338	16, 19	23, 24	17, 24	24

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT F

SLED Forensic Services Laboratory Report, DNA Analysis, Supplemental,
November 2, 2022 (L21-09074) (excerpts: pp. 1, 7–8)

SEP 18 2026 PM3:55
COLLETON CO GS, GARY HALE

SOUTH CAROLINA LAW ENFORCEMENT DIVISION

FORENSIC SERVICES LABORATORY REPORT

HENRY D. MCMASTER
Governor



MARK A. KEEL
Chief

David Owen, III
South Carolina Law Enforcement Division
4400 Broad River Road
Columbia, SC 29210

November 02, 2022

DNA ANALYSIS

SLED LAB: L21-09074
Your Case No: 31210061
Incident Date: 6/7/2021
[V-Deceased] Paul Murdaugh
[V-Deceased] Margaret Murdaugh
[W] Richard Murdaugh

Related case: L21-17381

This is an official report of the South Carolina Law Enforcement Division Forensic Services Laboratory and is to be used in connection with an official criminal investigation. These examinations were conducted under your assurance that no previous examinations of person(s) or evidence submitted in this case have been or will be conducted by any other laboratory or agency.

Mark A. Keel, Chief
South Carolina Law Enforcement Division

SUPPLEMENTAL

COMPARISON STANDARDS

**L21-17381-57 Buccal swabs from Curtis Smith*

RESULTS:

- *The DNA profile developed is suitable for use as a known standard.*

ITEMS OF EVIDENCE

- 7.1 M-Vac collection from items 2-7
- 10.1 Swabs from entire exterior of items 9 & 10
- 17 Swabs from ext. door knob of storage room door
- 21.2 Cutting from left shoelace of pair of red, yellow, and white tennis shoes from Richard Murdaugh

ADDITIONAL RESULTS FOR ITEMS 7.1, 10.1, 17, AND 21.2:

- *Curtis Smith is excluded as the contributor.*



- Hp = Richard Alexander Murdaugh, Margaret Murdaugh, and an unidentified unrelated individual contributed to the mixture.

- Hd = Richard Alexander Murdaugh and two unidentified unrelated individuals contributed to the mixture.

- The DNA profile is approximately 94 septillion ($9.4E25$) times more likely if Richard Alexander Murdaugh, Margaret Murdaugh, and an unidentified unrelated individual contributed to the mixture than if Richard Alexander Murdaugh and two unidentified unrelated individuals contributed to the mixture.

- **Proposition Set II:**

- *The DNA profile was interpreted as a mixture originating from three individuals.*

- *Richard Alexander Murdaugh is contributing to the mixture.*

- *Hp = Richard Alexander Murdaugh, Curtis Smith, and an unidentified unrelated individual contributed to the mixture.*

- *Hd = Richard Alexander Murdaugh and two unidentified unrelated individuals contributed to the mixture.*

- *An uninformative statistical result was obtained. No conclusion can be made regarding Curtis Smith as a possible contributor to the mixture under the listed propositions.*

- 20.4 Cutting from stain "G" on pair of green shorts from Richard Murdaugh
- 20.5 Cutting from stain "C" on pair of green shorts from Richard Murdaugh
- 20.6 Cutting from stain "D" on pair of green shorts from Richard Murdaugh
- 20.8 Cutting from stain "F" on pair of green shorts from Richard Murdaugh
- 22.4 Debris from the right side of the Item 22 receiver (camo Benelli Super Black Eagle 3 SN:US73210E17)
- 22.5 Debris from the left side of the Item 22 receiver, above manufacturer information (camo Benelli Super Black Eagle 3 SN:US73210E17)
- 56 Swabs collected from steering wheel (Chevy Suburban)
- 70 Left fingernail clippings from Margaret Murdaugh

ADDITIONAL RESULTS FOR ITEMS 20.4, 20.5, 20.6, 20.8, 22.4, 22.5, 56, AND 70:

- *Curtis Smith is excluded as a contributor.*



NOTES:

DNA analysis was performed using Short Tandem Repeat (STR) PCR DNA analysis.

The following kits/loci were utilized in the analysis of this case:

GlobalFiler™ Express: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, AMELOGENIN, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338

GlobalFiler™: D3S1358, vWA, D16S539, CSF1PO, TPOX, Yindel, AMELOGENIN, D8S1179, D21S11, D18S51, DYS391, D2S441, D19S433, TH01, FGA, D22S1045, D5S818, D13S317, D7S820, SE33, D10S1248, D1S1656, D12S391, D2S1338

This report supplements the testing performed in the reports issued on June 25, 2021, July 25, 2021, November 10, 2021, and September 22, 2022.

L21-17381 item 57 was analyzed by Forensic Scientist Adrienne Hefney in a report issued on September 10, 2021.

Italics indicate additional items and/or results.

Any remaining evidence and/or packaging will be returned to the requesting agency.

The verbal scales listed in the tables below were implemented by SLED for use with STRmix™ results only. Verbal scales are designed to assist in conveying the weight of likelihood ratios.

Supported Proposition	Likelihood Ratio	Verbal Wording
First proposition (Hp) is supported against the alternative proposition (Hd)	1	Uninformative
	2 to 99	Weak support
	100 to 9,999	Moderate support
	10,000 to 999,999	Strong support
	≥ 1,000,000	Very strong support

Supported Proposition	Likelihood Ratio	Verbal Wording
The alternative proposition (Hd) is supported against the first proposition (Hp)	1	Uninformative
	2 to 99	Moderate support for Hd
	≥ 100	Exclusion

Reported likelihood ratios are based on the stated propositions. Alternate propositions may require calculation of additional likelihood ratios. If interpretation based on propositions other than those reported is needed, please contact the analyst listed below and allow up to **30 business days** for calculation and reporting of additional likelihood ratios.



State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
and FARO Scan Data

EXHIBIT G

Excerpts of the Trial Transcript, State v. Murdaugh (2023)

Tr. 349–52, 369 (Council hearing); 969–70, 1006–07, 1050–52 (Croft); 1140, 1159–61 (Bedingfield); 1190 (D
1857–58 (Darnell); 3256–57, 3287–91 (Zapata); 5618–19 (closing argument)

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COLLETON CO GS, GARY HALE

1 opinion that based on that training, based on those studies
2 I participated in -- some of those included consecutively
3 rifle barrels, consecutively manufactured slides, and I
4 successfully passed those, that based on the information
5 there after I examined those cartridge cases for those
6 markings, it's my opinion that those items all have shared
7 matching mechanism marks and had been loaded into,
8 extracted, or ejected from the same firearm at some
9 previous time.

10 Q Are you aware of any studies that have ever been done
11 on the 300 Blackout?

12 A 300 Blackout is a newer caliber. I'm not aware at
13 this point in time. I'm sure there may have been research,
14 but I do not have research with me today on cartridge cases
15 of that caliber.

16 Q Are you familiar with how a 300 Blackout is
17 manufactured?

18 A With basic manufacturing processes, yes, sir, I
19 suppose so.

20 Q All right, and so -- and, in fact, some company or
21 gunsmith will assemble a 300 Blackout from component parts
22 using the various component parts that are mass produced.
23 Is that correct?

24 A Are we talking about component parts of the rifle?

25 Q Yes, sir.

1 A Different manufacturers choose to make or -- make
2 their parts, or they can have those supplied by other
3 vendors, yes, sir, I suppose so.

4 Q Do you know how the 300 -- well, do you know how any
5 of the 300 Blackouts that Mr. Murdaugh purchased for his
6 son Paul were manufactured, where they were purchased, how
7 they were assembled?

8 A I do not have information as to how they were
9 purchased or assembled.

10 Q Okay. Are you familiar with production lots, say
11 rifle barrels are produced in a production lot of mass
12 production?

13 A Yes, sir.

14 Q Okay, and are you familiar with any studies that have
15 concluded that, that projectiles fired through rifle
16 barrels produced in the same production lot have identical
17 markings?

18 A I am familiar with certain studies. Some of those I
19 participated in as part of my training that are known
20 around the United States and internationally that consisted
21 of the those consecutively rifled barrel. That means that
22 they were made by a tool at the same or approximate time in
23 the same state of wear. I've also done those studies with
24 cartridge cases, looking at the consecutively manufactured
25 breach faces. And we have as firearms examiners -- are

1 aware of those markings, and in those studies they're
2 conducted -- because in the firearm and tool mark
3 identification world, if you will, if we are expected to
4 see those carryover of those markings, we would expect to
5 see that on tools that are made -- or excuse me, on barrels
6 that are rifled consecutively, or those breech faces that
7 are manufactured consecutively because that's when that
8 tool is passing over that surface, one after another. And
9 I've conducted those studies, such as the brand TiN barrel
10 test, the Hemby breech face test, the Glock Evus barrels,
11 which all have consecutively manufactured items within in
12 them, and I was able to distinguish between those items in
13 looking at them under the microscope evaluating those
14 characteristics that are exhibited on those fired
15 components, and correctly identify and associate those with
16 the correct information.

17 Q And there we're talking about, I guess, what do you
18 call the inside of the barrel of a pistol or a rifle,
19 correct?

20 A Yes, sir. That would be the bore of the barrel.

21 Q The bore of the barrel. Are you familiar with any
22 studies with regard to what you relied upon here, which
23 would be extractor and ejector marks?

24 A Yes, sir. I -- there are studies that have shown the
25 reproducibility of those markings, and how firearms

1 examiners were able to distinguish between those
2 manufactured components.

3 Q And are you familiar with any studies of the
4 components parts that were used in 300 Blackouts?

5 A I'm sorry, can you repeat the question?

6 Q Are you familiar with any studies that were done on
7 the extractor and ejector component parts that are used in
8 a 300 Blackout assembly?

9 A I don't have any information with me today in regards
10 to the 300 Blackout. But all of those components are
11 machined in similar ways. They all have similar
12 manufacturing processes. And I have demonstrated
13 throughout my training that I was able to distinguish
14 between those consecutively manufactured parts. So, just
15 because it may be in a 300 Blackout, I may have done that
16 in something similar such as in those tests with the Ruger
17 pistol or the Glock pistol and was able to distinguish even
18 though they may share similar manufacturing techniques. I
19 don't have an article with me here today in regards
20 specific to that caliber. But based on my knowledge of the
21 manufacturing process and firearm and tool mark
22 identification, I would expect to be able to rely on that
23 information as being reliable to examine that caliber.

24 Q Now, as I understand it you examined the, I guess,
25 spent cartridges under microscope, and you compared Items 2

1 reasons. But some of the ones you just heard testimony
2 about, including his opinion that those criticisms were
3 valid, were that none of the people involved in that had
4 firearms and tool arm -- tool examination experience. That
5 most of them are, if not all of them, had never even worked
6 at a forensic lab. And, of course, ultimately you heard
7 that they did not take into account the full theory of
8 identification, which is the basis for this particular
9 science.

10 There was certainly some cross-examination about 300
11 Blackout and that sort of thing, but you heard from Agent
12 Greer that 300 Blackout is -- the ammunition is made from
13 common components, and with the -- he mentioned also the
14 AR15. We are talking about matching, whether or not a
15 particular round was cycled through a weapon. Well, the
16 receivers in these weapons, again, there is a standard
17 component process to do that. So, there still is
18 recognized studies there. And it doesn't change the fact
19 that a 300 Blackout is a commonly -- is manufactured from
20 commonly made components much like 223 or other rounds,
21 there's nothing fundamentally different about that.

22 Your Honor, if you look at all of those various
23 factors for the *Council* hearing, I believe that they're all
24 established in great degree, and I think ultimately what
25 we've heard today is the fundamental aspect of weight, not

1 Q All right, and where was it just generally?

2 A If you would come out of 40 -- out of the driveway of
3 the residence, take a right on Moselle Road, a quarter
4 mile, half mile -- I don't recall the exact distance -- on
5 the left-hand side of the road, kind of in the grass area.

6 Q When y'all found it, what happened then? Who picked
7 it up? Who collected it? What happened to it at that
8 point?

9 A Captain Neill picked it up. Special Agent McCallister
10 held it in her hand while a picture was taken of it, a
11 gloved hand. We were given the pass code to the phone.
12 The pass code was entered into the phone just to verify
13 that it would work, it would unlock, and it did work. It
14 did unlock. It was immediately shut, locked back, and then
15 the pass code was written on a sticky note. It was
16 packaged and ultimately turned over to crime scene.

17 Q Okay, and you were there when all of that happened.
18 Is that correct?

19 A That is correct, yes, sir.

20 Q Aside from the things y'all just described, was it
21 otherwise manipulated or tampered with or changed in any
22 way?

23 A No, sir, it was not.

24 Q All right. I'm going to show you what's been
25 previously marked for identification at this time as

1 Exhibit 204 and have you just take a look at that and see
2 if you recognize that item.

3 A Yes, sir, I do.

4 Q All right. Tell me what that item is.

5 A This is the phone that was recovered on the side of
6 the road belonging to Ms. Maggie Murdaugh.

7 Q The one you just described?

8 A Yes, sir, it is.

9 Q The one that was secured by Captain Neill?

10 A Yes, sir, it is.

11 Q And then turned over to crime scene?

12 A Yes, sir, it is.

13 Q All right. Put it back for me, if you will. Hold on
14 for me just real quick.

15 (Break in proceedings.)

16 MR. WATERS: All right, at this time, Your Honor, we
17 would move Exhibit 204 into evidence, I believe without
18 objection.

19 MR. GRIFFIN: No objection.

20 THE COURT: It's admitted.

21 (CELL PHONE MARKED AS STATE'S EXHIBIT NUMBER 204 WAS
22 RECEIVED INTO EVIDENCE.)

23 Q All right, let me ask you this question. Do you know
24 a guy by the name of John Bedingfield?

25 A Yes, sir, I do.

1 turkey load, or BB load, and then a buckshot.

2 Q Okay, and let me talk to you a little bit about the
3 300 Blackout ammunition. You testified yesterday that the
4 grains -- the weight of the ammunition found at the house
5 was 147 grains. Is that right?

6 A That is correct. That's what is on the empty box,
7 which I located and --

8 Q Is this the empty box, State's Exhibit 213, that
9 you're referring to?

10 A That is correct.

11 Q And this -- I recall this pack of ammo on this exhibit
12 says it has a label of Woodies Pawn and Jewelry and \$11.99.
13 You couldn't buy this ammunition in July or June of 2021
14 for \$11.99, could you?

15 A I don't know what the ammunition cost.

16 Q Well, you know it was a lot more than \$11.99?

17 A I don't know the price of ammunition at that time.

18 Q All right, and are you familiar -- there's basically
19 two types of ammunition for the 300 Blackout. There's the
20 supersonic and subsonic.

21 A I am, sir.

22 Q And the subsonic is the heavier of the two, correct?

23 A That is correct.

24 Q And that would be a 220 grain.

25 A Thereabouts, yes, sir.

1 Q Yes, sir, and the most popular ammunition for hunting
2 is the supersonic, the 147 grain ammunition. Are you aware
3 of that?

4 A I can't say the most popular would be, but I am aware
5 that 147 grain is used for hunting.

6 Q And you're aware that 300 Blackout has -- it's not a
7 rare gun in the area of Hampton and Colleton County, is it?

8 A It's not as common as the general 223 or the AR15,
9 308, different caliber rifles. It's not as common.

10 Q But there are plenty out there, correct?

11 A I can't testify as to how many is out there, sir.

12 Q I understand, but it's not the first time you'd seen a
13 300 Blackout on June 8th of 2021, was it?

14 A I had seen one before, yes, sir.

15 Q All right, and then the 12 gauge, you didn't know what
16 type -- you weren't given any type of 12 gauge you're
17 looking for, you just -- from the information from the
18 crime scene, right?

19 A The type of weapon I was looking for? No, sir.

20 Q Yes, sir.

21 A No, sir.

22 Q And then were you given information as to the size of
23 the 12 gauge shell, two and a half inch, three inch?

24 A It was -- I was given three inch Magnum was what I was
25 given.

1 Q All right. You were asked a little bit about this
2 right here, and this was June of 2021, correct?

3 A That is correct, yes, sir.

4 Q Had Covid had any affect generally on the availability
5 of ammunition?

6 A I'm sorry?

7 Q Had Covid had any affect generally on the availability
8 of ammunition?

9 A Yes, sir.

10 Q And tell the jury what, it any, affect that was.

11 A Ammunition was difficult to get during that time
12 because of the shutdown during Covid.

13 Q Did you find a lot of ammunition inside the
14 defendant's residence?

15 A There was quite a bit of ammunition.

16 Q Did you find a lot of different types of ammunition
17 inside the defendant's residence?

18 A Yes, sir, we did.

19 Q Did you find a lot of S&B 300 Blackout in the
20 defendant's residence?

21 A That was mostly what we found.

22 Q You were asked about the commonality of various
23 rounds, Blackout through others, and you mentioned 308 and
24 223 and 556. Can you tell the jury a little bit about
25 those rounds and why they tend to be a bit more common as

1 you testified, please?

2 A I'm sorry, can you -- do you mind remind repeating?

3 Q Yeah, sure.

4 MR. GRIFFIN: Your Honor, I'm going to object. Beyond
5 the scope. I didn't ask anything about 223s or whatever he
6 said.

7 MR. WATERS: He asked about the commonality of
8 Blackouts, and he answered about those others.

9 THE COURT: The witness asked you to repeat the
10 question. I would like to hear it as well.

11 MR. WATERS: Yes, sir.

12 Q You were asked earlier about the commonality of
13 Blackout, and you mentioned it was not as common as 308,
14 223, and 556. I was asking you to explain a little bit
15 about those calibers and why they were more common.

16 THE COURT: I overrule the objection.

17 A 223 is a very common round. It's utilized in law
18 enforcement. 556 is utilized within law enforcement and
19 also within the military. It's -- prior to Covid, it was
20 easily found, fairly cheap ammunition to go out and shoot
21 as far as rifle ammunition goes. 308 is a hunting rifle,
22 which can be used for larger games such as Whitetail and
23 such like that. 308 is also common round that's used
24 within law enforcement and the military side. It's a very
25 common round. 300, on the other hand, is -- it's just at

1 that particular time, 300 rounds were just -- or weapons
2 were just not that common.

3 Q How many criminal investigations have you worked where
4 a 300 Blackout was the murder round?

5 A I have none.

6 Q None?

7 A None.

8 Q You were asked earlier about the boxes in what has
9 been admitted into evidence as State's 214, and there are
10 actually -- are there multiple exhibits in that particular
11 bag that was not opened.

12 A Yes, sir, it is.

13 Q All right, and aside from the boxes, what, if any,
14 other exhibit is in that particular bag?

15 A It is a -- what appears to be a credit card receipt
16 with one particular item circled.

17 Q And that item circled was what?

18 A Gucci.

19 MR. WATERS: Court's indulgence one moment, Your
20 Honor.

21 (Break in proceedings.)

22 Q You were asked something about -- a few questions
23 about the -- what the lab report found and where your
24 experience is at is in general firearms knowledge. Is that
25 correct?

1 A That would have been around Christmas of '16.

2 Q Okay, and what was your conversation with the
3 defendant over there about what he wanted and what he
4 wanted you to put together?

5 A He was looking for a couple of guns for the boys to
6 hunt pigs with.

7 Q And did y'all have a discussion about what type of
8 gun, what caliber and that sort of thing?

9 A We did. I kind of steered him towards the 300
10 Blackout just because of its effectiveness on hogs versus a
11 223 or 556.

12 Q All right, and just very quickly, between a Blackout
13 and a 223 or 556, why did you suggest a Blackout as a more
14 effective round than those?

15 A Larger caliber, larger diameter bullet, a little more
16 knockdown power for pigs. A 223 at that time, there
17 weren't many larger or heavier grained bullets that were
18 effective.

19 Q So you suggested the Blackout, and did he agree to
20 that?

21 A He did.

22 Q Again, he wanted these for the boys to hunt pigs?

23 A Right.

24 Q Or hogs. All right. Was there a particular holiday
25 coming up that he wanted them for?

1 Q And is that upper portion, lower portion?

2 A Upper.

3 Q And is it housed in a -- well, do you put the ejectors
4 in separately or does that come --

5 A In a bolt carrier group. They would be already
6 preassembled in a bolt carrier group.

7 Q And do you know where you bought the ejectors for the
8 2016?

9 A No, sir.

10 Q Do you know where you bought the ejectors for the
11 2018?

12 A No, sir.

13 Q Do you keep ejectors in stock?

14 A I wouldn't, no, sir. They would typically be --
15 already been preassembled in the bolt carrier's groups on
16 AR15 style guns.

17 Q Right, but do you buy in bulk the preassembled bolt
18 carrier group?

19 A No, sir. As I -- as someone requests something, I
20 will source it out, see where I can find it and build it,
21 or order parts to put together.

22 Q Can -- are 300 Blackouts sold without having to have
23 someone like yourself build it?

24 A Yes.

25 Q Okay, and who carries a 300 Blackout if I wanted to

1 leave here and go buy one this afternoon?

2 A The most common in the State of South Carolina is
3 Palmetto State Armory.

4 Q So, they assemble themselves?

5 A I was a dealer for them, and I was buying parts from
6 them on a lot of builds as well.

7 Q And how long have you been selling or building 300
8 Blackouts?

9 A I've been in the business since 2016, so there's a lot
10 of other guns I've built as well.

11 Q The -- and this list that you had, I'm not going to go
12 through it, but it's Exhibit 247. I'll just put it up on
13 the ELMO. We don't need to publish anybody's name there,
14 but are all of those 300 Blackouts or just various weapons?

15 A Various. 45 caliber, 9 millimeter, multi for the
16 lower 410 shotguns, 243 rifles.

17 MR. GRIFFIN: Okay. You can take it down.

18 Q The -- and you said these are used and that you
19 recommended that these 300 Blackouts be used for hog
20 hunting?

21 A Yes, sir.

22 Q And is that -- and this part of the state, are wild
23 hogs kind of a nuisance to game management, property
24 management?

25 A A severe nuisance.

1 Q Explain that, please, sir.

2 A They do a tremendous amount of damage to property and
3 crops in this part of the state.

4 Q How so?

5 A They root, as pigs do; they root up crops and
6 woodlands and yards. They're very destructive.

7 Q And is that the common problem throughout the
8 Lowcountry?

9 A Yes, sir.

10 Q And have you recommended a number of -- to a number of
11 the customers the 300 Blackout to root out the nuisance
12 hogs?

13 A Yes, sir, I have.

14 Q Do you have any estimate how many 300 Blackouts you've
15 sold over the last four or five years?

16 A No, sir, I wouldn't. I've -- a little over 600
17 firearms transfers. I wouldn't know.

18 Q Do you think it's more than 100?

19 A I don't know. It's a lot, but I don't know how many.

20 Q All right. The -- okay. You mentioned that you and
21 Alex Murdaugh are related. Is that right?

22 A Yes, sir.

23 Q How are you related?

24 A Our grandmothers were sisters.

25 Q Okay, and does that make -- and you're ---

1 it's seeing from the cell phone provider.

2 Q Okay. I'm going show you what's in evidence as
3 State's Exhibit 204.

4 THE COURT: Let's stand for a moment.

5 (Break in proceedings.)

6 THE COURT: You may proceed.

7 MR. CONRAD: Please the court?

8 Q All right. I'm going to show you what's been -- this
9 is in evidence as State's Exhibit 204, and I'm going to ask
10 you if you recognize that, sir.

11 A Yes, sir, I do.

12 Q All right, and what is that item?

13 A This is an iPhone that we received in case 70210204 --
14 it was Item 1 -- that, when after being processed, belonged
15 to Maggie Murdaugh.

16 Q Okay, and you received that phone. Do you recall when
17 you received that phone?

18 A I would have to check my notes and the actual date.
19 It was in June. I believe it was June of 2021. I received
20 the phone from our evidence intake at SLED.

21 Q Okay, and what did you do when you first received the
22 phone and you went to examine it?

23 A When I received the phone, I returned to our unit
24 where our evidence vault is held. I logged the item into
25 evidence. One of the processes we have when we log items

1 ejection leaver on the shotgun. Yes, that's the two areas
2 that I swabbed.

3 Q And why would you have swabbed those particular areas?

4 A Well, typically in a case involving guns, shotguns,
5 pistols, we typically swab the trigger separately to
6 possibly get a print on the trigger as to who might have
7 last had their finger on the trigger. And then we swab
8 other areas of the gun that might be more conducive for
9 touch DNA versus latent prints. Any time we get something
10 that we have a latent print request and a DNA request, we
11 have to try to determine which area to swab, which area is
12 typically handled by someone that might give us the best
13 chance for any type of forensic evidence, whether it be DNA
14 or latent prints.

15 Q Did you also swab the head stamps of those two
16 shotshells?

17 A Yes, I did.

18 Q And those swabs are in State's 307 up there, the other
19 swabs. Is that correct?

20 A That's correct.

21 Q Did you have an occasion to also examine Paul's cell
22 phone?

23 A I did.

24 Q I'm going to hand you State's Exhibit 309. Are those
25 the swabs that you collected from Paul Murdaugh's cell

1 phone?

2 A These are swabs I took from a cell phone. I don't
3 know for sure whose phone it was, but these are swabs that
4 I took from the phone, which was my Item 25.

5 Q And could you refer to your report to tell us what
6 Item 25 is listed as?

7 A Item 25 is listed as a -- one iPhone cell phone black
8 in color with a clear case.

9 MS. GOUDE: Your Honor, at this time the State would
10 move to admit State's Exhibit 309.

11 MR. HARPOOTLIAN: No objection.

12 THE COURT: It's admitted.

13 (SWABS MARKED AS STATE'S EXHIBIT NUMBER 309 WERE
14 RECEIVED INTO EVIDENCE.)

15 Q Did you also examine that cell phone for fingerprints?

16 A I did.

17 Q Did you find any fingerprints on the phone?

18 A I did not find anything that I could identify. I
19 found a very small amount of fingerprint evidence on the
20 phone. The result that I had to render was what we refer
21 to as no value for comparison, which what that simply means
22 is that there was the evidence of someone's fingers having
23 come in contact with the phone, but it just was not enough
24 detail or not enough clarity for me to be able to compare
25 it to anyone.

1 Margaret Murdaugh, the DNA profile is approximately 570
2 octillion times more likely if Margaret Murdaugh and an
3 unidentified, unrelated individual contributed to the
4 mixture than if two unidentified, unrelated individuals
5 contributed to the mixture.

6 Q 570 octillion times more likely that Margaret Murdaugh
7 contributed to that mixture.

8 A The DNA profile is approximately 570 octillion times
9 more likely if Margaret Murdaugh and an unidentified,
10 unrelated individual contributed to the mixture than if two
11 unidentified, unrelated individuals contributed to the
12 mixture.

13 Q And now this unidentified, unrelated individual is
14 popping up. And what does that mean again?

15 A It's just the way that we make our calculation. We
16 have to account for an opposing scenario to the person
17 being compared. And then when there is a mixture, we need
18 to account for the other individuals in that mixture when
19 we're making our comparison, and so we use an unidentified,
20 unrelated individual.

21 Q Did you analyze some swabs from Paul Murdaugh's cell
22 phone? I believe that would be your Item 25.1.

23 A Yes.

24 Q Okay, and what were the results of your analysis
25 there?

1 A A partial DNA profile was developed. Due to the
2 limited information obtained and the inability to determine
3 the number of contributors, no further interpretation will
4 be offered.

5 Q Then State's Exhibit 83 is some swabs from a Chevy
6 Suburban. If you could focus on your Item 56, the two
7 swabs of suspected blood collected from the steering wheel.

8 (Break in proceedings.)

9 A You said 56?

10 Q Yes.

11 A Okay. I have 56.

12 Q Okay, and you analyzed Item 56?

13 A Yes, I did.

14 Q Swabs of blood collected from the steering wheel.

15 A They were submitted as two swabs of suspected blood
16 collected from the steering wheel of the Chevy Suburban.

17 Q And based on the comparisons you made, were any
18 individuals included?

19 A For Item 56, the DNA profile was interpreted as a
20 mixture originating from two individuals. For the
21 comparison to Margaret Murdaugh, the result is the DNA
22 profile is approximately 35 times more likely if Margaret
23 Murdaugh and an unidentified, unrelated individual
24 contributed to the mixture than if two unidentified,
25 unrelated individuals contributed to the mixture.

1 Q We've gone through a pretty long list of things that
2 you did analysis on. Did you do any analysis on any
3 clothing or anything from the victims' bodies other than
4 Maggie Murdaugh's fingernail clippings?

5 A I analyzed Margaret Murdaugh's fingernail clippings,
6 Paul Murdaugh's fingernail clippings, as well as their
7 buccal swabs.

8 Q And when you say their buccal swabs, that was simply
9 to collect their DNA for analysis. Is that correct?

10 A That was the known standard that I used to make
11 comparisons, yes.

12 Q And under Maggie Murdaugh's left fingernail clippings,
13 did you -- you found unidentified male DNA?

14 A Foreign to Margaret Murdaugh. There were some alleles
15 present, yes.

16 Q Well, when we say some alleles present, was there DNA
17 from an unrelated male under her fingernails?

18 A For Item 70, yes. One of the alleles indicates a male
19 contributor.

20 Q And this was an unrelated male.

21 A For -- do you mean unrelated as in unrelated like --

22 Q Well, let me strike that and rephrase. Were Paul and
23 Alex Murdaugh excluded as contributors?

24 A Yes.

25 Q So, male DNA under her fingernails, not from Paul, not

1 from Alex Murdaugh.

2 A The foreign DNA to her, yes, they were excluded as
3 contributors.

4 Q Would it have been possible to perform any further
5 analysis on this, a Y chromosome profile?

6 A It is possible, but because there were so many male
7 individuals who were related to each other as standards
8 that were submitted, it was decided that that would not be
9 the best course of action to continue analysis because the
10 male -- the Y chromosome testing that you were discussing
11 is inherited along the males of the familial line, and so
12 there would be no way to distinguish between any related
13 people, any related males.

14 Q I guess making this determination, were you all aware
15 from previous testimony that Maggie Murdaugh had been to a
16 nail salon late that afternoon?

17 A I did not have any information about that, no.

18 Q So if her nails were quite clean coming to Moselle,
19 she doesn't have a lot of opportunity to have contact
20 with --

21 MS. GOUDE: Objection. Counsel is testifying.

22 THE COURT: Overrule the objection.

23 Q So if her nails were clean coming to Moselle, it
24 doesn't appear she has much opportunity to have that kind
25 contact with unrelated males, does it?

1 A It could be DNA -- you know, DNA under fingernails,
2 you're picking up DNA any time you touch an item
3 potentially. If she did get her nails done, it's possible
4 that somewhere at the nail salon there was DNA that she
5 picked up under her fingernails. We can't really tell you
6 how or when the DNA got there, but at any point in time
7 between getting her nails done and arriving home, she could
8 touch an object and potentially DNA from the object could
9 be under her fingernails, or she can touch an individual
10 and no DNA be under her fingernails in that way.

11 Q Are you familiar with something called CODIS?

12 A Yes.

13 Q And what is CODIS?

14 A CODIS is a database that we use to enter unknown
15 profiles from a crime to attempt to identify links between
16 different cases, and also between individuals who may have
17 been arrested or convicted of a crime.

18 Q So, it's a database that you can submit DNA samples to
19 and see if you get a hit and you can identify whose DNA it
20 is.

21 A Correct.

22 Q Was this unidentified, unknown male DNA found under
23 Maggie Murdaugh's fingernails submitted to CODIS?

24 A It was not. Because like we explained earlier, there
25 were only three alleles present that were foreign to her,

1 and that does not meet the threshold of information
2 necessary to enter a profile into CODIS.

3 Q And it was decided not to do this further Y chromosome
4 analysis on it?

5 A Correct.

6 Q Is it unusual in your experience to not test victim's
7 clothing for DNA?

8 A It depends on the situation of the case.

9 Q A situation where an unknown person has killed two
10 people in close -- in close, pointblank shootings?

11 A It would depend on the question that you're trying to
12 answer when you are processing the clothing. Typically
13 victims of gunshot wounds, their clothing will be saturated
14 in their blood, or there will be lots of their blood
15 present. And so the if you're looking for touch DNA from
16 maybe an individual, you would need to know the specific
17 area of interest to attempt to gather that touch DNA from
18 because the potential blood from the victims would be on
19 the clothing, so we need to be able to isolate a specific
20 area. If that information is not known, then there is not
21 very much that we can do with that clothing because there's
22 just no specified area for us to test.

23 Q What about their hands? Wouldn't their hands always
24 been an area of interest?

25 A Again, it depends. If there is evidence of a

1 struggle, then perhaps, which is why we would take the
2 fingernail clippings. If you don't know, then sometimes
3 you take the fingernail clippings just to see if we can get
4 some DNA from the fingernail clippings. But --

5 Q And the one time in that -- the one time something was
6 taken from them, it revealed unknown, unidentified -- or
7 male DNA.

8 A A very partial low level profile foreign to Margaret.

9 Q And you found Maggie Murdaugh's DNA on the 300
10 Blackout shell casings that were recovered. Is that
11 correct?

12 A Are you referring to Item 7.1?

13 Q Yes.

14 A She was included as a contributor to that item, yes.

15 Q And your report doesn't separate between individual
16 shell casings, does it?

17 A No.

18 Q Is your report consistent with one of those shell
19 casings being found in physical contact with her body?

20 A I believe there was information from the crime scene
21 that one of the shell casings was recovered from underneath
22 her body.

23 Q And is your report consistent with that, that DNA
24 could be transferred by physical contact?

25 A That's possible, yes.

1 Paul's friends, who one of whom -- both of whom testified,
2 but Will Loving in particular, and what did Will Loving
3 say? The defendant said the gun went missing around
4 Christmastime of 2020, but Will Loving said no, I was with
5 Paul. I was with Paul in turkey season, which is in the
6 spring. I was with Paul in turkey season, and we sat out
7 at the steps right outside the house that y'all went to
8 today, right on that side entrance that goes into the gun
9 room. And if you look down, you can see how they were
10 digging a pond and how you could fire down in that area,
11 and they set up some targets to sight it in. And we were
12 shooting that other gun. We were shooting that other gun,
13 that replacement gun, and it had a red dot sight on it.
14 Not a thermal scope but a red dot. A red dot, which is not
15 good at shooting at night, but they were shooting it and
16 sighting it in with the red dot, the tan gun. He was with
17 Paul while they were shooting that gun right there.
18 And what did Jeff Croft, who testified before you, find
19 right there? Weathered cases, or casings. Weathered cases
20 right where Will said and he Paul were shooting that gun
21 just a couple of months prior to the murders.

22 S&B 147 grain Blackout rounds, and those rounds and
23 empty boxes, and the pictures were in evidence, and the
24 rounds are in evidence, were found all over that property.
25 S&B 147 grain Blackout. There were full clips found, there

1 were empty boxes found, and there were also cases found,
2 S&B 147 grain Blackout rounds found across the street at
3 their shooting house. Two separate locations on the
4 property. But what's really important, again, goes back to
5 what Will said: I was with Paul when he shot that
6 replacement gun right there. Right there.

7 And you heard the forensic scientist Paul Greer
8 testify that the six cases, Items 2 through 7, the six
9 cases found around Maggie that killed her were loaded into,
10 extracted, and ejected through the same firearms that fired
11 those weathered cases right outside the door where y'all
12 went to today and at the shooting range across the street.

13 A family Blackout killed Maggie. It was present just
14 a couple of months prior to the murders, and it's gone now.
15 It's gone now. The family weapon the defendant cannot
16 account for killed Maggie.

17 But what about the shotgun, the 12 gauge shotgun that
18 was loaded with one Federal Double Ought Buck, and one
19 Drylok Number Two Steel Shot? Well, first of all you heard
20 that the two weapons that Paul often favored and often
21 carried were this shotgun right here and the Blackout.
22 Those were his two guns, his favorite guns aside from his
23 deer rifle. The defendant had that gun with him when
24 Daniel Greene, the first deputy on the scene, showed up.
25 And shotguns, as you heard, are a little bit different than

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
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EXHIBIT H

Memorandum from Carly Jewell, Office of the Attorney General, to Richard A. Harpootlian,
November 3, 2022 (Supplemental Discovery via Provided Hard Drive — CS_Faro)

SEP 18 2026 PM3:56
COLLETON CO GS.GARY HALE

MEMORANDUM

TO: Richard Harpootlian, Esquire

From: Carly Jewell, Paralegal

Date: November 3, 2022

Re: **Supplemental Discovery via Provided Hard Drive**
State v. Richard Alexander Murdaugh
Indictment: 2022-GS-15-00592 to 595

Please note that supplemental discovery regarding the above referenced case has been downloaded to the hard drive that you recently provided us. This discovery was received from SLED. Upon accessing, you will see two zip files titled the following:

1. *CS_Faro*
 - a. 2.69GB (2,898,216,482 bytes)
2. *L21-09074_Laboratory_Case_File*
 - a. 38.4GB (41,292,362,509 bytes)

The password created for the hard drive is as follows:

- St@teGJ296!

State of South Carolina v. Richard Alexander Murdaugh
Indictment Nos. 2022-GS-15-00592, -593, -594, and -595
Motion to Compel Production of DNA Evidence, Ballistic Evidence,
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EXHIBIT I

Excerpts of the Transcript of the Motions Hearing of August 14, 2026
Hr'g Tr. 1, 76–77, 80, 133–34, Aug. 14, 2026

SEP 18 2026 PM3:56
COLLETON CO GS. GARY HALE

State of South Carolina)
) In the Circuit Court
County Of Colleton)

State of South Carolina,)
)
) Indictment Nos.
) 2022-GS-15-00592-00595
vs.)
)
Richard Alexander Murdaugh,)
)
 Defendant.)

)

Lexington County Courthouse
August 14, 2026

TRANSCRIPT OF STATUS HEARING

B E F O R E

The Honorable Debra McCaslin

A P P E A R A N C E S:

Creighton Waters, Esquire
Attorneys for State of South Carolina

Richard "Dick" Harpootlian, Esquire
Jim Griffin, Esquire
Phillip Barber, Esquire
Attorneys for Defendant, Richard Alexander Murdaugh

Joe McCullough, Esquire
Attorney for Third-Party

FOR COPIES CONTACT: Melissa R. Singletary
Certified Verbatim Court Reporter
msingletary@sccourts.org

1 THE COURT: ... and you can't produce an STR that can
2 be admissible in court. Is that what you're telling me?

3 LT STANLEY: Good morning, Your Honor. I am the
4 quality manager for the laboratory. So my job is our
5 accreditation and making sure that we are complying with
6 accreditation standards. The DNA laboratory is accredited
7 by the same entity as Othram, but in different capacities.
8 We also follow the FBI quality assurance standards or FBI
9 QAS standards that are put out by the FBI for DNA case-
10 working or testing laboratories, as well as DNA databasing
11 laboratories. In order for us to accept data from or accept
12 a sample from another laboratory, they need to be
13 accredited in the same services for us to continue our
14 testing. So it's not necessarily losing accreditation
15 because we just wouldn't be able to accept it and perform
16 the testing.

17 THE COURT: Well, let me ask you this. What if you
18 got a sample, it was the only sample you had that had
19 already been processed, just hypothetically, are you going
20 to tell me that you're not going to do an STR on it and try
21 to admit it into court?

22 LT. STANLEY: We may not be able to is what I would
23 like to tell you. We share samples with Othram, for example
24 or third-party laboratories, but we're typically giving
25 them the extract or the remaining portion, and they're able

1 to work with that for their samples. We are unfortunately
2 not able to work with theirs.

3 THE COURT: Why?

4 LT. STANLEY: I'm not as familiar with the snip
5 testing, so that might --- my understanding of that is it
6 has to do with the standards that are followed for the
7 accredited laboratories.

8 THE COURT: Okay. All right. Thank you. Mr. Griffin.
9 Let me ask you this. If I give you the leftovers, and I
10 give you the unprocessed sample, you have it quantitative
11 and you do your snip test, and then you give them the
12 leftovers and they can do their STR test. Would you consent
13 to it being admitted into court?

14 MR. GRIFFIN: Yes, Your Honor. We wouldn't raise any
15 objection as to the accreditation chain of custody,
16 anything like that. Now, if there's some other irregularity
17 in the process, sure, but not because of the --- it flowed
18 from Othram back to SLED. No, we would not object to that.

19 THE COURT: Okay. Anything else from the state?

20 MR. WATERS: Your Honor, just as to that last
21 hypothetical that Your Honor stated, I think that the same
22 thing would have to happen. That after processing, you have
23 to stop because only then are you going to know whether
24 there will be leftovers, and that's, that's the whole, what
25 I'm proposing is we process and we stop, and at that point,

1 that's the whole point of what I made is that we'll know
2 what we have at that point. I'm not going to do anything to
3 prejudice anybody, but we got to process it to know exactly
4 what we have and what we can do with it.

5 MR. GRIFFIN: We want to process.

6 THE COURT: I understand Mr. Griffin. I'm going to
7 grant your motion. I'm gonna let you take it. The leftover,
8 the new. Y'all make sure you make a chain of custody. I'm
9 going to let you have the analysis done quantitative and I
10 want you to report back to the court and tell me if there's
11 leftovers ...

12 MR. GRIFFIN: Yes, Your Honor.

13 THE COURT: ... before you do your snip test.

14 MR. GRIFFIN: Yes, Your Honor.

15 THE COURT: I want to know beforehand, And then,
16 because I've got to get this started, I've got you need 90
17 days at least. So we need to get it started. I want you to
18 report to the court. Let me know, and then I'll have a
19 discussion with y'all on what we're going to do.

20 MR. GRIFFIN: All right. Thank you, Your Honor.

21 THE COURT: Thank you. All right. Let's talk about
22 transfer of venue.

23 MR. HARPOOTLIAN: Your Honor, before you do that can we
24 have five minutes.

25 THE COURT: I'm sorry, I have a bad habit of keeping

1 and read every motion that y'all file.

2 MR. HARPOOTLIAN: Would you like us to shorten them a
3 little bit?

4 THE COURT: Always, always. The shorter the better.
5 But I do read all of them.

6 MR. WATERS: I think the sixth is actually Friday,
7 Your Honor.

8 THE COURT: It's 11-6, 11-6. All right. Anything else
9 from the state?

10 MR. WATERS: Not at this time, Your Honor.

11 THE COURT: Anything else from the defense?

12 MR. HARPOOTLIAN: No, Your Honor.

13 THE COURT: All right, Mr. Griffin, you're going to let
14 me know --- Now let me ask y'all about this. When he does
15 let me know about the DNA because I want to be on this.
16 It's going to be long before November. Is it possible for
17 us to have a quick hearing so we can decide what to do with
18 the DNA?

19 MR. HARPOOTLIAN: Sure.

20 MR. WATERS: Yes. Absolutely. And again, once we get
21 that I'm happy to work with them.

22 THE COURT: It's hard for me to set a date until I
23 hear from Mr. Griffin, but maybe we could set a date and
24 once he calls me and I'll email y'all a few dates and maybe
25 we can have a quick hearing one Friday afternoon or

1 something.

2 MR. GRIFFIN: Your Honor, you know we need the
3 transfer of the material from SLED Lab to Othram. That's
4 chain of custody. We're out of it, but nothing can happen
5 until that transfer takes place.

6 MR. WATERS: Well, and I'm gonna talk with them about
7 that. But I thought that he represented to the court that
8 they were going to agree and not challenge chain and
9 accreditations and that sort of thing.

10 MR. GRIFFIN: We're not.

11 MR. WATERS: And then secondly, we'll work on that.

12 THE COURT: Oh, y'all going to --- let me ask. Turn
13 around is fair play. Are you going to challenge any chain
14 of custody on him.

15 MR. WATERS: Not if we agree to the procedure and my
16 scientists are okay with it, then there wouldn't be unless
17 shenanigans happen somewhere.

18 MR. HARPOOTLIAN: Did you say shenanigans?

19 MR. WATERS: I did say shenanigans. But I would also
20 add that, just to be clear, it's still the same deal that I
21 offered, and they're going to process in Quant, and then
22 stop, and then we'll find out what ...

23 THE COURT: That's exactly right. You understand that,
24 Mr. Griffin?

25 MR. GRIFFIN: Absolutely. And we're coming back to

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

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

The State of South Carolina,
Plaintiffs,

vs.

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Defendant.

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

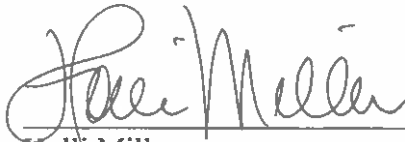
CERTIFICATE OF SERVICE

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 18, 2026, I did serve via electronic delivery the following documents to the below mentioned person:

Documents: Motion to Compel Production of DVA Evidence, Ballistic Evidence, and
Faro Scan Data, 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 18 2026 PM3:57
COLLETON CO GS. GARY HALE


Holli Miller