# STATE GRAND JURY OF SOUTH CAROLINA

|  |  |  |
| --- | --- | --- |
| STATE OF SOUTH CAROLINA  v.  CURTIS EDWARD SMITH; and  RICHARD ALEXANDER MURDAUGH;  Defendant. | )  )  )  )  )  )  )  )  ) | Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **INDICTMENT FOR CONSPIRACY; MONEY LAUNDERING; FORGERY; MDP OXYCODONE; TRAFFICKING METHAMPETAMINE; PWID MARIJUANA** |

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina, on June 23, 2022, the State Grand Jurors present upon their oath and charge as follows:

**COUNT ONE**

**CRIMINAL CONSPIRACY**

**S.C. Code Ann. § 16-17-410**

**CDR Code: 0049**

That CURTIS EDWARD SMITH, RICHARD ALEXANDER MURDAUGH, and other persons known and unknown to the Grand Jury, in Colleton County, from on or about October 7, 2013, through on or about February 28, 2021, did willfully, unlawfully and feloniously unite, combine, conspire, confederate, agree and have a tacit understanding and agreement between them to accomplish an unlawful object or lawful object by unlawful means, including but not limited to violations of S.C. Code Ann. § 34-3-110, § 44-43-370, and § 44-43-475, and 31 U.S.C. §§ 5313, and 5324(a); to wit:

Over the course of many years, MURDAUGH provided to SMITH hundreds of checks with the common understanding that SMITH would convert the checks into cash, in whole or in part, and use the proceeds for MURDAUGH’s benefit with the intent of carrying on and concealing myriad unlawful activities. Between October 7, 2013, and February 28, 2021, MURDAUGH wrote at least 437 checks intended for SMITH with a sum value of $2,413,754.79, nearly all of which were structured in amounts less than $10,000 in order to prevent banks from reporting the large currency transactions as required by law. MURDAUGH drew the checks on accounts under his control at multiple banks, and made the checks payable to various versions of SMITH’s name, as well as to close associates of SMITH. In some instances, SMITH forged the endorsement of his close associates without their knowledge or consent, then endorsed the checks himself. In any case, SMITH converted the checks into cash or deposits. MURDAUGH and SMITH structured many of these transactions and used them to facilitate the acquisition and distribution of illegally obtained narcotics.

All in violation of section 16-17-410 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWO**

**MONEY LAUNDERING**

**VALUE $100,000 OR MORE**

**S.C. Code Ann. § 35-11-740**

**CDR Code: 3939**

That CURTIS EDWARD SMITH, in Colleton County, from on or about May 25, 2018, through on or about May 24, 2019, did conduct financial transactions with property that they knew was the proceeds of, or was derived directly or indirectly from the proceeds of, unlawful activity, and they conducted these transactions with the intent to promote the carrying on of unlawful activity, and while knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity, to wit:

During the above stated period, Richard Alexander Murdaugh provided to SMITH numerous checks with the common understanding that SMITH would cash the checks and use the proceeds for Murdaugh’s benefit with the intent of carrying on and concealing myriad unlawful activities. Murdaugh wrote each check in an amount less than $10,000 so as to enable SMITH to exchange the checks for cash without causing financial institutions to report the transactions to authorities as required by law. SMITH then, by diverse fraudulent means and pretenses, converted the checks into cash at various different financial institutions throughout the Lowcountry. These transactions exceeded $100,000 in a twelve month period.

All in violation of section 35-11-740 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT THREE**

**MONEY LAUNDERING**

**VALUE $100,000 OR MORE**

**S.C. Code Ann. § 35-11-740**

**CDR Code: 3939**

That CURTIS EDWARD SMITH, in Colleton County, from on or about May 25, 2019, through on or about May 24, 2020, did conduct financial transactions with property that they knew was the proceeds of, or was derived directly or indirectly from the proceeds of, unlawful activity, and they conducted these transactions with the intent to promote the carrying on of unlawful activity, and while knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity, to wit:

During the above stated period, Richard Alexander Murdaugh provided to SMITH numerous checks with the common understanding that SMITH would cash the checks and use the proceeds for Murdaugh’s benefit with the intent of carrying on and concealing myriad unlawful activities. Murdaugh wrote each check in an amount less than $10,000 so as to enable SMITH to exchange the checks for cash without causing financial institutions to report the transactions to authorities as required by law. SMITH then, by diverse fraudulent means and pretenses, converted the checks into cash at various different financial institutions throughout the Lowcountry. These transactions exceeded $100,000 in a twelve month period.

All in violation of section 35-11-740 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FOUR**

**MONEY LAUNDERING**

**VALUE $100,000 OR MORE**

**S.C. Code Ann. § 35-11-740**

**CDR Code: 3939**

That CURTIS EDWARD SMITH, in Colleton County, from on or about May 25, 2020, through on or about February 28, 2021, did conduct financial transactions with property that they knew was the proceeds of, or was derived directly or indirectly from the proceeds of, unlawful activity, and they conducted these transactions with the intent to promote the carrying on of unlawful activity, and while knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity, to wit:

During the above stated period, Richard Alexander Murdaugh provided to SMITH numerous checks with the common understanding that SMITH would cash the checks and use the proceeds for Murdaugh’s benefit with the intent of carrying on and concealing myriad unlawful activities. Murdaugh wrote each check in an amount less than $10,000 so as to enable SMITH to exchange the checks for cash without causing financial institutions to report the transactions to authorities as required by law. SMITH then, by diverse fraudulent means and pretenses, converted the checks into cash at various different financial institutions throughout the Lowcountry. These transactions exceeded $100,000 in a twelve month period.

All in violation of section 35-11-740 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT FIVE**

**MONEY LAUNDERING**

**VALUE $100,000 OR MORE**

**S.C. Code Ann. § 35-11-740**

**CDR Code: 3939**

That CURTIS EDWARD SMITH, and other persons known and unknown to the Grand Jury, in Colleton County, from on or about March 1, 2021, through on or about September 7, 2021, did conduct financial transactions with property that they knew were the proceeds of, or was derived directly or indirectly from the proceeds of, unlawful activity, and they conducted these transactions with the intent to promote the carrying on of unlawful activity, and while knowing that the transactions were designed in whole or in part to conceal or disguise the nature, location, sources, ownership, or control of the proceeds of unlawful activity, to wit:

During the above stated period, Richard Alexander Murdaugh provided to SMITH numerous checks with the common understanding that SMITH would cash the checks and use the proceeds for Murdaugh’s benefit with the intent of carrying on and concealing myriad unlawful activities. Murdaugh wrote many checks in an amount less than $10,000 so as to enable SMITH to exchange the checks for cash without causing financial institutions to report the transactions to authorities as required by law. SMITH then, by diverse fraudulent means and pretenses, converted the checks into cash at various different financial institutions throughout the Lowcountry. Murdaugh most often wrote each check to SMITH in amounts in excess of $10,000, which SMITH then deposited into accounts in his control. SMITH retained a portion of the funds, then wrote checks for less than $10,000 each made payable to various known associates of SMITH, who then converted them to cash with the intent of carrying on and concealing myriad unlawful activities. These transactions exceeded $100,000 in a twelve month period.

All in violation of section 35-11-740 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SIX**

**FORGERY, VALUE $10,000 OR MORE**

**S.C. Code Ann. § 16-13-10**

**CDR Code: 3437**

That from on or about October 4, 2013, through on or about October 24, 2017, CURTIS EDWARD SMITH did, in Colleton County, with intent to defraud, falsely make, forge, and counterfeit; cause and procure to be falsely made, forged, and counterfeited; and willfully acted and assisted in the false making, forging, and counterfeiting of writings and instruments of writings; and did utter and publish as true false, forged, and counterfeited writings and instruments of writings; and did willingly act and assist in the premises; to wit:

Richard Alexander Murdaugh provided to SMITH numerous checks made payable to SMITH’s daughter, without her knowledge, as part of a scheme to launder money and defraud financial institutions.  SMITH forged his daughter’s endorsement signature to the checks and thereafter submitted them to Enterprise Bank of South Carolina, thereby defrauding the bank and other financial institutions party to the negotiation of the instruments.  The value of the checks at issue collectively exceed $10,000.

All in violation of section 16-13-10 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT SEVEN**

**FORGERY, VALUE $10,000 OR MORE**

**S.C. Code Ann. § 16-13-10**

**CDR Code: 3437**

That from on or about August 2020, through on or about February 2, 2021, CURTIS EDWARD SMITH did, in Colleton County, with intent to defraud, falsely make, forge, and counterfeit; cause and procure to be falsely made, forged, and counterfeited; and willfully acted and assisted in the false making, forging, and counterfeiting of writings and instruments of writings; and did utter and publish as true false, forged, and counterfeited writings and instruments of writings; and did willingly act and assist in the premises; to wit:

Richard Alexander Murdaugh provided to SMITH numerous checks made payable to SMITH’s girlfriend as part of a scheme to launder money and defraud financial institutions.  SMITH’s girlfriend ultimately resisted the scheme, and so SMITH forged his girlfriend’s endorsement signature to the checks, then endorsed the checks himself.  SMITH himself additionally wrote checks made payable to his girlfriend, forged her endorsement signature to the checks, then endorsed the checks himself.  In any case, SMITH thereafter presented the checks to Enterprise Bank of South Carolina, thereby defrauding the bank and other financial institutions party to the negotiation of the instruments.  The value of the checks at issue collectively exceed $10,000.

All in violation of section 16-13-10 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT EIGHT**

**FORGERY, VALUE LESS THAN $10,000**

**S.C. Code Ann. § 16-13-10**

**CDR Code: 3436**

That from on or about April 23, 2021, through on or about April 26, 2021, CURTIS EDWARD SMITH did, in Colleton County, with intent to defraud, falsely make, forge, and counterfeit; cause and procure to be falsely made, forged, and counterfeited; and willfully acted and assisted in the false making, forging, and counterfeiting of writings and instruments of writings; and did utter and publish as true false, forged, and counterfeited writings and instruments of writings; and did willingly act and assist in the premises; to wit:

Richard Alexander Murdaugh provided to SMITH a check made payable to SMITH’s girlfriend as part of a scheme to launder money and defraud financial institutions.  SMITH’s girlfriend ultimately resisted the scheme, and so SMITH forged his girlfriend’s endorsement signature to the check and thereafter submitted it to a check-cashing business d/b/a Midway Express, thereby defrauding the business and other financial institutions party to the negotiation of the instrument.  The value of the check at issue is less than $10,000.

All in violation of section 16-13-10 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT NINE**

**MANUFACTURE, DISTRIBUTE, POSSESS NARCOTIC DRUGS IN SCHEDULE II (OXYCODONE) (CONSPIRACY)**

**S.C. Code Ann. § 44-53-370(b)(1)**

**CDR Code: 0183**

That CURTIS EDWARD SMITH, RICHARD ALEXANDER MURDAUGH, and other persons known and unknown to the Grand Jury, in Colleton County, during the period of time from October 7, 2013, through on or about September 7, 2021, did knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, oxycodone, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of section 44-53-370 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act; and such conduct also involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, and such crime being of a multi-county nature and having transpired and having significance in more than one county in this state; and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TEN**

**TRAFFICKING METHAMPHETAMINE, 10-28 GRAMS**

**S.C. Code Ann. § 44-53-375(C)(1)**

**CDR Code: 0450**

That CURTIS EDWARD SMITH did in Colleton County, on or about September 7, 2021, knowingly possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, or provide financial assistance or otherwise aid, abet, attempt, or conspire to possess (actually or constructively), sell, manufacture, deliver, purchase, or bring into this State, ten (10) grams or more of methamphetamine (“ice” or “crank”), a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of S.C. Code Ann. § 44-53-375 of the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, such crime being of a multi-county nature and having transpired and having significance in more than one county of this State, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT ELEVEN**

**POSSESSION OF A CONTROLLED SUBSTANCE (SCHEDULE II)**

**S.C. Code Ann. § 44-53-370(d)(2)**

**CDR Code: 0179**

That CURTIS EDWARD SMITH did in Colleton County, on or about September 7, 2021, knowingly possess (actually or constructively), a quantity of Oxycodone, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of S.C. Code Ann. § 44-53-370 of  the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, such crime being of a multi-county nature and having transpired and having significance in more than one county of this State, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

**COUNT TWELVE**

**SIMPLE POSSESSION OF MARIJUANA**

**S.C. Code Ann. § 44-53-370(d)(4)**

**CDR Code: 0659**

That CURTIS EDWARD SMITH did in Colleton County, on or about September 7, 2021, knowingly possess (actually or constructively), a quantity of marijuana, a controlled substance under the provisions of § 44-53-110, *et. seq.*, Code of Laws of South Carolina (1976), as amended.

All in violation of S.C. Code Ann. § 44-53-370 of  the South Carolina Code, and such conduct not having been authorized by law; and such conduct involving and arising out of and in connection with a crime involving narcotics, dangerous drugs, or controlled substances, such crime being of a multi-county nature and having transpired and having significance in more than one county of this State, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct having not been authorized by law.

Against the peace and dignity of this State and contrary to the law in such case made and provided.

A \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Bill

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FOREPERSON

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ALAN WILSON (scw/jejj/jbc)

ATTORNEY GENERAL