

**In the Matter Of:**

**EST. OF SCOTT SPIVEY vs BOYD, ET AL.**

2024-CP-26-03798

**FRANK MCMURROUGH**

*December 01, 2025*



























































































































































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FRANK MCMURROUGH  
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FRANK MCMURROUGH  
EST. OF SCOTT SPIVEY vs BOYD, ET AL.

December 01, 2025  
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1 truck had kind of come to a stop. And then when I  
2 looked -- when I looked over, sorry. You okay?

3 **Detective McQueen:**     **Yeah, we're good.**

4 Mr. McMurrrough:   When -- when I -- when I looked over,  
5 I saw the -- the guy in the white truck, I just saw a  
6 pistol like this. Like kind of like pointing at the  
7 black truck. And then that's when I looked in my  
8 rearview mirror and I saw the guy with the black gun, I  
9 mean the guy with the black guns pistol was coming up.  
10 And then I just heard shots. And -- and I saw glass  
11 exploding from the windshield. And I just punched it,  
12 took off. When I turned the corner, we called 911, I  
13 went up and took a U-turn and kind of came back here.

14 **Detective McQueen:**   **Okay. Did you -- so, you said the**  
15 **-- the guy in the black truck got out of the car with**  
16 **the gun?**

17 Mr. McMurrrough:   Yeah. And ---

18 **Detective McQueen:**   **Out of the truck?**

19 Mr. McMurrrough:   --- and like I told 911, like because  
20 I was literally like right here looking at him and he

1 jumped out, he had a gun, and the slide was back. Like  
2 you know, I don't know if you ---

3 **Detective McQueen:** Like it was racked?

4 Mr. McMurrrough: Like it was, like, like you know like  
5 when you ---

6 **Detective McQueen:** Okay.

7 Mr. McMurrrough: When you have a -- like on a Glock,  
8 like you -- it's rack ---

9 **Detective McQueen:** Yeah, it's locked.

10 Mr. McMurrrough: --- you push the button and it --  
11 engage one? It was back and locked.

12 **Detective McQueen:** Okay.

13 Mr. McMurrrough: And then I saw -- that's when --  
14 that's when I saw him kind of go like this and I looked  
15 at the white truck. Sorry, I'm just real nervous.

16 **Detective McQueen:** No, you're all good man.

17 Mr. McMurrrough: So, as I saw the black pistol like you  
18 know kind of -- he was moving up. I looked at, you  
19 know, because I was looking in the rear, you know  
20 looking like this, and I saw the guy in the white truck

1 point his pistol, then just gunfire. And I just kind of  
2 shot this way and turned around.

3 (3:58)

4 **Detective McQueen:** Okay. Okay. Did you see -- so  
5 **after, did you see any -- the exchange in gunfire?**

6 Mr. McMurrrough: The -- the -- the -- the gunfire was  
7 happening right as I went passed the white truck.

8 **Detective McQueen:** So basically, as soon as you  
9 **passed?**

10 Mr. McMurrrough: So, I was -- once I saw that pistol, I  
11 screamed to my wife like you know stay down. And then I  
12 just heard like, you know, it was just -- it was  
13 mayhem. The guy in the white truck like didn't roll  
14 down his window, didn't get out of his car. And even  
15 when I turned back, because I pulled back around, I was  
16 on the phone with 911, and there was no -- I didn't see  
17 the gentleman from the black truck. So, I had slowly  
18 pulled up and I told the guy in the white truck, "Sir,  
19 can I check on him?" And he said, "Dude just get back,  
20 just get back." And then he -- he might have been on

1 the phone with somebody. And then I just backed up  
2 right here and stayed on the phone with 911 till  
3 everybody got here.

4 **Detective McQueen:** Okay. Okay. Trying to see if  
5 everything else I want to think. Okay, okay. So you  
6 didn't -- you didn't -- so you just saw basically in  
7 the rearview as you're trying to get up -- get out of  
8 the middle of it?

9 Mr. McMurrrough: Yeah, so -- so like I said, I saw the  
10 guy jump out with the pistol, right and I was looking  
11 like this in the rearview and that's when I saw the gun  
12 go off. And as I -- as I looked up, that's when I made  
13 -- like I was coming this way, I could see this part  
14 here, and all I saw was a pistol like this, right?

15 **Detective McQueen:** Okay, so he had his pistol up  
16 here?

17 Mr. McMurrrough: He had his pistol on the dash just  
18 pointed. It's hard to see though because the windows  
19 kind of like tinted, you know what I mean? It was dark  
20 but yeah. And then as I got right here, I just heard

1 frigging shots, and I just punched it out of here. Like  
2 punched it this way, went out and made a quick U-turn  
3 and came back.

4 **Detective McQueen:** Okay. Okay.

5 Mr. McMurrough: And then -- and then when I was back  
6 here, the guy got out -- the guy in the white truck  
7 kind of got out of his truck you know. He still had his  
8 gun down by his side and he walked up a little bit on  
9 the curb, like over here and looked in the truck. And  
10 he just looked like the -- I think he saw him dead. And  
11 he just looked in the woods, came back here and was  
12 like you know.

13 **Detective McQueen:** Yeah just ---

14 Mr. McMurrough: Put his -- put his pistol away and sat  
15 and just was kind of you know freaking out.

16 (5:53)

17 **Detective McQueen:** Okay. Alright. Are -- can you  
18 write that down on a statement form for me? If you  
19 don't mind.

20 Mr. McMurrough: Right now? Yeah.

1 Detective McQueen: You don't have to do it right this  
2 second. I'll let you go to your truck and do it.

3 Mr. McMurrrough: Yeah.

4 Detective McQueen: I don't have an extra clipboard so  
5 I'm just going to give you the one that I do have.

6 Mr. McMurrrough: Okay.

7 Detective McQueen: And then I'll interview your wife.  
8 Just to kind of get everybody.

9 Mr. McMurrrough: Yeah, absolutely.

10 Detective McQueen: And then, I will -- this way you  
11 can grab your id as well. So, I'm going to give you  
12 that.

13 Mr. McMurrrough: Okay.

14 Detective McQueen: Just ignore the top part there.

15 Mr. McMurrrough: Okay. Just fill out as much  
16 information as possible.

17 Detective McQueen: As much as you can. And then just  
18 make sure you sign down there. Don't worry about  
19 witnessing. If you need more paper, let me know. I have  
20 another form.

1 Mr. McMurrrough: I'll try to write small for you.

2 **Detective McQueen:** It's no big deal. If you -- like I  
3 **said, if you need more, I've got them.**

4 Mr. McMurrrough: Sorry, I'm just nervous, I -- like.

5 **Detective McQueen:** You're all good man. Look, I get  
6 **it. It's -- it's ---**

7 Mr. McMurrrough: Sorry, sorry.

8 **Detective McQueen:** You know, you don't expect to come  
9 **down and see that so -- I completely understand.**

10 Mr. McMurrrough: I'm from Boston so -- I'm from Boston.

11 **Detective McQueen:** So, you kind of get it.

12 Mr. McMurrrough: Yes sir. Alright I'll go fill this  
13 **out, give right back to you with my ID.**

14 **Detective McQueen:** Alright, yes sir. I'm going to go  
15 **grab ---**

16 Mr. McMurrrough: You want me to wait until you flag me  
17 **over or whatever? Is that cool? You want me to sit**  
18 **there once I'm done?**

19 **Detective McQueen:** Yeah, yeah absolutely.

20 Mr. McMurrrough: Okay.

1 Detective McQueen: And then I'll -- because I'm going  
2 to give your wife one as well.

3 Mr. McMurrrough: Yeah.

4 Detective McQueen: And then I'll -- I'll come kind of  
5 -- probably exchange like that.

6 Mr. McMurrrough: Cool, okay.

7 Detective McQueen: Alright.

8 Mr. McMurrrough: Thank you, sir.

9 Detective McQueen: Yes sir.

10 (6:53)

11

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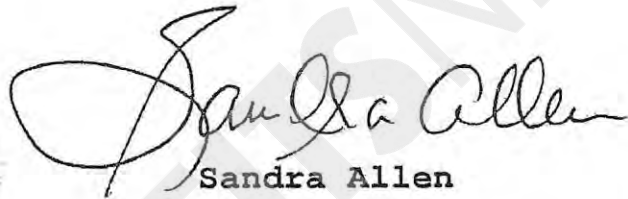
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CERTIFICATE

I, Sandra Allen, Professional Verbatim Reporter and Notary Public for the State of South Carolina, certify that I have transcribed to the best of my ability the recording that took place in reference to the case captioned herein on the cover page.



Sandra Allen

Notary of South Carolina

My Commission Expires 3/27/2033

EXHIBIT  
McMurrugh  
D-20  
12-25

Case # 2023111009



# HORRY COUNTY POLICE DEPARTMENT

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INTERNAL AFFAIRS -- 1700 AIRPORT ROAD -- CONWAY, SC 29526 -- 843-915-8028

## VOLUNTARY STATEMENT

Time: \_\_\_\_\_ Date: \_\_\_\_\_ Location: CAMP SWAMP RD / RT 9

I, Francis E McMurrugh am 36 years old, my date of birth is 12/31/1986

My Driver's License # is: B63414902, State: VA;

My home address is: 4651 SNOW BOOSE LANE Glen allen VA 23060

My phone number is: 804 664 2172

I volunteer to give the following information of my own free will, for whatever purpose it may serve:

MYSELF and wife Driving down campswamp RD heading to AVISTE resort. a Black TRUCK in the opposite lane came to a full stop. a Guy in a Blue shirt jumped out of the drivers side with a Black PISTOL yelling. The slide was back as when it in the back position to reload to load I saw the driver of the Black TRUCK start to bring his PISTOL to an upward position I yelled at my WIFE gun and pushed her down. I looked into the white TRUCK and saw driver had a PISTOL aiming toward the Black TRUCK at that point I pushed my wife down again and I heard gun shots. I sped off took a right on route 9 and called 911.

I have Read each page of this statement, consisting of 2 pages, each of which bears my signature and correction(s), if any, bear my initials and I certify that the facts contained herein are true and correct.

Signature: [Signature]

Witness: [Signature]

Page: 1 of 2

IDID see the driver of the Black TRUCK looked like He was getting hit by point bulls

ELECTRONICALLY FILED - 2026 Feb 16 1:20 PM - HORRY - COMMON PLEAS - CASE#2024CP2603798

From My Drivers Side Mirror.

FRANK McMENEMY

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 †Of Counsel

December 23, 2024

Mr. Frank McMurrough  
 4651 Snow Goose Lane  
 Glen Allen VA 23060

Re: Enclosure of USB drive containing records  
 Our File No. SC-8278-012


Mr. McMurrough:

I write as a follow up to our telephone conversations. As I explained, my firm and I represent Mr. Charles Weldon Boyd in the defense of civil claims that were filed against him for wrongful death. The claims arise out of the events of Sept 09, 2023. I understand that you were a witness to some of the events.

As we discussed, I would like to arrange to take your deposition wherein you can authenticate your verbal and written statements made to the investigating officers. My office staff will contact you to coordinate the day and time, and also to coordinate any technology should we take your deposition by web-based technology.

In the meantime, I felt that it would be appropriate to send to you copies of the statements that you and your wife provided. Please find enclosed a USB drive containing the materials. Please let me know if you have any questions or if you have any difficulties in viewing the documents. With kindest regards, I am

Sincerely yours,

  
 Kenneth R. Moss

Enclosures: USB drive

