

STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)
)
 Lesia Melendez, Individually and as)
 Personal Representative of the Estate of)
 Daniel Reed Smith, deceased,)
)
 Plaintiff,)
)
 vs.)
)
 Michael Bunch, Sr., Trenton Hogg, Brandon)
 Reynolds, Corey Dunn, Michael Arana,)
 Steve Creel, John Doe # 1, John Doe #2, and)
 John Doe #3,)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS
 FIRST JUDICIAL CIRCUIT

Civil Action No.: 24-CP-18-0194

**MOTION FOR SUMMARY JUDGMENT
 AND MEMORANDUM IN SUPPORT**

PREAMBLE

Daniel Reed Smith died in the early morning hours of August 11, 2018. Upon his death, the Dorchester County Sheriff’s Office initiated a criminal investigation. More than two months later, the Dorchester County Sheriff requested SLED to assist with the investigation. That investigation took three years to complete. During that time period, Plaintiff was unable to obtain the SLED investigation file. SLED found that Daniel’s death was an accident when he was hit by a train, based primarily on the pathologist’s report. Plaintiff first gained access to the SLED investigation file in 2021. The SLED Investigation file contains substantial evidence that the Daniel was killed by several individuals in the early hours of August 11, 2018. More importantly, the SLED file contains proof that a substantial conflict of interest existed between

the chief pathologist and a material witness in the homicide investigation.

Plaintiff filed this lawsuit based on the information in the SLED file. Only one defendant, Michael Bunch, Sr. responded to the complaint. The remaining defendants filed no response and actively avoided any participation in the discovery phase of this matter. Despite the default status of these defendants, Plaintiff believes it is necessary to present proof that Daniel was murdered as the official position of the State is that Daniel died as a result of an accident.

Nothing could be further from the truth. For the 8 years since Daniel's death, the State conducted an incompetent investigation, hid evidence from the family of the victim, and retaliated against the husband and minor grandchild of Plaintiff for daring to demand justice for her son.

MOTION FOR SUMMARY JUDGMENT

As Plaintiff will demonstrate through the presentation of evidence, argument, and citation of law, she is entitled to summary judgment against every named defendant in this matter. The proof provided herein demonstrates that there is no genuine issue of material fact for a jury to decide and Plaintiff is entitled to a judgment as a matter of law. "Summary judgment is appropriate when there is no genuine issue of material fact such that the moving party must prevail as a matter of law." *Peterson v. West Am. Ins. Co.*, 336 S.C. 89, 94, 518 S.E.2d 608, 610 (Ct. App. 1999. In order to withstand a motion for summary judgment "in cases applying the preponderance of the evidence burden of proof, the non-moving party is only required to submit a mere scintilla of evidence." *Hancock v. Mid-South Mgmt. Co., Inc.*, 381 S.C. 326, 330, 673

S.E.2d 801, 803 (2009). Plaintiff does not anticipate any response from the only defendant with a right to object to summary judgment as he failed to update the Court with a proper address upon being released from jail.

FACTUAL BACKGROUND AND EVIDENCE OF PLAINTIFF

On August 11, 2018, 29-year-old Daniel Reed Smith reportedly walked away from the residence of Ashley Adams in Ridgeville, South Carolina. Just over two hours later, at 4:05 a.m., a Norfolk Southern train was traveling 43.7 MPH through Ridgeville. At approximately 4:06am, that train applied its brakes and “blew” the horn, slowing to 21.9 MPH. Pursuant to protocol, a picture was taken at the moment the horn was blown on the train. *Exhibit 1 – SLED Investigative Report – pp.4-5.* The picture image shows approximately four unknown subjects on either side of the train tracks at 4:06am. Daniel’s body was found between the rails of the train tracks at mile marker 28 on the Norfolk Southern line. *Exhibit 2 – SLED Investigative File at pp.126-157; 149.*

When Daniel’s body was found, there was little to no blood at the scene despite his right foot and right arm being severed from his body. *Exhibit 3 – Autopsy Report.* The backpack he was wearing showed no signs of blood despite being worn on the shoulder that was severed from his body. *Exhibit 4 - Picture of Backpack.* There was no blood on the boots, which were not on his feet when he was found. *Exhibit 5- Picture of Scene.* The socks on his feet, one of which was detached from his body, had little to no blood on them. *Exhibit 6 - Photos of Socks.* It doesn’t take a forensic pathology expert to know that human beings tend to bleed when their limbs are severed from their body. Considering Daniel’s size, he should have had 1 to 1.5

gallons of blood when his limbs were severed. If he died on the tracks, that 1 to 1.5 gallons of blood should be *on the tracks*. The crime scene photos show no more than a trace of blood was on the tracks in the early hours of August 11, 2018. **Exhibits 4 and 5**. Unless Dorchester County has an active vampiric hobo population, the exsanguination of Daniel occurred at some location other than the train tracks where his body was found. Moreover, there was very little brain matter on or around the tracks despite Daniel's skull being crushed and split open. There is a photograph of some brain tissue that is not included in this motion due to its gruesome nature. But the only brain matter photographed by the DCSO was less than a quarter of a pound, at best. The average human has almost three pounds of brain tissue in their body while they are alive. By the time the autopsy was performed, there was *no brain matter* in the body. **Exhibit 3 – Autopsy Report**. The autopsy made no findings of animal bite marks or any other explanation of where Daniel's brain matter went. Perhaps there are brain eating zombies hanging out with the vampiric hobos. A better explanation is that Daniel was murdered at another location and his body was placed on the tracks to make it look like an accident.

Another glaring discrepancy that manifested very early in the investigation involved the train that supposedly struck and killed Daniel. According to Norfolk Southern, there were only 5 trains that travelled through the area where Daniel was found. The times of those trains were approximately 11:35 pm on August 10, 2018, 3:45am on August 11, 2018, 3:35pm on August 11, 2018, and 6:30pm August 11, 2018. **Exhibit 2 – SLED Investigative File at pp.126-157; 149**. The August 10 train could not have killed Daniel as he was still at the residence of Ashley Adams according to every witness that was interviewed or deposed. One train took a picture of

an unidentified mass between the rails of the tracks at 4:05am, which we believe to be Daniel's body. As Daniel's body was lying between the rails, the train that took that picture at 4:05am could not be the train that killed him. The only investigation on this issue conducted by law enforcement consisted of the interview of two conductors presented by Norfolk Southern. Those conductors stated they boarded their train, which was located at mile marker 31, at 1:00am on August 11, 2018 and left for Charleston within the hour. Daniel was found at mile marker 28. *Id.* It does not take a train ninety minutes to travel three miles. Moreover, this train does not appear to be listed as one of the trains travelling through the area during the window for Daniel's death. Despite these glaring inconsistencies, SLED did no further investigation with regard to the train that supposedly killed Daniel.

While the lack of blood and brain tissue was obvious proof that Daniel did not die on the tracks, Plaintiff consulted an independent medical expert to review the scene and autopsy photos. That forensic expert confirmed Daniel's injuries were consistent with an automobile collision, and he was already deceased prior to being placed on the tracks. *Exhibit 7 – Doctor Affidavit To Be Filed Under Seal.* Her findings are consistent with photographs obtained from SLED that unmistakably show tire impressions on Daniel's right pant leg. *Exhibit – 8 – Photo of Tire Mark.* Yet, the State declared that Daniel was killed by accident when he was struck by the train. What truly makes this finding incredible is the location of Daniel's body. Plaintiff attaches a photo looking down the tracks from where Daniel's body was found as it provides a perspective down the tracks from the approximate location where Daniel's body was found. *Exhibit 9 – Photo Down the Tracks.* There is literally nothing but tracks as far as the eye can see with woods on

either side. Daniel's body was found on the railway tracks approximately one half miles from any road or thoroughfare upon which motor vehicles are allowed to travel. The application of common sense demonstrates there is no way a person would not see an approaching locomotive for at least a mile in either direction on any given night. It is impossible that Daniel was unaware of the approaching 200 ton freight train when his body was supposedly struck. The same body that had very little blood and very little brain matter when it was struck.

The lack of blood and brains was not the only thing that indicated a homicide took place. The clothes Daniel was wearing were covered in dirt. *Exhibit 10 and 11 – Photos 436-454*. There were layers of dirt on all of Daniel's clothes that could only have occurred after he left the party at Ashley Adams' residence. While the uninformed may argue that it occurred when he was hit by the train, that is impossible. The location where Daniel was found has no dirt within 30 feet. Rail tracks are covered with small rocks called ballast. *Exhibit 9*. Only the rails, the wooden railroad ties, and ballast were present where Daniel was supposedly killed by a train. There was no dirt on the tracks to explain the filth on his clothes.

First, the investigation of law enforcement was woefully inadequate if not intentionally inept. Second, the MUSC pathology department performed the autopsy and provided the official cause of death. The chief pathologist for MUSC is the aunt of a material witness in the death investigation, yet did not recuse herself. That calls the State's autopsy report into serious question. Moreover, the elected Deputy Coroner admitted to Plaintiff that her finding of an accidental death was influenced by inappropriate factors. *Exhibit 12– Affidavit Of Leisa Melendez*. Finally, law enforcement intentionally withheld evidence from the family and

improperly retaliated against Plaintiff and her family for continuing to pursue justice for her son.

The "Investigation"

At the time of Daniel's death, his stepfather, Eric Melendez, was an investigator for the First Circuit Solicitor's office. Due to his employment, Solicitor Pascoe recused his office from participating in the investigation of Daniel's death. The Dorchester County Sheriff's Office [DCSO] initially opened the investigation into Daniel's death. Nearly three months later, DCSO requested the assistance of SLED in November 2018.

Initially, multiple witnesses placed a group of individuals including Michael Arana, a.k.a. Michael Muckenfuss, Dalton Riley, Michael Bunch Sr., Trent Hogg, Corey Dunn, and Brandon Reynolds in Ridgeville the night Daniel died. Most of these individuals attended a party at the residence of Ashley Adams, which was the last place Daniel was seen alive. Witnesses further described a full-sized Chevrolet truck that several of the individuals were using as transportation that night. *Exhibit 1 – Pp.18-19*

From the outset, SLED's investigation failed to obtain phone records for the above subjects along with the three females renting the residence where Daniel was on the late evening of August 10, 2018. Those three females were Kathrine Boyd, Ashely Adams and Chanel Glen. While the phone records of some of suspects involved may not have revealed detailed information, it would have provided some important location data as to persons in the area of where Daniel's body was dumped. From the SLED file, there does not appear that any investigator even attempted to obtain the phone information. *Exhibit 13 - Affidavit Of Eric Melendez.*

SLED interviewed Matthew Creel on February 7, 2018. Matthew lived next to an abandoned residence that was owned by his uncle, Steve Creel. Matthew told SLED that on the night of August 10, 2018 at approximately 12:30am, he left to go to the store with his girlfriend, Theresa Savage. *Exhibit 1 – pp. 17, 30, 39, and 207-209.* Matthew stated when they were leaving, they observed Steve Creel’s vehicle traveling up the driveway of the abandoned residence. Michael Arana was driving the vehicle and had a passenger with him whom Matthew could not identify. Matthew also stated there was a white van at the location as well. *Id.* Matthew Creel further stated that Michael Arana came to his residence that evening on August 10, 2018 while at the abandoned residence and asked for black trash bags. *Id.* Matthew Creel also confirmed Steve Creel was there with Arana and another subject. SLED interviewed Heather Doyle who confirmed that Matthew Creel observed Steve Creel walking around with a flashlight at the abandoned residence the night of the incident. *Exhibit 1 – pp. 202-205.* Despite the assertions of Matthew Creel and Heather Doyle, Steve Creel denied being at the abandoned house on August 10, 2018 or the early hours of August 11, 2018 in his statement to SLED. *Exhibit 1 – pp.218-220.* No follow up was conducted by law enforcement on these conflicting statements.

On February 7, 2019 agents with the South Carolina Law Enforcement Division interviewed Defendant Michael Arana. *Exhibit 1 – pp.211-212.* During this interview Arana stated he left the party at approximately 11:00pm August 10, 2018 with Dalton Riley and Steve Creel. Arana and Riley allegedly dropped off Creel at his residence then drove to Collegeville, SC to pick up a female identified as Sara Ferguson. Arana stated the three of them then drove

back to Creel's residence where Riley "had sex" with her. *Id. at 247-248* During an August 1, 2019 phone interview conducted by SLED with Sara Ferguson, Ferguson denied knowing Arana or Riley and claimed she didn't know anything about the night of August 10, 2018. *Id. – p.10*. In addition, the Heather Doyle interview revealed more contradictory information concerning the Ferguson alibi that she was told by Creel. *Id. 204*. Despite Ferguson being an essential part of the alibi for Arana, Riley, and Steve Creel, no follow up was ever conducted by SLED when Ferguson disclaimed even knowing Arana, Riley or Creel.

Plaintiff and several other witnesses informed law enforcement that Michael Bunch wanted to hurt Daniel. For some reason, both SLED and DCSO made no attempt to interview Michael Bunch as the notes indicate that he was in prison at the time of Daniel's death. That statement is untrue. Michael Bunch, Jr. was incarcerated at the time of Daniel's death, not Michael Bunch, Sr. The investigative notes from DCSO specifically state that Michael Bunch, Sr. was incarcerated. That is absolutely untrue. As a result of this error, no one from law enforcement ever spoke with the primary suspect, Michael Bunch.

Ever.

Bunch was interviewed in 2022 by a private investigator, Kimberly Kite. *Exhibit 14 – Affidavit of Kimberly Kite*. In that interview he admitted that he had a problem with Daniel because Daniel was involved with Constance Wimberly, his girlfriend. *Id.* In the legal world, we call this "motive." The failure to even talk with Michael Bunch Sr. during the course of the investigation is inexcusable incompetence on behalf of every investigator that ever worked on Daniel's case. Bunch further stated that on the night of the incident he rode his motorcycle out

to Ashley Adams' residence where Daniel and all the other suspects were having a bonfire. Adams told Bunch she needed to go to her cousin's, Steve Creel, residence and pick up some money and that Corey Dunn, Brandon Reynolds and Trent Hogg were on their way to her residence in a truck to collect some money. **Id.** Bunch stated that he took Ashley Adams to Creel's residence and returned to her residence a short time later. Bunch stated he knew Daniel was sleeping in Adam's residence and that Dunn, Reynolds and Hogg remained behind at the Adams' residence after he left.

Michael Bunch also gave a deposition in this case. Bunch confirmed his earlier statement concerning his conflict with Daniel over Ms. Wimberly, his trip to Ashley Adams residence and the presence of Dunn, Reynolds and Hogg at Adams' residence. Mr. Bunch had more to say under oath. Defendant Bunch testified that Daniel had a beef with Dunn, Reynolds and Hogg because the three defendants believed Daniel was a confidential informant for law enforcement. **Exhibit 15– M.Bunch Deposition, P.12-13.** He also testified that the same three men gave Daniel a "beatdown" approximately one month before his death at a house which they all shared. **Id. p13-14.** Yet, the most important part of Defendant Bunch's testimony pertained to the day after Daniel's death:

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11 it kinda all fits together a
 12 little bit now with them; because when we wake up about
 13 1:30 -- because by the time we got back up, because I went
 14 back to sleep after that call -- Corey's truck's tore slap
 15 apart downstairs. You know, they had the seats out of it,
 16 they were bleaching the truck and everything. And I said,
 17 you know, "What's goin' on?" They talking about they hit

18 a deer. I said well I didn't -- didn't think nothin' of
19 it, you know, because far as everybody knew, he got hit by
20 a train.

23 - But his -- his whole truck's dag-gone -- the
24 seats are out of it. I go down there and said "What's
25 goin' on?" "Oh, we hit a deer and just getting all the
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1 blood and all out." But there's a little bit -- there's

2 ***red hair inside on the dash and inside the dag-gone light***
3 ***bar.***

4 Q Uh-huh (counsel indicated an affirmative
5 response).

6 A I looked, and it was just -- I wasn't thinking
7 about it. I still wasn't thinking about it. And like I
8 said, the whole truck's got tore apart and they're
9 bleaching it. So it doesn't make no sense. Even if it's
10 a deer, they hunt all the time in the truck.

11 Q Uh-huh (counsel indicated an affirmative
12 response).

13 A It just didn't make no sense. The more things
14 come out, I see where it points more towards that now.
15 But like I said, that's the last time I seen him.

16 Q Okay.

17 A After that, Corey moves to North Carolina;
18 Brandon goes to Louisiana, then goes back to Colorado;
19 Trent just goes in -- I didn't see Trent for almost a year
20 and a half, two years. He's somewhere out in
21 Cottageville. Everybody took off and disappeared right
22 after that. [Emphasis added]

Three of the defendants were seen tearing apart the blue Chevy pick-up and bleaching the interior, where Bunch actually saw blood and red hair inside the cab. Daniel had red-brown hair.

Exhibit 3. Michael Bunch is a convicted criminal and an associate member of the Hell's Angels. Bunch's revelation about the truck being cleaned the day after Daniel died was corroborated by Amanda Martin. Ms. Martin testified that Jennifer Chinnors, a good friend of Corey Dunn, told her that Bunch and Hogg borrowed Corey Dunn's blue Chevrolet pick-up the night Daniel was

killed. In addition, Bunch and Hogg were washing the Blue Chevrolet the next day at Chinners' residence. *Exhibit 16-Amanda Martin Deposition – pp.12, 25-26.*

But Bunch wasn't done. Here is what he said when I inquired if he ever told law enforcement about the blood and hair inside the truck:

3 Q Did you ever tell law enforcement about them
4 cleaning the truck?
5 A No. I never got questioned about it. I called
6 and asked 'em -- because they called and talked to
7 everybody else at the house. I called up Dorchester
8 County Sheriff's Department and asked 'em "Do I need to
9 come up there and talk to y'all about it?" They told me
10 no.
11 Q Okay.
12 Nobody from SLED ever reached out?
13 A Nobody ever come -- they talked to Corey, they
14 talked to Trent, Brandon. Never asked me about nothing.
15 I called up here and asked 'em myself about it.

Exhibit 15, Deposition of Michael Bunch, p.41. Several witnesses, including the mother of the victim, informed law enforcement that Michael Bunch, Sr. had a problem with Daniel and threatened him over his girlfriend, Constance Wimberly. DCSO and SLED knew this fact and documented it in the file. Yet, they refused to so much as conduct an interview during their “investigation.” Bunch actually called DCSO and offered to provide information and they told him “no.” This goes beyond mere incompetence. The steadfast refusal to so much as interview the primary suspect in the homicide of Daniel Smith reeks of a cover up. Bunch claimed that Hogg and Riley had a beef with Daniel because they thought Daniel was a snitch. Yet the protection Bunch has received from law enforcement is indicative of how law enforcement

protects confidential informants. I reached out to law enforcement to see if this was the case and got no response. Regardless, confidential informants are not allowed to commit murder under the law.

Law enforcement was not alone in investigating the murder of Daniel. The family did everything within their limited power to seek truth and justice. Everything the family uncovered was provided to law enforcement:

- A call was received by Daniel's step-mother one week after Daniel's death, in which the caller claimed Daniel was killed, then hung up. No attempt to trace the call was ever made by law enforcement. *Exhibit 12- Affidavit Of Leisa Melendez*
- The family became aware that witnesses Ryan Scott, Everett Eadie, Robert Morris, and Stephanie Ann Granger wanted to provide statements concerning Daniel's death to a DCSO Detective Kyle Smith. Law enforcement was given this information by the family, but the SLED file turned over to the family did not contain anything from those witnesses. *Exhibit 1, Exhibit 13 -Affidavit Of Eric Melendez*. Thus, no one from law enforcement ever took statements from any of these potential witnesses.
- In August 2025, two separate individuals in custody came forward — one in custody at the Dorchester Detention Center, with direct ties to Michael Bunch Sr. --- and the other requesting to speak with Charleston County Sheriff's office about Daniel's murder. In the Dorchester case, the law enforcement officer who was reportedly instructed to stand down and not act on the new information. *Exhibit 13 -Affidavit Of Eric Melendez*
Charleston County did conduct an interview with the second individual and sent their

recording and report to SLED. Upon transmission, an official at SLED said he would place it in the file, but nothing further would be investigated. Plaintiff sent a FOIA request to SLED for all documents submitted after 2024 and no documents were provided.

- In August 2019, SLED sent the case to the 14th Circuit Solicitor's Office for "protectional review" regarding closure of the file. In lay terms, SLED wanted the 14th Circuit Solicitor to provide an imprimatur to the incompetent investigation. In 2021, Glenn Justis and Eric Melendez met with Assistant Solicitor Sean Thorton at his office where they presented him with a PowerPoint presentation along with recordings demonstrating the evidence that clearly indicated Daniel was murdered. Thorton stated he was going to send everything to SLED because his office did not conduct investigations. However, when the SLED file was finally provided to the family, the presentation was nowhere to be found. ***Exhibit 13 -Affidavit Of Eric Melendez.*** A copy of that powerpoint is attached as ***Exhibit 17.***

The Constance Conflict

Constance Wimberly was the girlfriend of Michael Bunch, Sr. at the time of Daniel's murder. ***She was his only alibi for the night Daniel was killed.*** She was the very source of tension that led Michael Bunch to threaten Daniel in the month before his death. Mr. Bunch was quite eloquent in his deposition when he declared his beef with Daniel arose when Daniel decided to play "Save-A-Whore" and protect Constance. ***Exhibit 15- M.Bunch Deposition, P.12-13.*** Despite her importance to the facts of the investigation, Constance refused to appear

for a deposition in this case. Her grandmother, however, was more than willing to sit for a deposition.

Edith Carter Wiggins is the grandmother of Constance Wimberly. During Mrs. Wiggins deposition, she confirmed that Constance was the niece of Erin Presnell, the chief pathologist at MUSC which performs pathology services for much of the lower state. ***Exhibit 18 - Edith Wiggins Deposition – Pp15-16.*** This appears to be a substantial conflict of interest for Ms. Presnell and MUSC. Moreover, when Plaintiff was inquiring as to how the coroner could determine Daniel’s death was an accident, she was told that the determination was made to “help” Plaintiff get money from Norfolk Southern Railroad for wrongful death. ***Exhibit 12 - Affidavit of Leisa Melendez.*** But the Presnell connection is not the only suspect relationship pertaining to Ms. Wimberly. As Mrs. Wiggins explained, Constance is kin to the prominent Knight family in Dorchester as well:

- 15 Q. Are you any relation to the Knights?
 16 A. To the Knights?
 17 Q. Uh-huh.
 18 A. Yes, I am.
 19 Q. How so?
 20 A. I'm kin to Michael Knight, Bud Knight,
 21 Knight's Septic Tank Company and Concrete
 22 Company. That is my brother-in-law.
 23 Q. Your brother-in-law?
 24 A. Uh-huh. He's married to my sister.

Exhibit 18 - Edith Wiggins Deposition – P.16.

At the time Daniel was killed, the sheriff of Dorchester County was Luther Knight. Luther, or L.C., is the cousin of Bud Knight. The Knight family is so prevalent and powerful in Dorchester

County, the unofficial name of the seedy parts of Summerville are referred to as “Knightsville.”

Exhibit 18 - Edith Wiggins Deposition – Pp.13-15.

An independent investigator, Kimberly Kite, conducted interviews in 2022 with several of the potential suspects and witnesses. She spoke with Corey Dunn on August 9, 2022. Corey could not say for sure if Brandon Reynolds and Michael Bunch borrowed his truck on August 10th 2018 but he said that it was very possible because they were always borrowing his truck. Corey said he was surprised that no law enforcement ever attempted to contact him about Daniel’s death. ***EXHIBIT 14 - Affidavit of Kimberly Kite.*** She spoke with Ashley Adams on August 22, 2022. During which Adams mentioned that Daniel Reed Smith was taken to an abandoned house strapped into a wheelchair. She also said the blood on the mattress in the abandoned house belonged to Daniel Reed Smith. She would not say how she knew that and would not give any other information. ***Id.*** This certainly contradicts what Adams told SLED.

Kite also spoke with one witness was threatened with arrest when she drove to the Dorchester County Sheriff’s Office to give her statement regarding the death of Daniel Reed Smith. The same witness was also threatened by SLED with being charged with tampering with a crime scene after going into the abandoned house. ***Id.*** Remarkably, this threat was made after SLED investigator Owens determined the abandoned house was not a crime scene.

Detective Simmons, the initial investigator with the Dorchester County Sheriff’s Office, intimidated witnesses when they called with information, by telling them they were “lying” and they “didn't know what they were talking about.” The witnesses did not want their identities revealed due to fear of retaliation. ***Id.***

The name Travis Kedigh was mentioned by numerous witnesses. Kedigh is the brother-in-law of someone called “Poncho Villa,” a retired Dorchester County deputy. Kedigh has strong ties to the Hells Angels and Michael Bunch Sr. has been one of his best friends for forty years. Both Bunch and Kedigh are good friends with Stevie Knight, the brother of former Sheriff LC Knight. *Id.* Most importantly, during the course of her investigation, Kite did not encounter a single person who thought Daniel Reed Smith was killed by a train.

RETALIATION BY DCSO

After the Dorchester County Sheriff’s Office ignored the murder of Daniel Smith, it then began a campaign of retaliation against other members of Plaintiff’s family. On February 4, 2025, Daniel’s stepfather received a call from DCSO Detective Captain Chaz Easterlin stating that R.S., the 14-year-old son of Daniel, had been arrested at school and charged with Criminal Sexual Conduct (CSC) and Assault & Battery 1st. *Exhibit 13 - Affidavit Of Eric Melendez.* R.S. was taken to Columbia to the R&E facility, a notoriously dangerous institution in South Carolina. The only evidence of such a crime was a videotape of R.S. tickling his cousin on her leg. No improper or sensitive areas were touched in any way in the video. When questioned why the family was not contacted before the arrest, and why Reed was sent to R&E despite no prior risk indicators, Easterlin referenced a “Sheriff’s new policy” and then, unprompted, insisted the arrest had “nothing to do with Daniel’s case.” *Id.* At no point did Eric Melendez ever mention Daniel’s case during that conversation. Moreover, the statement is a lie. Easterlin was told by an investigator that he did not have probable cause to charge Reed Smith with CSC. Easterling told that investigator he didn’t care and was charging Reed Smith with CSC and

arresting him at school. *Exhibit 13 - Affidavit Of Eric Melendez*. That investigator was fired from DCSO the next day for refusing to charge Reed Smith with CSC. *Id.* Once a solicitor received the file, the charges were immediately revised to exclude the CSC charge. *Exhibit 13 - Affidavit Of Eric Melendez*. The charges were reduced to Assault and Battery which are non-violent and non-detainable. That means the DCSO intentionally filed a false report in order to send a 14 year-old to Columbia for detention. Easterlin also openly made fun of Plaintiff and her husband while on duty, referring any call from Eric or Leisa Melendez as the “Ghost Train” people, which was met with laughter by the other officers. *Id.* As a result of the wrongful and unconstitutional actions of the DCSO, Reed was denied reentry to his private school due to the public nature of the arrest. *Id.*

But the Sheriff wasn’t done. DCSO also asked SLED to investigate Eric Melendez, citing concerns of evidence tampering and obstruction in Reed’s case. Eric Melendez was contacted by two SLED agents who then met with him, conducted an interview with him at the request of the Sheriff himself, Sam Richardson. It was relayed to Eric Melendez by the SLED agent’s they did not want his supervisors to know about the request. This is highly unusual, but the investigation found no wrongdoing. *Id.*

CONCLUSION

The failure of law enforcement to perform a competent investigation into the death of Daniel Smith is not grounds for denying summary judgment. The evidence is clear that the individuals listed as defendants played a role in Daniel’s death and should be held responsible for their actions. The investigation conducted by this family uncovered substantial evidence that

Daneil was murdered and his body was placed on the tracks. A truly independent medical examiner found Daniel was killed before being placed on the tracks by an automobile. The witnesses indicated the defendants were in a blue truck and that blue truck was being torn down and scrubbed the day after Daniel was killed. In the initial interviews, the family told law enforcement about Michael Bunch's animosity towards Daniel. More than one witness told law enforcement that Bunch threatened harm towards Daniel because of a girl, Constance Wimberly. Bunch himself verified these statements and admitted to being at the same place as Daniel on the night he was killed. Moreover, he claimed to have seen two other defendants, Trent Hogg and Dalton Riley, washing blood and red hair from the inside of their vehicle the day after Daniel was killed. What did SLED and the DCSO do with regards to Michael Bunch?

Nothing. Absolutely nothing. To this day, no one from law enforcement has ever spoken with Bunch, despite his own attempts to provide information.

The witness testimony demonstrates that every named defendant had a motive to kill Daniel, whether because they thought he was a snitch or because he was trying to protect a girl from abuse perpetrated by a wannabe Hell's Angel. To reach the conclusion that Daniel was killed by a train, law enforcement ignored and failed to investigate for a host of issues. Alex Murdaugh's trial alone cost this State and its taxpayers approximately \$700,000.00. The investigation was likely millions. Daniel Smith got little more than lip service and an investigation that uncovered absolutely nothing. He couldn't get law enforcement to subpoena phone records, follow up on false alibis, or even interview the primary suspect who wanted to do violence against him. The law enforcement officers made fun of his parents when they tried to

get justice for his death and then retaliated against another victim of this tragedy, the 14 year old son of Daniel.

The reason is simple enough. Daniel had no power. He didn't have a name that engendered privilege, power or wealth. His death was an inconvenience for those in power in Dorchester County. Despite Daniel's death being the result of him trying to protect the niece of the Chief of the Pathology department and family of the sitting sheriff, he was thrown away without a second thought. The fact that the family had to hire a lawyer to obtain a mere shadow of what justice requires is absolutely despicable. But not nearly as despicable as retaliating against an innocent 14 year-old boy because his grandmother asked law enforcement to do its job. While being a law enforcement officer is a tough, underpaid job, you shouldn't put on a badge if you are unwilling or incapable of doing the job it requires.

This long nightmare, exacerbated by the actions of law enforcement, continues and will continue until justice is served. At least this action will provide some official record of Daniel Smith's wrongful death. Therefore, Plaintiff asks this Court to grant summary judgment and schedule the matter for a damages hearing as soon as possible.

This 4th day of May, 2026

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