

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

State of South Carolina,

v.

Richard Alexander Murdaugh,

Defendant.

COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

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

**MOTION FOR AMENDED
PROTECTIVE ORDER**

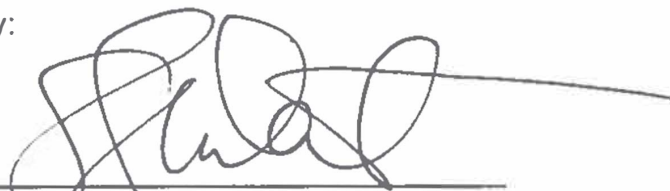
As the Court requested at the June 29, 2026 hearing, the State submits and moves for adoption of the attached Proposed Amended Protective Order in the retrial of this case. A copy of the Proposed Amended Protective Order is attached to this motion as Exhibit A, and relevant previous orders issued in the case are attached as Exhibit B.

AUG 7 2026 PM3:28
COLLETON CO GS. GARY HALE

Respectfully submitted,

ALAN WILSON
ATTORNEY GENERAL
STATE OF SOUTH CAROLINA

By:


S. Creighton Waters
Sr. Assistant Deputy Attorney General

Columbia, South Carolina
August 7, 2026

EXHIBIT A

(Proposed Amended Protective Order)

AUG 7 2026 PM3:28
COLLETON CO GS.GARY HALE

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

v.

RICHARD ALEXANDER MURDAUGH,
Defendant.

Case No. 2021-GS-15-00592 to -595

**PROPOSED
AMENDED PROTECTIVE ORDER**

This matter comes is before the Court for issuance of a protective order regarding discovery in the retrial of Richard Alexander Murdaugh (hereinafter "Defendant") in the above-referenced indictments. See generally Brady v. Maryland, 373 U.S. 83 (1963); Evans v. State, 363 S.C. 495, 611 S.E.2d 510 (2005); S.C. Code Ann. § 14-7-1700; Rule 5, SCRCrimP. This Court is vested with jurisdiction to entertain this matter pursuant to Order of the Supreme Court of South Carolina on June 8, 2021.

RELEVANT PROCEDURAL HISTORY

The Colleton County Grand Jury indicted Defendant on or about July 14, 2022, for two counts of murder and two counts of possession of a firearm during commission of a violent crime, alleging Defendant killed his wife, Maggie Murdaugh, and son, Paul Murdaugh (2022-GS-15-00592 to -00595).

Throughout the investigation, search warrants were issued by various judges who sealed the respective search warrant affidavits because of ongoing investigation and substantial pre-trial publicity which could jeopardize the ongoing investigation and the

right to a fair trial. These search warrants were conditionally unsealed by Order of the Honorable Clifton Newman on August 31, 2022, prior to the original trial in this matter.

Defendant was also indicted from November 2021 to December 2022 by the South Carolina State Grand Jury for almost 100 financial and related crimes wherein it was alleged he misappropriated almost 9 million dollars. Discovery was subsequently provided by the State in those cases pursuant to the standard State Grand Jury protective order, filed on January 7, 2022. Additional discovery was gathered in the course of the murder investigation that was not subject to a sealed order or a State Grand Jury protective order. Both parties at that time desired a protective order generally applicable to the evidence in the murder cases, and that discovery was also covered by protective order for the murder cases issued on August 31, 2022.

Additionally, prior to the first trial, the trial court issued: (1) three orders regarding media coverage during November of 2022 and January of 2023, (2) an Order of Nondisclosure of Juror Information filed December 29, 2022, and, (3) pursuant to agreement of the parties, an Order Regarding Autopsy and Crime Scene Trial Exhibits filed January 25, 2023, which sealed the graphic crime scene and autopsy exhibits in order to further protect the privacy interests of the victims and the right of a fair trial for both parties. Of course, like many of the orders, these discovery and State Grand Jury protective orders and the sealing order appropriately remain in effect. The trial court also issued an Order Regarding Extra-Judicial Statements and Sealing of Filings, dated August 3rd, 2022, in which it denied the parties' joint request for a "gag order", but noted pre-trial commentary was subject to Rule 3.6 for both the prosecution and defense, and Rule 3.8 for the prosecution. The Order further accepted the State's position that filings

or exhibits to filings should be sealed only if a party filed a motion to seal, and that they would stay sealed until the Court ruled whether they should remain so.

DISCUSSION

The State notes that circumstances continue to persist such that conditions of disclosure should remain in place in order to ensure fair adjudication. The State argues that this case has unprecedented public interest and unique facts and circumstances, and a protective order is necessary to protect the rights of the victims, to protect the rights of third parties, to protect related evidence is already subject to a protective order in the State Grand Jury cases, to preclude the release of traumatic and highly sensitive information, and to protect the both the State and the defendant's right to a fair trial generally. The related State Grand Jury evidence is extensive, including approximately 80 transcripts and hundreds of gigabytes of subpoenaed and gathered information. The State points out much of it is directly relevant to the murders as well.

The State notes that this Order is sought to protect the process and to ensure that the provided discovery and only comes out in a public courtroom as is necessary to litigate the case. The State warrants that the evidence also contains sensitive information that could amount to an invasion of privacy and be unduly distressing to victims if it was disseminated outside of the normal process to litigate the case.

The Court now issues the following protective order to be applicable during the second trial in this matter. Rule 5, SCRCrimP, expressly authorizes protective orders in the discretion of the judge where they are justified. Subsection (d)(1) provides:

(d) Regulation of Discovery.

(1) Protective and Modifying Orders. Upon a sufficient showing the court may at any time order that the discovery or inspection be denied, restricted, or deferred, or make such other order as is appropriate.

In United States v. Smith, 985 F.Supp.2d 506 (S.D.N.Y. 2013), the court in assessing a high-profile case, stated:

"[A]n order prohibiting dissemination of discovered information before trial is not the kind of classic prior restraint that requires exacting First Amendment scrutiny." Seattle Times, 467 U.S. at 33. Indeed, the Supreme Court has held that "the trial court can and should, where appropriate, place a defendant and his counsel under enforceable orders against unwarranted disclosure of the materials which they may be entitled to inspect." Alderman v. United States, 394 U.S. 165, 185 (1969).

Smith, 985 F.Supp.2d at 520-21. Smith generally noted that protective orders could be justified for a number of reasons, to include protecting the rights of the parties to a fair trial, protecting ongoing investigations, and protecting innocent parties whose information may be contained in the discovery. 985 F.Supp.2d at 521-535 (citing various cases from multiple jurisdictions). Similar concerns remain present in this case.

This Court agrees that a protective order is necessary to ensure that an impartial jury can be selected and a fair trial can be had by all parties to the case. This Court also agrees that sensitive information continues to need to be protected unless and until it is necessary to fairly litigate the case in the courtroom. This Court also notes that much of the State Grand Jury evidence is relevant to the murders and is already subject to the standard protective order for such cases.

Because Defendant is entitled to discovery under the constitutions of the United States and of the State of South Carolina, as well as under statute and rule, and due to the circumstances of this case as set forth above, the Court **ORDERS** the following

conditions as to the discovery and evidence in this case:

1. **IT IS ORDERED** that the Attorney General's disclosure to the attorney(s) for Defendant the search warrants, any underlying materials related thereto, and any materials recovered in the execution thereof to the extent that the materials must be disclosed under normal circumstances of criminal discovery in preparation for a trial. The search warrants and related materials are provided only for the purposes of the trials of the above-listed indictments, and any other use or disclosure by an attorney or defendant subject to this Order is strictly prohibited. The search warrants and related materials, as well as any discovery provided in SLED Investigations 31-21-0061, -0092, and -0098 or for Indictments 2022-GS-15-00592 to -00595, given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, are not to be shown by the defense to anyone with the exception of the defendant, his attorney(s), and necessary staff employed within the attorneys' office(s), witnesses, potential witnesses and their representatives for purpose of preparing for trial. Copies of the discovery of any sort, whether physical, photographic, or digital, shall not be left with the witnesses, potential witnesses, or their representatives except as authorized below.
2. **IT IS FURTHER ORDERED** that any necessary staff of the attorney(s) who receive access to or disclosure of the search warrants and related materials, as well as any discovery provided in SLED Investigations 31-21-0061, -0092, and -0098 or for Indictments 2022-GS-15-00592 to -00595 given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, are prohibited from showing them to anyone other than the defendant, the attorney, and other

necessary staff employed within the attorney's office, and necessary staff of the attorney are similarly subject to the provisions of this Order. It is the responsibility of the attorney to ensure any staff to whom disclosure is made is aware of and complies with the provisions of this Order.

This Order does not limit the attorney from discussing the case with other attorneys for co-defendants (if applicable and if the codefendants' attorneys have also been provided the same evidence pursuant to a similar protective order). However, subject to the provisions below, the information provided through discovery cannot be photocopied, scanned, digitized, etc. and disseminated even to other co-defendants or their attorneys.

3. **IT IS FURTHER ORDERED** that Defendant and his attorney(s) are prohibited from photocopying, scanning, digitizing, etc. and disseminating copies of the search warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigations 31-21-0061, -0092, and -0098 or for Indictments 2022-GS-15-00592 to -00595 given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, except for internal use by the attorney(s) and necessary employees of the attorneys' office(s) or for submission to the Court during a trial or other hearing. Further, unless otherwise ordered by this Court, all material disclosed pursuant to this Order and all copies of such material must remain in the secured custody and control of defense counsel, at all times, and, absent order of the court, must be retained in a secure location by defense counsel unless and until it is destroyed pursuant to any applicable rule

regarding file retention.¹

4. **IT IS FURTHER ORDERED** that if defense counsel should intend to use or involve any experts, investigators, or other consultants in the defense to any of the above-listed charges, counsel may distribute copies of the necessary materials as needed for the purposes of that individual. However, counsel must first provide a copy of this Order to and obtain a signed, written agreement from such experts, investigators, or consultants that these individuals will not disclose or disseminate any of the discovery materials without explicit permission from this Court. All experts, investigators, and consultants to whom defense counsel discloses discovery materials shall be bound by this Order to the same extent as defense counsel. It is the responsibility of the attorney to ensure any expert, investigator, or other consultant to whom disclosure is made is aware of and will comply with the provisions of this Order.
5. **IT IS FURTHER ORDERED** that individuals, whether they be attorneys; defendants; necessary staff of attorneys; or experts, investigators, or consultants

¹ For purposes of this Order defense counsel may secure physical copies of this protected material by keeping the material in his or her actual possession or by keeping the material in the attorney's law office in a place and manner to ensure that the material is only accessible by the attorney and necessary employees of the attorney's office. Digital copies of protected material are to be secured by placing passwords on all devices containing such material so that only the attorney and necessary employees of the attorney's office will have access to said material. The Defendant is also permitted to independently review copies of any discovery produced by the State, provided the Defendant returns the copies to defense counsel or a defense staff member after each review session. **No evidence or discovery should be left at any prison, jail or detention facility while Defendant is serving his current sentence for financial crimes or in pre-trial detention.** The parties in consultation with the custodial entity may arrange for a reasonable procedure such as a reading room and protected laptop to facilitate Defendant's review of the materials without compromising the security of the discovery. However, any review by Defendant must be supervised, and any laptop or physical or digital evidence must be returned to defense counsel or a defense counsel staff member upon the conclusion of any review session, and not left in possession of Defendant. See *United States v. Neff*, 2013 WL 30650, at *6 (N.D. Tex. Jan. 3, 2013), *aff'd*, 544 F. App'x 274 (5th Cir. 2013) (noting that "the constitutional right of access to the courts . . . does not include a constitutional right to access to a personal computer"); *United States v. Duncan*, 2014 W.L. 949101 (E.D. N.C. February 29, 2014) ("Allowing an inmate to possess a laptop presents serious security and administrative risks for the facility housing Defendant.").

used by attorneys; who receive disclosure of the discovery pursuant to this Order, are all bound by the secrecy provisions of this Order and subject to contempt of court for any willful violation of these secrecy provisions.

6. The State similarly shall not disclose the search warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigations 31-21-0061, -0092, and -0098 or for Indictments 2022-GS-15-00592 to -00595 not otherwise subject to a State Grand Jury Protective Order, except as is necessary to fairly investigate, prepare, and litigate the case.
7. This Order shall not be interpreted to prohibit attorneys for the Defendant and for the State, and law enforcement personnel from communicating with witnesses and potential witnesses, and their representatives, in order to prepare for trial. Nor shall this Order be construed as prohibiting the State from continuing to interview witnesses, obtain evidence, by subpoena, warrant, or any other means, or prepare and present grand jury testimony for investigative purposes relating to this case, or any other matter involving the Defendant or any other related investigation. This Order does not prohibit the State or the defense from communicating with representatives of witnesses or representatives of entities which may possess relevant evidence. This Order does not in any way prohibit the State, prosecutors, law enforcement, and their victim advocates from discussing all aspects of the case and consulting with victims and their representatives consistent with the spirit of the State's constitutional and statutory obligations pursuant to S.C. Const. Art. I § 24 and S.C. Code § 16-3-1505 *et. seq.*
8. Nothing in this Order prevents any party from using or referring to any of the search

warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigations 31-21-0061, -0092, and -0098 or for Indictments 2022-GS-15-00592 to -00595, given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, in witness preparation, investigation, pleadings, and as necessary to litigate any issue for Indictments 2022-GS-15-00592 to -00595 or related criminal cases in the courtroom.

9. Nothing in this Order shall be construed as requiring the Defendant or the State to file materials under seal with the Court except as in compliance with any Sealing Order regarding crime scene and autopsy images, or any other sealing order issued by this Court.
10. Nothing in this Order prohibits dissemination of **unsealed** exhibits that were publicly filed with the Clerk in the first trial or in the guilty pleas or sentencings on State Grand Jury charges of Defendant or related co-defendants from the State Grand Jury investigations. Any exhibits put under seal at the first trial or related guilty plea proceedings remain under seal and may not be disseminated and are subject to the provisions of this Order. This provision does not alter the requirements of footnote 1 of this Order.

IT IS SO ORDERED this _____ day of _____, 2026.

DEBRA R. MCCASLIN
Presiding Judge

_____, South Carolina

EXHIBIT B

(Previously Filed Orders)

AUG 7 2026 PM3:29
COLLETON CO GS, GARY HALE

FILED

JAN 07 2022

STATE GRAND JURY OF SOUTH CAROLINA

MARGARET J. SELF
CLERK, SC STATE GRAND JURY

STATE OF SOUTH CAROLINA	)	Investigation No. SGJ 2021-296
	)	
v.	)	Indictment No. 2021-GS-47-27, 28, 29, 30, 31
	)	
RICHARD ALEXANDER	)	
MURDAUGH,	)	
	)	PROTECTIVE ORDER
	)	
Defendants.	)	
	)	

This matter comes before the Court on motion of the Attorney General of South Carolina (the "Attorney General") requesting authorization to disclose State Grand Jury material to the attorneys for the defendants in the above-captioned case for purposes of providing the pre-trial discovery required in criminal cases. South Carolina Code Ann. § 14-7-1720 generally provides that State Grand Jury material is secret, but allows disclosure for the purpose of "complying with constitutional, statutory, or other legal requirements or to further justice". See S.C. Code Ann. § 14-7-1720(A)(5). Additionally, defendants are entitled to discovery in criminal cases, pursuant to the constitution, statute, and rule. See Brady v. Maryland, 373 U.S. 83 (1963); Evans v. State, 363 S.C. 495, 611 S.E.2d 510 (2005); S.C. Code Ann. § 14-7-1700; Rule 5, SCRCrimP.

However, the State Grand Jury statute also provides that disclosure of State Grand Jury evidence and testimony "must be made in that manner, at that time, and under those conditions as the court directs". See S.C. Code Ann. § 14-7-1720(A). Moreover, this Court has the jurisdiction and duty to protect the secrecy and integrity of the grand jury process, and to punish for contempt for violations of orders or process issued in a State Grand Jury case. See generally South Carolina Code Ann. § 14-7-1730; State v. Blanton, 278 S.C. 597, 300 S.E.2d 286 (1983) (in contempt case for attempting to influence a grand juror, noting that the court has an implied

and necessary common law power to punish for contempt). Therefore, pursuant to the Court's power to direct the manner and conditions of disclosure, and in order to protect the integrity and secrecy of the State Grand Jury process, any disclosure is strictly subject to the conditions set forth below.

IT IS HEREBY ORDERED that the provisions of this Order are applicable to any current or future defendants, and any current or future attorneys appointed for or retained by any current or future defendants, for any indictments in the above-referenced State Grand Jury investigation assigned to this Court. If this State Grand Jury investigation produces additional defendants or indictments other than the ones listed in the caption above, and those additional defendants or indictments are assigned to this Court, this Order shall have full force and effect on those defendants and their current or future attorneys as if they were expressly listed in the caption above. Similarly, any necessary staff of any current or future attorneys, and any experts, investigators, or other consultants who participate in any fashion in the defense of any charge currently indicted or indicted in the future in this State Grand Jury investigation which is assigned to this Court, shall be subject to the provisions of this Order.

IT IS FURTHER ORDERED that the Attorney General is authorized to disclose to the attorneys for the defendants in the above-captioned case testimony and evidence received by the State Grand Jury and interviews of witnesses and other documents which must be disclosed under normal circumstances of criminal discovery in preparation for a trial. Any material connected with this State Grand Jury investigation relating to intercepted wire, electronic, or oral communications shall be subject to the protections of this Order as well as S.C. Code Ann. § 17-30-10, *et. seq.* This State Grand Jury material is being provided only for purposes of the trials of the above-captioned case, and any other use and any other use or disclosure by an attorney or

defendant subject to this Order is strictly prohibited. The State Grand Jury material is not to be shown to anyone with the exception of the defendant, his or her attorney, and necessary staff employed within the attorney's office.

IT IS FURTHER ORDERED that any defendant who is now or becomes subject to this Order is prohibited from disclosing or discussing State Grand Jury material with anyone other than his or her attorney, the necessary staff of his or her attorney, or any experts, investigators, or other consultants participating in his or her defense to any charges brought now or in the future in the above-referenced State Grand Jury investigation. It is the responsibility of the attorney to ensure any defendant to which disclosure is made is aware of the provisions of this Order and the penalties for violation of this Order.

IT IS FURTHER ORDERED that any necessary staff of the attorney who receive access to or disclosure of State Grand Jury material are prohibited from showing it to anyone other than the defendant, the attorney, and other necessary staff employed within the attorney's office, and necessary staff of the attorney are similarly subject to the provisions of this Order. It is the responsibility of the attorney to ensure any staff to which disclosure is made is aware of and complies with the provisions of this Order.

This Order does not limit the attorney from discussing the case with other attorneys for co-defendants (if applicable and if the codefendants' attorneys have also been provided the same State Grand Jury evidence or testimony pursuant to a disclosure or protective order). However, subject to the provisions below, the information provided through discovery cannot be photocopied, scanned, digitized, etc. and disseminated even to other co-defendants or their attorneys except that if a court-appointed attorney or public defender purchases copies of the State Grand Jury transcripts from the court reporter, that attorney may share and disseminate

copies of the State Grand Jury transcripts to other court-appointed attorneys or public defenders involved with this case in order to prevent multiple copies from being purchased by the Commission on Indigent Defense.

IT IS FURTHER ORDERED that the defendant and his or her attorney are prohibited from photocopying, scanning, digitizing, etc. and disseminating copies of any State Grand Jury testimony, interviews of witnesses and any other documents that may be disclosed to the defendant and their attorneys in reference to the above-captioned case, except for internal use by the attorney and necessary employees of that attorney's office or for submission to the Court during a trial or other hearing. Further, unless otherwise ordered by this Court, all material disclosed pursuant to this Order and all copies of such material must remain in the secured custody and control of defense counsel, not the defendant, at all times, and, absent order of the court, must be retained in a secure location by defense counsel unless and until it is destroyed pursuant to any applicable rule regarding file retention.¹

IT IS FURTHER ORDERED that if defense counsel should intend to use or involve any experts, investigators, or other consultants in the defense to any charge now or in the future brought in the above-referenced State Grand Jury investigation; counsel may distribute copies of the necessary materials as needed for the purposes of that individual. However, counsel must first provide a copy of this Order and obtain a signed agreement from such experts, investigators, or consultants that these individuals will not disclose or disseminate any of the discovery materials without explicit permission from this court. All experts, investigators, and consultants

¹ For purposes of this Order defense counsel may secure physical copies of this protected material by keeping the material in his or her actual possession or by keeping the material in the attorney's law office in a place and manner to ensure that the material is only accessible by the attorney and necessary employees of the attorney's office. Digital copies of protected material are to be secured by placing passwords on all devices containing such material so that only the attorney and necessary employees of the attorney's office will have access to said material.

to whom defense counsel discloses discovery material shall be bound by this Order to the same extent as defense counsel. It is the responsibility of the attorney to ensure any experts, investigators, or other consultants to which disclosure is made are aware of and comply with the provisions of this Order. FURTHER, defense counsel must notify the Court of any individuals to whom counsel intends to disclose protected materials prior to any disclosures. This notification may be accomplished by *ex parte* communication with the Court.

IT IS FURTHER ORDERED that individuals, whether attorneys, defendants, necessary staff of attorneys, or experts, investigators, or consultants used by attorneys, who receive disclosure of State Grand Jury material pursuant to this Order, are all bound by the secrecy provisions of this Order and subject to contempt of court for any willful violation of these secrecy provisions.

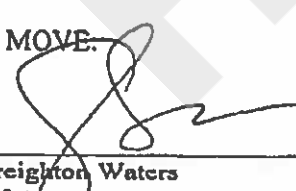
IT IS SO ORDERED this 7th day of January, 2022.



CLIFTON NEWMAN
Presiding Judge

Columbia, South Carolina

I SO MOVE.


S. Creighton Waters
Chief Attorney
State Grand Jury Division

January 6, 2022

**STATE OF SOUTH CAROLINA
COUNTY OF COLLETON**

State of South Carolina,

v.

Richard Alexander Murdaugh,

Defendant.

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

) Indictment Nos. 2022-GS-15-00592,
) 2022-GS-15-00593,
) 2022-GS-15-00594,
) 2022-GS-15-00595.

) **ORDER REGARDING EXTRA-JUDICIAL**
) **STATEMENTS AND SEALING OF FILINGS**

On July 20, 2022, the Defendant, Richard Alexander Murdaugh was arraigned on indictments returned by the Colleton County Grand Jury charging him with murder (2 counts) and possession of weapon during the commission of a violent crime (2 counts). The Defendant entered a plea of not guilty and waived his right to seek a bond. Bond was then denied.

During the proceedings, counsel for the state and the defense jointly sought an Order limiting extra-judicial statements by the Defendant, all counsel, law enforcement, and organization members of the state and the defense.

For the reasons stated herein, the motion for an Order limiting extra-judicial statements, and the sealing of filings, is denied.

The State of South Carolina has adopted rules of professional conduct which govern the conduct of counsel participation in litigation. (See Professional Conduct Rules 3.4, 3.5, 3.6 and 3.8). Rule 407, South Carolina Appellate Court Rules. Of note are the provisions of Rule 3.8 outlining the special responsibilities of a prosecutor in a criminal case. This rule not only places restrictions on the making of extra-judicial statements by a prosecutor but this prohibition extends to law enforcement, personnel, employees, or other persons assisting or associated with the prosecutor. Rule 3.6 limits extra-judicial statements by the defense in addition to the prosecution.

Our established rules adequately address pre-trial and trial responsibilities of counsel and participants in this litigation, the compliance with which is expected without the issuance of a pre-trial publicity order.

The Defendant, through counsel, represented that due to intense public and media interest his right to a fair trial will be jeopardized unless an order restricting extra-judicial statements is issued. The state represented that this case should be tried in court and not in the media.

The Defendant has the constitutional right to a trial before a fair and impartial jury. This right, however, must be balanced against other important constitutional guarantees which this court must consider.

During the July 20th proceedings the Defendant additionally sought an Order sealing virtually all pre-trial filings. The State took the position that filings should only be sealed if a party files a motion to seal and the Court agrees provided, however, that the filing will remain under seal until the Court issues a ruling¹. To issue the Order sought at this stage of these proceedings would threaten access rights of the public and press which are constitutionally protected.

The right of the Defendant to a fair trial must be balanced against these rights and the issuance of such an order would likely constitute the improper closure of the courtroom.

Our Supreme Court has held that "Where an accused asserts his right to a fair trial to justify closure, the court must make specific findings, (1) that there is a substantial probability of prejudice from publicity that closure would prevent and, (2) there is no reasonable alternatives to closure that would adequately protect the Defendant's fair trial rights." Ex parte The Island Packet, 308 S. C. 198 (1992).

¹ This Order modifies a previous unfiled order to clarify the position of the parties regarding the sealing of filings.

It is commendable that the parties have expressed a desire to have this case tried in the courtroom and not in the media. The existing rules require them to do so.

In every case involving heightened public and media interest, the court must employ reasonable measures to protect the right of the Defendant to receive a trial on the merits before an impartial tribunal. Similarly, the public is entitled to know how justice is being administered.

Alternative measures must therefore be considered prior to preemptively issuing the Order sought.

The motion for a pre-trial publicity Order limiting extra-judicial statements and sealing filings is therefore DENIED.

AND IT IS SO ORDERED.



Clifton Newman
Presiding Judge

August 3, 2022

Columbia, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA

v.

RICHARD ALEXANDER MURDAUGH,

Defendant.

Case No. 2021-GS-15-00592 to -595

ORDER COMPELLING DISCOVERY,
TEMPORARY PROTECTIVE ORDER AND
ORDER CONDITIONALLY UNSEALING
SEARCH WARRANTS

This matter came before the Court on August 29, 2022 on motion of the defense to compel and a related motion by the State requesting a protective order. The State also sought an order conditionally unsealing the subject search warrants and materials related thereto for the purpose of providing pre-trial discovery to Richard Alexander Murdaugh (hereinafter "Defendant") as required in criminal cases. See Brady v. Maryland, 373 U.S. 83 (1963); Evans v. State, 363 S.C. 495, 611 S.E.2d 510 (2005); S.C. Code Ann. § 14-7-1700; Rule 5, South Carolina Rules of Criminal Procedure. This Court is vested with jurisdiction to entertain this matter pursuant to Order of the Supreme Court of South Carolina dated September 28, 2021.

Throughout the investigation, search warrants were issued by various judges who sealed the respective search warrant affidavits because of ongoing investigations and substantial pre-trial publicity which could jeopardize the ongoing investigations and the right to a fair trial. A number of search warrants remain under seal in this case.

The Colleton County Grand Jury subsequently indicted Defendant on or about July

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COLLETON CO GS, REBECCA H. HILL

14, 2022, for two counts of murder and two counts of possession of a firearm during commission of a violent crime, alleging Defendant killed his wife, Maggie Murdaugh, and son, Paul Murdaugh (2022-GS-15-00592 to -00595).

The Defendant has also been indicted between November 2021 to June 2022 by the South Carolina State Grand Jury for 81 financial and related crimes wherein it is alleged he misappropriated almost 8.5 million dollars. Discovery has been and continues to be provided by the State pursuant to the standard State Grand Jury protective order. Additional discovery has been gathered in the course of the murder investigation that is not currently subject to a sealed order or a State Grand Jury Protective Order.

The Attorney General represents that materials recovered pursuant to the search warrants are relevant to the indictments against Defendant and should be disclosed to his attorneys consistent with Defendant's constitutional and statutory rights. However, the Attorney General additionally notes that circumstances continue to persist such that conditions of disclosure should remain in place in order to ensure fair adjudication. The State argues that this case has unprecedented public interest and unique facts and circumstances, and a protective order is necessary to protect the rights of third parties, to protect ongoing investigations, because related evidence is already subject to a protective order in the State Grand Jury case. The State argues that a protective order also protects the rights of both the State and the defendant to a fair trial.

The State notes that there is no intent to keep litigation of the case secret from the public, but that a protective order protects the process and ensures that the evidence only comes out in a public courtroom. The State warrants that the evidence also contains sensitive information that could amount to an invasion of privacy and be unduly

distressing to victims if it was disseminated outside of the normal litigation.

Rule 5, SCRCrimP, expressly authorizes a broad range of protective orders in the discretion of the judge where they are justified. Subsection (d)(1) provides:

(d) Regulation of Discovery.

(1) Protective and Modifying Orders. Upon a sufficient showing the court may at any time order that the discovery or inspection be denied, restricted, or deferred, or make such other order as is appropriate.

This Court generally disfavors limitation on public access to information but agrees in this high-profile case sensitive information should not be made public at this stage unless and until it is necessary to fairly litigate the case in the courtroom. This Court also notes that much of the State Grand Jury evidence is relevant to the murders and is already subject to the standard State Grand Jury Protective Order.

The Court finds that a protective order is necessary to protect ongoing investigations in related matters, noting that Defendant was indicted again this month by the State of South Carolina for alleged financial crimes, and there is also civil litigation and other pending indictments involving the rights of third parties. Additionally, a protective order is necessary to protect innocent parties whose information may be contained in discovery.

The Court notes that it previously declined the parties' request for a pretrial publicity order, in part by pointing out that any extrajudicial comment must be limited by the ethical rules including Rule 3.6 of the South Carolina Rules of Professional Responsibility. This order is inapplicable to matters independently obtained or already in the public domain or extra-judicial comments properly made in compliance with Rule 3.6.

The Defendant is entitled to discovery under the constitutions of the United States and of the State of South Carolina, as well as under statutes and rules. Due to the

circumstances as set forth above, the Court hereby grants the Motion to Compel and **ORDERS** disclosure subject to the following conditions:

1. **IT IS ORDERED** that the Attorney General is authorized to disclose to the attorney(s) for Defendant the search warrants, any underlying materials related thereto, and any materials recovered in the execution thereof to the extent that the materials must be disclosed under normal circumstances of criminal discovery in preparation for a trial. The search warrants and related materials are to be provided only for the purposes of the trials of the above-listed indictments, and any other use or disclosure by an attorney or defendant subject to this Order is strictly prohibited. The search warrants and related materials, as well as any discovery provided in SLED Investigation 31-21-0061 or for Indictments 2022-GS-15-00592 to -00595, given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, are not to be shown by the defense to anyone with the exception of the defendant, his attorney(s), and necessary staff employed within the attorneys' office(s), witnesses, potential witnesses and their representatives for purpose of preparing for trial. Copies of the discovery of any sort, whether physical, photographic, or digital, shall not be left with the witnesses, potential witnesses, or their representatives except as authorized below.
2. **IT IS FURTHER ORDERED** that any necessary staff of the attorney(s) who receive access to or disclosure of the search warrants and related materials, as well as any discovery provided in SLED Investigation 31-21-0061 or for Indictments 2022-GS-15-00592 to -00595 given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, are prohibited from showing them

to anyone other than the defendant, the attorney, and other necessary staff employed within the attorney's office, and necessary staff of the attorney are similarly subject to the provisions of this Order. It is the responsibility of the attorney to ensure any staff to whom disclosure is made is aware of and complies with the provisions of this Order.

This Order does not limit the attorney from discussing the case with other attorneys for co-defendants (if applicable and if the co-defendants' attorneys have also been provided the same evidence pursuant to a similar protective order). However, subject to the provisions below, the information provided through discovery cannot be photocopied, scanned, digitized, etc. and disseminated even to other co-defendants or their attorneys.

3. **IT IS FURTHER ORDERED** that Defendant and his attorney(s) are prohibited from photocopying, scanning, digitizing, etc. and disseminating copies of the search warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigation 31-21-0061 or for Indictments 2022-GS-15-00592 to -00595 given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, except for internal use by the attorney(s) and necessary employees of the attorneys' office(s) or for submission to the Court during a trial or other hearing. Further, unless otherwise ordered by this Court, all material disclosed pursuant to this Order and all copies of such material must remain in the secured custody and control of defense counsel, at all times, and, absent order of the court, must be retained in a secure location by defense counsel unless and until it is destroyed pursuant to any applicable rule regarding file

retention.¹

4. **IT IS FURTHER ORDERED** that if defense counsel should intend to use or involve any experts, investigators, or other consultants in the defense to any of the above-listed charges, counsel may distribute copies of the necessary materials as needed for the purposes of that individual. However, counsel must first provide a copy of this Order to and obtain a signed, written agreement from such experts, investigators, or consultants that these individuals will not disclose or disseminate any of the discovery materials without explicit permission from this Court. All experts, investigators, and consultants to whom defense counsel discloses discovery materials shall be bound by this Order to the same extent as defense counsel. It is the responsibility of the attorney to ensure any expert, investigator, or other consultant to whom disclosure is made is aware of and will comply with the provisions of this Order.
5. **IT IS FURTHER ORDERED** that individuals, whether they be attorneys; defendants; necessary staff of attorneys; or experts, investigators, or consultants used by attorneys; who receive disclosure of the search warrants and related materials pursuant to this Order, are all bound by the secrecy provisions of this Order and subject to contempt of court for any willful violation of these secrecy

¹ For purposes of this Order defense counsel may secure physical copies of this protected material by keeping the material in his or her actual possession or by keeping the material in the attorney's law office in a place and manner to ensure that the material is only accessible by the attorney and necessary employees of the attorney's office. Digital copies of protected material are to be secured by placing passwords on all devices containing such material so that only the attorney and necessary employees of the attorney's office will have access to said material. The Defendant is also permitted to independently review copies of any discovery produced by the State, provided the Defendant returns the copies to defense counsel. **No evidence or discovery shall be left at a jail or detention facility while Defendant is in pre-trial detention.** The parties may arrange for a reasonable procedure such as a reading room and protected laptop to facilitate Defendant's review of the materials without compromising the security of the discovery.

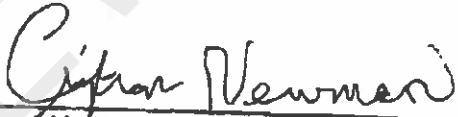
provisions.

6. The State similarly shall not disclose the search warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigation 31-21-0061 or for Indictments 2022-GS-15-00592 to -00595 not otherwise subject to a State Grand Jury Protective Order, except as is necessary to fairly investigate, prepare, and litigate the case.
7. This Order shall not be interpreted to prohibit attorneys for the Defendant and for the State, and law enforcement personnel from communicating with witnesses and potential witnesses, and their representatives, in order to prepare for trial. Nor shall this Order be construed as prohibiting the State from continuing to interview witnesses, obtain evidence, by subpoena, warrant, or any other means, or prepare and present grand jury testimony for investigative purposes relating to this case, or any other matter involving the Defendant or any other related investigation. This Order does not prohibit the State or the defense from communicating with representatives of witnesses or representatives of entities which may possess relevant evidence. This Order does not in any way prohibit the State, prosecutors, law enforcement, and their victim advocates from discussing all aspects of the case and consulting with victims and their representatives consistent with the spirit of the State's constitutional and statutory obligations pursuant to S.C. Const. Art. I § 24 and S.C. Code § 16-3-1505 *et. seq.*
8. Nothing in this Order prevents any party from using or referring to any of the search warrants and related materials that may be disclosed, as well as any discovery provided in SLED Investigation 31-21-0061 or for Indictments 2022-GS-15-00592

to -00595, given by the State to the defense and not otherwise subject to a State Grand Jury Protective Order, in witness preparation, investigation, pleadings, and as necessary to litigate any issue in Indictments 2022-GS-15-00592 to -00595 or related criminal cases in the courtroom.

9. Nothing in this Order shall be construed as requiring the Defendant or the State to file materials under seal with the Court.
10. **IT IS ORDERED** that this Protective Order is temporary until this Court makes a final determination of whether it should become permanent or modified.

AND IT IS SO ORDERED this 30th day of August, 2022.


CLIFTON NEWMAN
Presiding Judge

Columbia, South Carolina

AUG 31 2022 AM 8:59
COLLETON CO GS, REBECCA HILL

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF GENERAL SESSIONS
FOR THE FOURTEENTH JUDICIAL CIRCUIT

State of South Carolina)

Case No. 2021-GS-47-00030

Y.

Richard Alexander Murdaugh,
Defendant

ORDER REGARDING MEDIA COVERAGE AT TRIAL

PROHIBITED EQUIPMENT AND ACTIVITIES

The Supreme Court of South Carolina has authorized presiding judges to prohibit the possession of Electronic Devices in courtrooms if it is determined that the possession of these devices interfere with the orderly administration of justice. For this trial, the court finds and orders the possession of Electronic Devices, including cell phones, computers, smartwatches, earbuds, and other devices capable of accessing, transmitting, or receiving communications outside the courtroom are prohibited with the exception of those used by the parties and court staff.

Except for personnel engaged in gathering and disseminating audio and visual images for the news pool, no person may operate an electronic device to photograph, make audio or video recordings, or broadcast courtroom proceedings.

Prospective jurors and seated jurors are to be identified only by juror number and not by name. No prospective juror or seated juror may at any time be photographed, recorded, or identified.

Brief cases, backpacks, bags, boxes, and cases are prohibited except those in use by trial participants and court personnel. Spectators, including news organization representatives, will be permitted to bring personal items into the courtroom provided the items are contained in a clear plastic bag.

PERMITTED EQUIPMENT

Representatives of news organizations sitting in reserved seating may utilize handheld micro-cassette recorders that comply with Rule 605(f)(3)(vi), SCACR. The use of any equipment or device that causes a distraction is prohibited and may subject the user to expulsion from the courtroom.

POOL COVERAGE

Rule 605, SCACR governs broadcasting, televising, recording or photographing court proceedings. That rule and its provisions will apply throughout the duration of this trial. This Order is entered to provide information regarding pool coverage. Modifications may be required as circumstances dictate.

Court TV will serve as the pool representative for the acquisition and distribution of television images and audio. Court TV will disseminate to pool recipients its "mixed feed" which will contain images and audio selected by Court TV to reflect as accurately as possible the trial proceedings. Court TV will make no claim for copyright with respect to the audio and video disseminated to pool recipients. Court TV may license images and audio obtained at the trial to organizations which are not participants in the pool coverage.

The State newspaper, and perhaps others, will provide still photography coverage of the trial proceedings. Still photographers will make no claim of copyright in the photographs obtained during the trial. Still photographers will retain the copyright of any images obtained

outside of the courtroom and court proceedings. To the extent possible still photographers will be allowed to photograph for distribution to pool participants documents and other materials admitted into evidence at trial.

COURTROOM RESERVED SEATING

The historical foundation of open courts is the belief that allowing members of the public to attend trials will result in fair trials, and provide an assurance to community members that the court system is operated in the public interest. Rule 605, SCACR was adopted to expand public access to court proceedings beyond the limited number of citizens who are able to attend trials in person. In service to the goal of expanding public access to this trial the news organizations identified below will be provided reserved seats in the courtroom to facilitate the gathering and dissemination of news and information regarding the trial. Representatives of news organizations wishing to attend the trial, but who do not have reserved seating, are eligible to attend the trial on the same basis as members of the public.

Hampton County Guardian
Walterboro Press & Standard

The Post and Courier

The State

The Island Packet

The Wall Street Journal

Associated Press

Fitsnews

Luna Shark Production

WCSC-TV

WCIV-TV

WCBD-TV

WTAT-TV

WSAV-TV

WTOG-TV

WJCL-TV

WVAN-TV

WIS-TV

WLTX-TV

WOLO-TV

ABC network
CBS network
NBC network
CNN network
S.C. ETV

OVERFLOW MEDIA CENTER

An overflow media center will be designated to accommodate news organization personnel not seated in the courtroom. The overflow center location and facilities will be announced prior to the commencement of the trial.

ACCESS TO TRIAL EXHIBITS

At the close of court each day pool still photographers will be permitted, under the supervision of the court reporter, to photograph for pool participants documents and materials admitted into evidence. In lieu of photographs of exhibits, with the consent of the prosecution and defense, copies of exhibits may be disseminated electronically or otherwise to pool participants by the clerk of court.

JURY SELECTION

A large number of prospective jurors will be assembled in the courtroom for qualification and selection. Given the limitation on occupancy of the courtroom established by the Fire Marshal only a limited number of seats will be available in the courtroom for news organizations during jury qualification and selection. Reporters allowed to attend jury selection will serve as reporters for pool participants, and their work must be made available to all pool participants.

POOL PARTICIPATION

It was never the intention of the Supreme Court of South Carolina to adopt a court rule requiring pool representatives to serve as remote bureaus for news organizations not present at the trial of a case. To that end, only those news organizations with a representative present in

Beaufort for the trial of this case will be deemed a pool participant for purposes of receiving the Court TV feed or having access to the pool still photography.

LIAISON APPOINTED

Rule 605, SCACR provides with respect to trial coverage that "The presiding Judge may not be called upon to mediate or resolve any dispute as to...pooling arrangements." The Court hereby appoints Jay Bender of the South Carolina Bar as the liaison representative of the Court to address and resolve any requests and concerns of pool participants and other news organizations. The involvement of Mr. Bender as liaison is at the request of the Court and is voluntary on his part. Any concerns, questions or objections to the terms of this Order or other matters relating to news media coverage of the trial must be addressed exclusively to Mr. Bender directly or through the office of the Beaufort County Clerk of Court.

DURATION

This Order shall remain in effect for the duration of the within-captioned trial unless modified by a subsequent Order of the Court.

AND IT IS SO ORDERED.

Columbia, South Carolina
November 9, 2023


CLIFTON NEWMAN
PRESIDING JUDGE

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

IN THE COURT OF GENERAL SESSIONS
FOR THE FOURTEENTH JUDICIAL CIRCUIT

State of South Carolina)
v.)

Case No. 2021-GS-47-00030

Richard Alexander Murdaugh,)
Defendant)
_____)

AMENDED ORDER REGARDING MEDIA
COVERAGE AT TRIAL

PROHIBITED EQUIPMENT AND ACTIVITIES

The Supreme Court of South Carolina has authorized presiding judges to prohibit the possession of Electronic Devices in courtrooms if it is determined that the possession of these devices interfere with the orderly administration of justice. For this trial, the court finds and orders the possession of Electronic Devices, including cell phones, computers, smartwatches, earbuds, and other devices capable of accessing, transmitting, or receiving communications outside the courtroom are prohibited with the exception of those used by the parties and court staff.

Except for personnel engaged in gathering and disseminating audio and visual images for the news pool, no person may operate an electronic device to photograph, make audio or video recordings, or broadcast courtroom proceedings.

Prospective jurors and seated jurors are to be identified only by juror number and not by name. No prospective juror or seated juror may at any time be photographed, recorded, or identified.

Brief cases, backpacks, bags, boxes, and cases are prohibited except those in use by trial participants and court personnel. Spectators, including news organization representatives, will be permitted to bring personal items into the courtroom provided the items are contained in a clear plastic bag.

PERMITTED EQUIPMENT

Representatives of news organizations sitting in reserved seating may utilize handheld micro-cassette recorders that comply with Rule 605(f)(3)(vi), SCACR. The use of any equipment or device that causes a distraction is prohibited and may subject the user to expulsion from the courtroom.

POOL COVERAGE

Rule 605, SCACR governs broadcasting, televising, recording or photographing court proceedings. That rule and its provisions will apply throughout the duration of this trial. This Order is entered to provide information regarding pool coverage. Modifications may be required as circumstances dictate.

Court TV will serve as the pool representative for the acquisition and distribution of television images and audio. Court TV will disseminate to pool recipients its "mixed feed" which will contain images and audio selected by Court TV to reflect as accurately as possible the trial proceedings. Court TV will make no claim for copyright with respect to the audio and video disseminated to pool recipients. Court TV may license images and audio obtained at the trial to organizations which are not participants in the pool coverage.

The State newspaper, and perhaps others, will provide still photography coverage of the trial proceedings. Still photographers will make no claim of copyright in the photographs obtained during the trial. Still photographers will retain the copyright of any images obtained

outside of the courtroom and court proceedings. To the extent possible still photographers will be allowed to photograph for distribution to pool participants documents and other materials admitted into evidence at trial.

COURTROOM RESERVED SEATING

The historical foundation of open courts is the belief that allowing members of the public to attend trials will result in fair trials, and provide an assurance to community members that the court system is operated in the public interest. Rule 605, SCACR was adopted to expand public access to court proceedings beyond the limited number of citizens who are able to attend trials in person. In service to the goal of expanding public access to this trial the news organizations identified below will be provided reserved seats in the courtroom to facilitate the gathering and dissemination of news and information regarding the trial. Representatives of news organizations wishing to attend the trial, but who do not have reserved seating, are eligible to attend the trial on the same basis as members of the public.

Hampton County Guardian
Walterboro Press & Standard
The Post and Courier
The State
The Island Packet
The Wall Street Journal
Associated Press
Fitsnews
Luna Shark Production
WCSC-TV
WCIV-TV
WCBD-TV
WTAT-TV
WSAV-TV
WTOG-TV
WJCL-TV
WVAN-TV
WIS-TV
WLTX-TV
WOLO-TV

ABC network
CBS network
NBC network
CNN network
S.C. ETV
Law & Crime

OVERFLOW MEDIA CENTER

An overflow media center will be designated to accommodate news organization personnel not seated in the courtroom. The overflow center location and facilities will be announced prior to the commencement of the trial.

ACCESS TO TRIAL EXHIBITS

At the close of court each day pool still photographers will be permitted, under the supervision of the court reporter, to photograph for pool participants documents and materials admitted into evidence. In lieu of photographs of exhibits, with the consent of the prosecution and defense, copies of exhibits may be disseminated electronically or otherwise to pool participants by the clerk of court.

JURY SELECTION

A large number of prospective jurors will be assembled in the courtroom for qualification and selection. Given the limitation on occupancy of the courtroom established by the Fire Marshal only a limited number of seats will be available in the courtroom for news organizations during jury qualification and selection. Reporters allowed to attend jury selection will serve as reporters for pool participants, and their work must be made available to all pool participants.

POOL PARTICIPATION

It was never the intention of the Supreme Court of South Carolina to adopt a court rule requiring pool representatives to serve as remote bureaus for news organizations not present at the trial of a case. To that end, only those news organizations with a representative present in

Beaufort for the trial of this case will be deemed a pool participant for purposes of receiving the Court TV feed or having access to the pool still photography.

LIAISON APPOINTED

Rule 605, SCACR provides with respect to trial coverage that "The presiding Judge may not be called upon to mediate or resolve any dispute as to...pooling arrangements." The Court hereby appoints Jay Bender of the South Carolina Bar as the liaison representative of the Court to address and resolve any requests and concerns of pool participants and other news organizations. The involvement of Mr. Bender as liaison is at the request of the Court and is voluntary on his part. Any concerns, questions or objections to the terms of this Order or other matters relating to news media coverage of the trial must be addressed exclusively to Mr. Bender directly or through the office of the Beaufort County Clerk of Court.

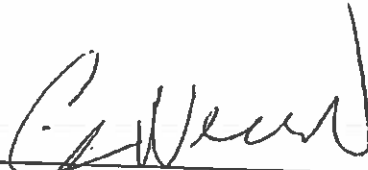
DURATION

This Order shall remain in effect for the duration of the within-captioned trial unless modified by a subsequent Order of the Court.

AND IT IS SO ORDERED.

November 13, South Carolina

November 13, 2023


CLIFTON NEWMAN
PRESIDING JUDGE

STATE OF SOUTH CAROLINA)
COUNTY OF COLLETON)

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)

Indictment Nos: 2022-GS-15-00592-595

v.)

Richard Alexander Murdaugh,)

ORDER REGARDING MEDIA COVERAGE

Defendant.)

In addition to the provisions and limitations of Rule 605, South Carolina Appellate Court Rules, the Court hereby issues the following Order regarding media coverage of the above trial:

POOL COVERAGE

Audiovisual coverage of the trial will be provided by Court TV. Still photography of the trial will be provided by *The Post and Courier* and McClatchy Newspapers. The Court will direct the positioning of cameras. By accepting access to the court proceedings to provide pool coverage, no media organization is permitted to claim or assert any copyright in any and all image or audio obtained in the courtroom. No media organization is permitted to seek a licensing fee for the use of images and audio obtained in the courtroom by other media organizations in attendance at the trial. Court TV, in providing audiovisual coverage, is required to transmit images from the courtroom to the overflow media center contemporaneously with the proceedings. Video and audio recorded by Court TV which are not part of the contemporaneous feed to the overflow media center must be made available to all media organizations in attendance at the trial. Images obtained by pool still photographers must be made available to all media organizations in attendance at the trial. At the close of court each day, at least one pool photographer will be allowed to remain in

the courtroom for up to 30 minutes, under the supervision of the court reporter and the Clerk of Court, to obtain still photographs of trial exhibits entered into evidence.

COURTROOM SEATING

Seating in the courtroom is limited. Reserved seating will be provided for a limited number of media organizations.

Reserved seating. The following media organizations will have one reserved seat each day during the trial and related proceedings:

Walterboro Press & Standard
Hampton County Guardian (Greenville News)
The Island Packet (Beaufort Gazette)
The Post and Courier
The State
The Wall Street Journal
Fitsnews
Associated Press
Luna Shark Productions
WCSC TV
WCIV TV
WCBD TV
WTAT TV
FOX News
ABC network
CBS network
NBC network
CNN network

Lottery seating. Four reserved seats will be available on a daily basis for media organizations not listed above. Access to these seats will be selected by lottery at the end of proceedings each day. To enter the lottery, the media organization must submit an entry form to the office of the Clerk of Court by 4:00 p.m. each day. The form will be provided by the Clerk of Court. A media organization with a reserved

seat will not be eligible for an additional reserved seat on another day unless there are extra seats available. A media organization that fails to utilize their reserved seat will be replaced by another media organization.

OVERFLOW MEDIA CENTER

To accommodate media organizations interested in covering the trial, the Colleton County Clerk of Court has arranged an overflow media center at "The Wildlife Center" which is near the courthouse. This center will receive a contemporaneous audiovisual feed from Court TV, and the center will have a large screen television and an audio system capable of providing access to the trial proceedings. Tables, chairs, electric outlets, rest rooms, cell access, and wi-fi access will be available at the center.

ACCESS TO TRIAL EXHIBITS

At the end of court each day, representatives of media organizations, under the supervision of the court reporter and the Clerk of Court, will be allowed up to 30 minutes to review trial exhibits entered into evidence. The exhibits may not be handled, removed, or altered in any manner. Pool still photographers must be available to provide photographs of the exhibits.

PERMITTED EQUIPMENT

Media representatives may utilize hand-held micro-cassette tape recorders or any other portable recording devices that comply with Rule 605(f)(3)(vi), SCACR. The use of any equipment that causes a distraction is prohibited and may subject the user to expulsion from the courtroom.

PROHIBITED EQUIPMENT

The use of cell phones is generally prohibited in South Carolina courtrooms. This Order permits the possession of cell phones provided that they are turned off or placed in silent mode prior to entering the courtroom. Abuse of this privilege may result in the termination of media privileges.

JURY SELECTION

Media organizations with reserved seating are allowed to attend jury selection. Media organizations without reserved seating may attend along with members of the public if seating is available.

Prospective jurors and seated jurors are to be identified only by juror number and not by name.

No prospective juror or seated juror may, at any time, be photographed, recorded, or identified.

PHOTOGRAPHY PROHIBITED IN COURTROOM

Photography, by video or still camera, is prohibited in the courtroom except as provided for pool audiovisual and still photography.

BAGS PROHIBITED IN COURTHOUSE

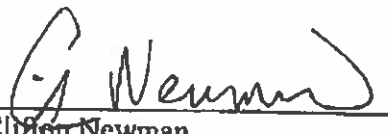
Briefcases, backpacks, or any similar property other than clear plastic bags are prohibited in the courthouse except for participants and court personnel.

LIAISON APPOINTED

Rule 605, SCACR provides that "The presiding judge may not be called upon to mediate or resolve any dispute as to ... pooling arrangements." The Court hereby appoints Jay Bender of the South Carolina Bar as the liaison and representative of the Court to address any requests and concerns of media organizations. The involvement of Mr. Bender is at the request of the Court and is voluntary on his part. Any concerns or objections to the terms of this Order or other matters relating to media coverage of the trial must be addressed directly to Mr. Bender either in person or through the office of the Colleton County Clerk of Court.

This Order shall remain in effect for the duration of the trial unless modified by Order of the Court.

AND IT IS SO ORDERED.


Clifton Newman
Presiding Judge

January 17, 2023
Columbia, South Carolina

JAN 17 2023 PM 12:54
COLLETON CO. CLERK, REBECCA H. HILL

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

State of South Carolina,

vs.

Richard Alexander "Alex" Murdaugh,
Defendant.

IN THE COURT OF GENERAL SESSIONS
FOURTEENTH JUDICIAL CIRCUIT

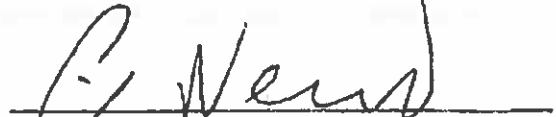
Indictment Nos. 2022-GS-15-00592-00595

**ORDER REGARDING AUTOPSY AND
CRIME SCENE TRIAL EXHIBITS**

This matter is before the Court upon the joint motion of the State and Defendant to seal photographs and videos graphically depicting the victims which are offered and accepted into evidence at the trial. To protect the privacy interests of the victims' families and to prevent emotional distress to the victims' families, as well as to ensure that both the State and the Defendant receive a fair trial, the Court hereby orders that all autopsy photographs and crime scene photographs and videos graphically depicting the victims that are offered and/or accepted into evidence shall be filed with the Court under seal (hereinafter "sealed evidence") and are not to be copied, reproduced, disseminated, or photographed or otherwise made available to the public. Any party offering sealed evidence shall prepare and file an exhibit place holder describing generally the nature of the photograph or video being introduced under seal.

The Court will permit counsel for any media organization the opportunity to inspect sealed evidence at the conclusion of the trial and to petition the court to unseal any such evidence. Unless the Court issues an Order unsealing any sealed evidence, the sealed evidence shall remain under seal and shall not to be disclosed to anyone other than the parties, their counsel and court personnel.

IT IS SO ORDERED.


Clifton Newlin
Presiding Judge

January 25, 2023

JAN 25 2023 PM 3:17
COLLETON CO GS, REBECCA H. HILL