

**STATE OF SOUTH CAROLINA
COUNTY OF SUMTER**

**COURT OF GENERAL SESSIONS
THIRD JUDICIAL CIRCUIT**

State of South Carolina,

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

v.

Richard Alexander Murdaugh,

**MOTION TO COMPEL DISCLOSURE
OF EVIDENCE CONCERNING THE
DISPOSAL OF THE MURDER
WEAPONS AND MEMORANDUM IN
SUPPORT**

Defendant.

Defendant Richard Alexander Murdaugh, pursuant to Rule 5, SCRCrimP, the Due Process Clause of the Fourteenth Amendment to the United States Constitution, Article I, Sections 3 and 14 of the South Carolina Constitution, *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and S.C. Code Ann. §§ 14-7-1700 and 14-7-1720(A), respectfully moves the Court for an order compelling the State to disclose the information in its possession concerning the handling, transport, concealment, or disposal of the alleged weapons used to kill Maggie Murdaugh and Paul Murdaugh, including the statement a witness gave to agents of the South Carolina Law Enforcement Division in 2023 that a Lowcountry police chief spoke of arriving early at the scene and of providing Defendant Murdaugh a change of clothes, the reports of every interview conducted on that subject, and the testimony and exhibits presented to the State Grand Jury concerning it. Defendant Murdaugh asks that the Court take up this motion at the status conference set for October 16, 2026.

I. Introduction

The State tried Defendant Murdaugh in 2023 on the theory that he alone shot his wife and son at the kennels at Moselle, that he alone carried the weapons away, and that the weapons went with him to his mother's home at Almeda that night. No weapon was recovered. The State's witnesses testified to a timeline built on a single actor, and the State argued that timeline to the jury. Our Supreme Court reversed the conviction, and the case is set for retrial on April 5, 2027.

On September 25 and 27, 2026, the press reported that the State Grand Jury is hearing testimony that the weapons were in the hands of someone else. According to those reports, witnesses have testified that the Chief of Police of the Town of Yemassee, Greg Alexander, was seen with the murder weapons in the immediate aftermath of the June 7, 2021, killings, and that a second Yemassee officer is under investigation for transporting and concealing weapons and clothing. The defense understands that former Varnville municipal judge Sheryl McKinney and Chief Stacy Loadholt have also been called before the State Grand Jury on the subject. The Post and Courier reported that a Lowcountry official told SLED agents that Chief Alexander “spoke of arriving early to the murder scene and talked about providing a change of clothes to Murdaugh,” and that the official believed the guns and clothing were brought into the police station and stored there. (Ex. A.) The same report states that SLED received that account in the months after the 2023 verdict, that the lead case agent was aware of it, and that SLED did nothing with it until August 2026. (Ex. A.) The defense has since obtained the State Grand Jury subpoena served on Chief Alexander. It issued on the application of the State’s lead prosecutor in this case, S. Creighton Waters, on August 31, 2026, seventeen days after the State told this Court that it knew of no discovery issues.

If the reports are accurate, the State has held, since 2023, a witness statement that a police officer handled the murder weapons and the clothing Defendant Murdaugh was said to have worn, and it has never disclosed that statement to the defense. The statement contradicts the theory on which the State indicted and tried Defendant Murdaugh. It bears on the integrity of a crime scene at which Chief Alexander was present. It impeaches every witness who testified that a solo actor committed the murders and disposed of the murder weapons at Almeda. It is *Brady* material of the plainest kind, and the State’s duty to disclose it attached the day SLED received it, ran through

the appeal and the reversal, and was renewed by the Supplemental *Brady* and *Giglio* Motion Defendant Murdaugh served on August 5, 2026, which specifically asked: new witness statements and post-trial investigative material bearing on the integrity of the investigation. The State did not disclose this exact information. The defense learned of it from a newspaper.

Defendant Murdaugh asks the Court to enforce the State's disclosure obligations. A statement given to SLED agents in 2023 is not a grand jury matter, and no secrecy attaches to it. The grand jury testimony that has followed is disclosable by order of a court "for the purpose of . . . complying with constitutional, statutory, or other legal requirements or to further justice," S.C. Code Ann. § 14-7-1720(A)(5), and the Court has authority under Rule 5 to require its production before trial upon a sufficient showing. With trial six months away and the Court having stated that it will not grant continuances, the showing is made.

II. Procedural Background

Defendant Murdaugh served his Rule 5 and *Brady* motion on July 15, 2022. Following the reversal of his conviction, on August 5, 2026, he served a Supplemental *Brady* and *Giglio* Motion for Disclosure in Advance of Retrial, invoking the State's continuing duty under Rule 5(c), SCRCrimP, and requesting, among other things, "[a]ll *Brady* material, in the broadest sense of the term, that has come into existence or come to the State's attention since its prior production"; "[a]ny newly obtained statements from, or newly discovered inconsistencies involving, witnesses previously disclosed, as well as any such material concerning any new or previously undisclosed witness"; "[a]ny post-conviction, post-trial, or appellate-related investigative materials, memoranda, or communications concerning the integrity of the verdict, the conduct of trial participants, or any basis for retrial, to the extent such materials contain or reference information favorable to the Defendant"; and written confirmation that the State had conducted a diligent and

current search. (Suppl. *Brady & Giglio* Mot. ¶¶ 1, 4, 6, 9.) The motion asked for production within thirty days. The State did not respond.

At the hearing of August 14, 2026, the Court asked the State whether there were any problems with discovery. Mr. Waters answered that the State was “obviously always auditing discovery,” that “there may have been things that we would turn over that developed since that time,” and that the State was “not aware of any discovery issues at this time.” (Hr’g Tr. 6–7, Aug. 14, 2026.) He later assured the Court that “[w]e are constantly, always doing discovery audits and discovery checks.” (Hr’g Tr. 14, Aug. 14, 2026.) According to the *Post and Courier*, SLED had by then held the statement concerning Chief Alexander for well over two years and had, that same month, begun interviewing the official who gave it and “some of the potential suspects.” (Ex. A.)

Defendant Murdaugh has since moved to compel production of DNA, ballistic, and scene-scan data (September 18, 2026) and of the forensic extraction files for the seized telephones (September 28, 2026). Neither motion concerns the subject of this one. A status conference is set for October 16, 2026.

III. The Reported Investigation

A. What has been reported

On September 25, 2026, *FITSNews* reported that the State Grand Jury, through Senior Assistant Deputy Attorney General S. Creighton Waters, had issued subpoenas and taken testimony concerning an alleged coverup at the scene of the murders and that Chief Alexander had been subpoenaed. The article also reported that witnesses had testified to seeing the murder weapons in Chief Alexander’s possession immediately after the killings, to Chief Alexander describing a role in the coverup, and to Chief Alexander implicating at least one other Lowcountry law enforcement official. (Ex. B.) On September 27, 2026, the *Post and Courier* reported that two Yemassee police officers are under investigation for transporting and concealing the murder

weapons and bloody clothing in the hours after the murders, and that a grand jury is considering the allegations. (Ex. A.) The Attorney General's office declined to confirm or deny the existence of a State Grand Jury investigation. (Ex. A.) Chief Alexander, through counsel, has denied the allegations. (Ex. A; Ex. B.) The defense understands that former Municipal Judge McKinney, Chief Alexander, and Chief Loadholt have each been called before the State Grand Jury.

The subpoena served on Chief Alexander is attached as Exhibit C. It is a Subpoena to Testify Before State Grand Jury, No. M26-SGJ-3-289, issued on the application of the State of South Carolina by Senior Assistant Deputy Attorney General S. Creighton Waters, the lead prosecutor in this case. (Ex. C.) The Clerk of the State Grand Jury signed it on August 31, 2026. (Ex. C.) It commands Chief Alexander to appear in person and testify at the Rembert C. Dennis Building in Columbia on September 15 through 17, 2026, and to remain under subpoena "until you are granted leave to depart by the Clerk of the State Grand Jury"; it is a subpoena for his person only and commands no documents. (Ex. C.) Two things follow. The State had summoned Chief Alexander before the State Grand Jury more than a week before the first press report. Thus, the investigation described in the press is no rumor, and the Attorney General's refusal to confirm or deny it is beside the point. Additionally, the subpoena issued seventeen days after Mr. Waters told this Court that the State was "not aware of any discovery issues at this time." (Hr'g Tr. 7, Aug. 14, 2026.)

Shortly after Columbia attorney Joe McCulloch notified Mr. Waters that he represented Chief Alexander, Mr. Waters notified Mr. McCulloch, through the Clerk of the State Grand Jury, that Chief Alexander would no longer be called to testify. This sequence of events speaks for itself. The subpoena issued while Chief Alexander was without counsel. It was withdrawn once he had a lawyer who would advise him and learn what the State was asking. A prosecutor investigating

Chief Alexander for concealing evidence in a double murder would have no reason to release the witness because his lawyer had appeared. However, a prosecutor using the State Grand Jury to develop evidence for the retrial of this case, out of the view of the defendant and this Court, would have every reason. The State did not abandon its inquiry when Mr. McCulloch appeared; it abandoned only the examination that a lawyer would have witnessed.

B. The 2023 statement to SLED

The Post and Courier report describes a “Lowcountry official” who told SLED agents that Chief Alexander “spoke of arriving early to the murder scene and talked about providing a change of clothes to Murdaugh,” and who believed that the guns and clothing were brought by the officers into the police station and stored there temporarily. (Ex. A.) The report states that the official gave the account to SLED agents in the months after the 2023 conviction; that the reporter discussed the allegation with the lead case agent, David Owen; and that no action was taken until August 2026, when a different SLED agent advised the reporter that law enforcement had interviewed the official and some of the potential suspects. (Ex. A.) The defense understands, on information and belief, that the official is former municipal judge McKinney and that her account reached SLED shortly after the first trial ended.

The defense has not received a statement, report of interview, memorandum, or other record of that account, and no record of any interview of Chief Alexander, Chief Loadholt, Ms. McKinney, or any Yemassee officer concerning the weapons or the clothing. Nothing in the State’s productions before the first trial or in its productions since discloses this account, and the State has not responded to the Supplemental *Brady* and *Giglio* Motion.

In 2011 on an Agreement for Discipline by Consent, our Supreme Court suspended then-Judge McKinney from judicial duties for thirty days for accepting payments from the police department whose cases she heard. *In re McKinney*, 393 S.C. 628, 628–30, 714 S.E.2d 284, 284–

85 (2011). The facts recited in the opinion follow herein. Her sister, the Clerk of the Town of Varnville, was arrested and charged with embezzlement of public funds, forgery, and misconduct in office, having issued checks in then-Judge McKinney's name, forged her signature, and converted the money over an eight-year period. In the course of that investigation SLED found checks drawn on the Varnville Police Department's Victim's Assistance Fund, payable to and endorsed by Judge McKinney, "approved by the Chief of Police who wanted to supplement respondent's salary." Between 2002 and 2006 she received forty-three such checks totaling \$4,890. Her account was that "her sister gave her the checks at the Clerk's Office and that she, in turn, endorsed the checks, and thereafter, respondent's sister gave her cash from the Clerk's Office," and that she did not know the money came from a victim's fund or that it was improper "to receive supplemental payments from the police department" that prosecuted cases before her. *Id.* The Court found violations of Canons 1, 1A, 2, and 2A of the Code of Judicial Conduct and of Rule 7(a)(1) and (9), RJDE, and imposed a definite suspension. *Id.* Counsel of record for Judge McKinney in that proceeding was Richard Alexander Murdaugh. *Id.*

Those facts bear directly on the weight of anything Ms. McKinney has said about Chief Alexander and on the urgency of disclosure. She is a former judicial officer with a sustained finding that she took cash, for over four years, through her sister, with the approval of a police chief, from a fund maintained for crime victims, and that she did not recognize the impropriety. She was, at the time, Defendant Murdaugh's client, and she knows him in that capacity. On the published account she said nothing to anyone in law enforcement about Chief Alexander during the two years between the murders and the verdict, while her former lawyer was investigated, indicted, and tried on the theory that he alone disposed of the weapons. She came forward only after he was convicted. Whether she has exposure of her own in the matter now before the State

Grand Jury, whether she has been promised or has sought anything, and what she has said on each occasion she has been interviewed are questions the defense cannot answer without the statements. The disciplinary history is itself impeachment material within *Giglio*, and the State's obligation to disclose it, and everything else bearing on her credibility, attached when the State first treated her as a source.

C. The State's theory at the first trial

The State's theory at the first trial was that Defendant Murdaugh acted alone. It argued that he shot Paul Murdaugh with a shotgun and Maggie Murdaugh with a .300 Blackout rifle, that he left the kennels with both weapons, that he drove to Almeda, and that the weapons were disposed of there or along the way. (Trial Tr. 419, 427, 435 (opening statement); 3664–65 (Owen); 5619, 5629–30 (closing argument).) The third .300 Blackout rifle, which the State told the jury Defendant Murdaugh could not account for, was never recovered. (Trial Tr. 427, 1474 (Loving), 3665–66 (Owen), 5617, 5619.) Its evidence of disposal was circumstantial: the trip to Almeda that night (Trial Tr. 2094, 2097–98 (Smith); 2632, 2634 (Falkofske); 3957, 3964–65 (Rudofski)); the blue raincoat recovered from his mother's home (Trial Tr. 428–29, 2109 (Smith), 2157, 2159 (Moore), 3672 (Owen), 5645); and the particles found on it (Trial Tr. 2475–76, 2498 (Fletcher)). Its timeline evidence, from the telephone data to the movements of the vehicle, was built and presented on the premise that no one else was present and no one else handled anything. (Trial Tr. 3789–90, 3808 (Kinsey); 3963–65 (Rudofski); 5636–39, 5663–64 (closing argument).) The State never suggested to the jury that any other person possessed the weapons or the clothing, and no witness testified that any law enforcement officer did.

IV. Argument

A. The information is favorable, it is material, and the duty to disclose it attached in 2023.

The State must disclose evidence favorable to the accused that is material to guilt or punishment, “irrespective of the good faith or bad faith of the prosecution.” *Brady*, 373 U.S. at 87. The duty extends to evidence that impeaches the State’s witnesses. *Giglio*, 405 U.S. at 154. It extends to evidence known to the police whether or not the prosecutor knows of it, because “the individual prosecutor has a duty to learn of any favorable evidence known to the others acting on the government’s behalf in the case, including the police.” *Kyles v. Whitley*, 514 U.S. 419, 437 (1995). Under South Carolina law the elements are that the evidence was favorable, that it was in the State’s possession or known to it, that it was suppressed, that it was material, and the rule “applies to impeachment evidence as well as exculpatory evidence.” *Gibson v. State*, 334 S.C. 515, 524, 514 S.E.2d 320, 324 (1999). “The burden is on the solicitor to disclose material evidence which is exculpatory or impeaching.” *Riddle v. Ozmint*, 369 S.C. 39, 44, 631 S.E.2d 70, 73 (2006).

A statement that a police chief spoke of arriving early at the scene and of providing Defendant Murdaugh a change of clothes, and that the weapons and clothing were taken to a police station, is favorable on every axis the cases recognize. It is exculpatory of the theory the State tried: if the weapons and the clothing left the scene in the hands of law enforcement officers, they did not leave in Defendant Murdaugh’s hands, and they did not go to Almeda. It impeaches the State’s reconstruction of the night, which admitted of no other participant, and the witnesses who presented it. It bears on the integrity of the scene itself, which Chief Alexander is reported to have reached before it was secured, and therefore on every item of physical evidence recovered from it. And it supports the defense that more than one person was involved in these murders— a defense the State’s own investigation now appears to credit. What the State’s witnesses on this subject

have said, and what bears on their credibility, is favorable in the same measure: the State cannot build a theory of the disposal of the weapons on the word of a former judge suspended for taking cash from a police department, and of the officers she accuses, without disclosing to the defense the statements and the impeachment that go with them. *Giglio*, 405 U.S. at 154.

Materiality is not in doubt. Under Rule 5 materiality carries the same meaning as under *Brady*, *State v. Kennerly*, 331 S.C. 442, 453, 503 S.E.2d 214, 220 (Ct. App. 1998), *aff'd*, 337 S.C. 617, 524 S.E.2d 837 (1999), and evidence that goes to whether the defendant was the person who removed the weapons from a murder scene is material to the preparation of any defense. The State cannot say otherwise while it presents the same evidence to a grand jury as the basis for charging others.

Nor is there any question of timing. Under *Kennerly*, information is not deemed “material” if the defense discovers it “in time to adequately use it at trial.” 331 S.C. at 453, 503 S.E.2d at 220. **That principle concerns the consequence of late discovery; it does not license the State to hold favorable evidence until the defense reads about it in the newspaper, and it does not excuse a three-year silence.** Rule 5(c), SCRCrimP, imposes a continuing duty: a party that “discovers additional evidence or material previously requested or ordered, which is subject to discovery or inspection under this rule, . . . shall promptly notify the other party or his attorney or the court of the existence of the additional evidence or material.” The Supplemental *Brady* and *Giglio* Motion of August 5, 2026, asked in terms for new witness statements and for post-trial investigative material bearing on the integrity of the investigation. A statement to SLED agents that a police officer handled the murder weapons is both. Our Supreme Court has rejected the notion that a solicitor’s practices excuse nondisclosure: “the existence of such a policy does not negate the solicitor’s *Brady* obligation,” and that is “especially so” where the undisclosed

development occurred close to trial. *Riddle*, 369 S.C. at 46–47, 631 S.E.2d at 74. The State represented to this Court on August 14, 2026, that it was “not aware of any discovery issues at this time.” (Hr’g Tr. 7, Aug. 14, 2026.) If the reports are accurate, SLED was interviewing the official and the suspects in that same month. Seventeen days after that representation, the State’s lead prosecutor in this case caused the State Grand Jury to subpoena Chief Alexander to testify. (Ex. C.)

B. Grand jury secrecy does not excuse disclosure.

Undoubtedly, the State will invoke the secrecy of State Grand Jury proceedings to shield disclosure of the information sought by the defense. The Court must reject such invocation because it fails at the threshold as to the 2023 statement, which was given to SLED agents in the course of the homicide investigation, years before any grand jury heard anything about it. Section 14-7-1720 protects “the testimony of a witness examined before a state grand jury or other evidence received by it.” S.C. Code Ann. § 14-7-1720(A). It does not reach a statement in SLED’s investigative file, and it does not convert that statement into grand jury material because the State later chose to present the subject to a grand jury. The reports of interview of the official and of the suspects, and the dates on which SLED received the information, are ordinary investigative records subject to Rule 5 and *Brady*.

As to the testimony the State Grand Jury has since taken, secrecy yields to a court order. The statute provides that grand jury testimony may be disclosed “when directed by a court for the purpose of . . . ascertaining whether it is consistent with the testimony given by the witness before the court in any subsequent criminal proceeding” and of “complying with constitutional, statutory, or other legal requirements or to further justice,” and that “[i]f the court orders disclosure of matters occurring before a state grand jury, the disclosure must be made in that manner, at that time, and under those conditions as the court directs.” S.C. Code Ann. § 14-7-1720(A)(1), (5). Section 14-

7-1700 provides that the proceedings are recorded and that, subject to § 14-7-1720(A) and (D) and Rule 5, “a defendant has the right to review and to reproduce” the recorded materials. S.C. Code Ann. § 14-7-1700. Our Supreme Court has held that “[t]he secrecy provisions applicable to a particular case are relaxed after an indictment has been issued by the state grand jury;” that a defendant’s “right to obtain such information in preparing his defense necessarily arises post-indictment;” that the request is made under Rule 5; and that when the State objects “[t]he burden of proof is on the State to demonstrate why the documents should not be released,” with in camera review available to the Court. *Evans v. State*, 363 S.C. 495, 506, 513–14, 611 S.E.2d 510, 516, 520 (2005). The defendant in *Evans* had been indicted by the State Grand Jury and sought its impanelment documents, and Defendant Murdaugh was indicted by the Colleton County grand jury; but the reasoning does not turn on which grand jury returned the indictment. Secrecy is essential “while a matter is under deliberation by the grand jury,” and “such concerns diminish following issuance of a true bill of indictment.” *Id.* at 507, 611 S.E.2d at 516. The statutory grounds for court-ordered disclosure invoked here, “providing the defendant the materials to which he is entitled pursuant to Section 14-7-1700” and “complying with constitutional, statutory, or other legal requirements or to further justice,” turn on the defendant’s entitlement and need, not on the source of his indictment. S.C. Code Ann. § 14-7-1720(A)(4), (5). Defendant Murdaugh has been under indictment for these murders since July 2022.

The constitutional requirement that § 14-7-1720(A)(5) accommodates is *Brady*. *Giglio* itself arose from an undisclosed promise made to a witness who testified before the grand jury, and the Court ordered a new trial without pausing over grand jury secrecy. 405 U.S. at 150–55. The United States Supreme Court has long recognized the trial court’s power to direct disclosure of grand jury testimony upon a showing of particularized need and has observed that “it is rarely

justifiable for the prosecution to have exclusive access to a storehouse of relevant fact.” *Dennis v. United States*, 384 U.S. 855, 869–70, 873 (1966). The need must outweigh the interest in continued secrecy, and “as the considerations justifying secrecy become less relevant, a party asserting a need for grand jury transcripts will have a lesser burden in showing justification.” *Douglas Oil Co. v. Petrol Stops Nw.*, 441 U.S. 211, 222–23 (1979). Here the investigation and the names of its witnesses have been published, the subject of the testimony is the central fact of a pending capital-eligible murder prosecution, and the request is confined to testimony concerning the weapons, the clothing, and the persons who handled them.

C. The Court has authority to order production now.

Rule 5(a)(2), SCRCrimP, ordinarily defers production of a prosecution witness’s statement until the witness has testified on direct examination. However, a caveat exists within the rule “that the court may upon a sufficient showing require the production of any statement of any prospective witness prior to the time such witness testifies.” Rule 5(d)(2) authorizes the Court to “specify the time, place and manner of making the discovery and inspection and . . . prescribe such terms and conditions as are just.” The Court of Appeals has recognized that the requirements of Rule 5 “are judicially created discovery mechanisms” and that the trial court “has the discretion to fashion a proper remedy.” *State v. King*, 367 S.C. 131, 137–38, 623 S.E.2d 865, 868 (Ct. App. 2005) (quoting *Kennerly*, 331 S.C. at 453, 503 S.E.2d at 220). Where the defendant makes a threshold showing of materiality, the Court examines the material rather than accepting the State’s characterization of it. *State v. Proctor*, 358 S.C. 424, 429–30 & n.7, 595 S.E.2d 480, 482–83 & n.7 (2004).

The showing here is sufficient. The statement and the testimony concern the disposal of the murder weapons, the fact on which the State’s theory of the case and the defense’s theory of the case most directly collide. The defense cannot investigate the witnesses, their motives, their

relationships with one another and with the State, or the physical evidence they describe without knowing what they said and when. The trial is set for April 5, 2027, and the Court has stated that it will not continue it. Disclosure on the eve of trial, or after each witness testifies, would leave the defense to investigate a coverup by law enforcement officers in the middle of a murder trial. That is not disclosure “in time to adequately use it at trial.” *Kennerly*, 331 S.C. at 453, 503 S.E.2d at 220.

The State cannot have it both ways. It cannot present evidence to a grand jury that others handled the weapons while withholding that same evidence from the defendant it intends to try for the murders on the theory that he handled them alone. Nor can it use the State Grand Jury to examine witnesses about this case beyond the view of this Court, and then withdraw the examination when the witness obtains counsel, as it did with Chief Alexander. If the State intends to change its theory at retrial, the defense is entitled to know it and to prepare for it. If the State does not, the evidence is exculpatory and the defense is entitled to use it. Either way the evidence must be produced.

V. Relief Requested

Defendant Murdaugh respectfully requests that the Court enter an order:

1. Directing the State to disclose, forthwith, the date on which any agent of SLED or the Attorney General first received information that any law enforcement officer or other person handled, transported, concealed, or disposed of any weapon or clothing connected to the deaths of Maggie Murdaugh and Paul Murdaugh; the identity of the person who provided that information; the identity of the agents who received it; and the substance of what was provided;
2. Directing the State to produce, forthwith, every statement, report of interview, memorandum, note, recording, and communication concerning that information,

including every report of interview of Sheryl McKinney, Greg Alexander, Stacy Loadholt, and any officer or former officer of the Yemassee Police Department concerning the weapons, the clothing, the scene, or the events of June 7, 2021;

3. Directing the State to produce any statement made by Defendant Murdaugh to any of those persons that is in the State's possession, pursuant to Rule 5(a)(1)(A), SCRCrimP;
4. Directing the State to produce, by a date certain to be fixed by the Court, the transcripts of testimony and the exhibits presented to the State Grand Jury concerning the .300 Blackout rifles and the shotgun used in the murders, the movements of any person to or from Moselle on the night of June 7, 2021, the handling, transport, concealment, or disposal of any weapon or clothing, any payment between Defendant Murdaugh and any witness, and any statement by Defendant Murdaugh to any witness, pursuant to S.C. Code Ann. §§ 14-7-1700 and 14-7-1720(A)(1) and (5) and Rule 5, SCRCrimP, subject to such conditions as the Court directs;
5. Directing the State to identify, forthwith, each witness who has testified before the State Grand Jury concerning the subjects described in paragraph 4, and to supplement that disclosure as further testimony is taken;
6. Directing the State to produce, forthwith, all material bearing on the credibility of Sheryl McKinney, Greg Alexander, Stacy Loadholt, and each other witness identified under paragraph 5, including any promise, inducement, immunity, or benefit offered, sought, or given; any criminal, disciplinary, or administrative exposure of the witness in connection with the matters under investigation; every

prior statement of the witness on those matters; and the date on which and the circumstances in which each witness first provided information to any agent of the State;

7. Directing the State to state, forthwith, whether it intends to contend at retrial that any person other than Defendant Murdaugh participated in the murders or in the handling, transport, concealment, or disposal of any weapon or clothing, and, if so, to identify each such person;
8. Directing the State to preserve all such material, including the recordings and notes of the State Grand Jury proceedings on those subjects, pending further order of the Court;
9. Granting Defendant Murdaugh leave to supplement his pending motions, including the Memorandum in Support of the Motion to Dismiss the Indictments and the Renewed Motion for Sanctions, upon receipt of the State's disclosures; and
10. Granting such other relief as the Court deems just.

VI. Conclusion

The State is presenting to a grand jury evidence that law enforcement officers handled the weapons used to kill Maggie Murdaugh and Paul Murdaugh. It has held the first account of that evidence, on the published reports, since 2023. It did not respond to the Supplemental *Brady* and *Giglio* Motion, it did not disclose it when the Court asked on August 14, 2026, whether there were discovery issues, and it has not disclosed it since, though it subpoenaed Chief Alexander before the State Grand Jury seventeen days after that hearing. (Ex. C.) The defense should not have to learn the State's evidence from the press. Defendant Murdaugh respectfully asks that the Court grant the relief requested and take the motion up at the status conference on October 16, 2026.

Respectfully submitted,



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September 30, 2026
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SEP 30 2026 PM 4:12
COLLETON CO GS, GARY HALE

EXHIBIT A

Jason Ryan, *Pair of Lowcountry cops investigated for
allegedly handling missing Murdaugh murder weapons,*
The Post and Courier (Sept. 27, 2026)

SEP 30 2026 PM4:12
COLLETON CO GS. GARY HALE

Pair of Lowcountry cops investigated for allegedly handling missing Murdaugh murder weapons

By Jason Ryan

September 27, 2026

Ever since Maggie Murdaugh and her son Paul were shot to death on their Lowcountry family farm five years ago, police have tried to find the shotgun and powerful hunting rifle that blew their bodies apart.

Now, the State Law Enforcement Division is investigating a pair of small-town policemen in response to accusations that they handled and concealed the murder weapons hours after the massacre at the Murdaugh family's rural, Colleton County property on June 7, 2021.

This August, a SLED agent spoke with this Post and Courier reporter about his knowledge of the alleged incident, in which Yemassee Police Chief Greg Alexander and another town policeman are accused of having transported weapons and bloody clothing into the town's police department.

Alexander could not be reached for comment, but Columbia attorney Joe McCulloch said Sept. 26 that he has been hired to represent Alexander should the chief be asked to appear before a grand jury.

"And we understand that may be the case, and that there are rumors about his involvement, which he steadfastly denies, in the removal of evidence," McCulloch said. "We don't know much more than that, other than the rumors that somehow he was involved in that."

The allegations concern the tail end of an alleged murder plot by Alex Murdaugh, a disgraced lawyer from Hampton. Prosecutors claim Murdaugh used two guns to kill his 52-year-old wife and 22-year-old son in a desperate bid to distract from an unraveling, years-long fraud scheme in which he stole millions from clients, associates and loved ones.

The murder weapons have never been found. Despite this missing evidence, Murdaugh was convicted in March 2023 of double murder.

In May, however, the S.C. Supreme Court ordered Murdaugh be given a new trial because of improper comments made to jurors by a Colleton County court official.

Murdaugh, 58, maintains that he did not kill his family members. He is scheduled to stand trial in the killings again next April in Sumter County. He remains in prison as he awaits the retrial, serving state and federal sentences for his financial crimes that will last for three more decades.

A slew of news reports, podcasts, documentaries, scripted television shows and books have chronicled Murdaugh's assorted and long-running misconduct, as well as the fascinating history of the Murdaugh family, in which three generations of Alex's forefathers created a legal and political dynasty in a secluded corner of the Lowcountry.

Despite all of this attention, much mystery still surrounds certain aspects of the killings. The use of two different guns has generated speculation that there could have been a second shooter. An open question remains as to how the murder weapons and other potential evidence, such as bloody clothing, disappeared.

A state grand jury is now hearing of the allegations of Yemassee police moving and hiding guns and clothing supposedly used by Murdaugh. Quoting unnamed sources, FITSNews on Sept. 25 reported that the grand jury has allegedly issued subpoenas and obtained information regarding the accusations.

Asked about this development, a spokesman for the S.C. Attorney General's Office — which is prosecuting Murdaugh's case — replied, "By law, State Grand Jury proceedings are secret, so I can't confirm or deny even the existence of any State Grand Jury investigation."

An intriguing allegation

Months after the first trial ended in conviction in 2023, this reporter met with David Owen, the lead SLED investigative agent on the Murdaugh case, to discuss an allegation from a Lowcountry official that Yemassee's police chief and another officer may have handled murder weapons and bloody clothing the morning after the murders.

The official claimed to SLED agents, and in an interview with this reporter at the time, that Alexander spoke of arriving early to the murder scene and talked about providing a change of clothes to Murdaugh. The official expressed belief that guns and clothing were brought by the officers into the police station and stored there temporarily. Those assertions, including to agents, could not be corroborated by The Post and Courier.

Alexander has acknowledged being at the murder scene that night, as were several other law enforcement officers, said McCulloch, the chief's attorney.

"Presumably, they would not have allowed anyone, including my client, to remove anything from the scene. So it's kind of ridiculous on its face," he said. "But rumors, gosh, no case before or since the Murdaugh case has inspired more rumors."

Allegations about the police officers were heard during interviews this reporter conducted for his nonfiction book *Swamp Kings: The Murdaugh Family of South Carolina and a Century of Backwoods Power*,

A Lowcountry official was consistent in recollections of the alleged incident when questioned during two different interviews, and the official was credible in other Murdaugh-related matters as well.

But were the allegations true? After three months of investigating, that question could not be answered before a deadline arrived for the submission of the book's manuscript. *Swamp Kings* was published in April 2024 without these specific claims.

Nothing more was heard from SLED until last month, when a different agent approached this reporter, who had since been hired by The Post and Courier.

The agent said law enforcement had interviewed the Lowcountry official who made the allegations regarding the Yemassee police and also interviewed some of the potential suspects.

A little more than a month later, a state grand jury is reportedly considering these allegations about a possible police-assisted coverup.

Chief no stranger to controversy

Alexander and Murdaugh have long been friends. The chief's name was mentioned several times during the 2023 double-murder trial.

One former employee of the Hampton law firm employing Murdaugh testified about running errands and obtaining cash from a bank for Murdaugh. When the courier brought the money back to the law office, people were sometimes waiting with Murdaugh, including Alexander.

One of Murdaugh's brothers, John Marvin, said Alexander gave him a ride to the crime scene the night of the murders after the car he was driving broke down on the way to the farm.

In 2022, Alexander said he had accepted a \$5,000 loan from Alex Murdaugh for his parents' use, with the money passing through his hands a month or so after the June 2021 murders.

Before that, in 2012, Murdaugh and his father, the late solicitor, publicly supported Alexander when he faced charges related to money missing from a police locker in Yemassee. Alexander was acquitted and subsequently promoted to chief.

In 2022, he campaigned to become sheriff of Hampton County.

During one event, Alexander said that he would accept responsibility if he made a mistake or acted improperly as a public official.

“I ain’t no cat. I don’t try to cover no doo doo up...” said the chief, who did not win the sheriff’s race. “If it’s wrong, it’s wrong and if I done it and it’s wrong then I’ll be transparent with the citizens and let them know I done wrong and we got to do what we got to do to make it right.”

Glenn Smith contributed to this article.

FITSNEWS

EXHIBIT B

Jenn Wood & Will Folks, *Murdaugh Murders Bombshell:
Alleged Crime Scene Coverup Focus of Grand Jury Probe*,
FITSNews (Sept. 25, 2026)

SEP 30 2026 PM4:12
COLLETON CO GS, GARY HALE

Murdaugh Murders Bombshell: Alleged Crime Scene Coverup Focus of Grand Jury Probe

While state zeroes in on missing murder weapons, defense attorneys investigate alternative theories tied to infamous 2021 double homicide...

By Jenn Wood and Will Folks

September 25, 2026

As the 'Retrial of the Century' in South Carolina – the second double homicide trial of accused murderer Alex Murdaugh – draws nigh, both prosecutors and defense attorneys are conducting parallel investigations into what happened on a fateful late spring evening in Islandton, S.C. more than five years ago.

Shortly before 9:00 p.m. EDT on the evening of June 7, 2021, 52-year-old Maggie Murdaugh and her younger son, 22-year-old Paul Murdaugh, were brutally executed on their family's Moselle hunting property. Maggie Murdaugh was dispatched with six shots from an automatic rifle equipped with .300 Blackout ammunition, while Paul Murdaugh was murdered by a pair of shotgun blasts – one that ripped through his torso and another that literally blew his brain out of his body.

The guns used to to commit these savage slayings are believed to have belonged to members of the Murdaugh family – a conclusion which figured prominently in prosecutors' theory that Alex Murdaugh was the lone gunman.

Neither murder weapon has ever been found, however – and many believe at least one of the guns, the .300 Blackout (or another Murdaugh-related rifle), has been used in subsequent shootings.

In the face of renewed scrutiny related to the ballistics evidence in this case, these parallel investigations are not just focused on the murders themselves – but how the scene of the crime may have been manipulated prior to the arrival of law enforcement.

First and most importantly, FITSNews has learned that prosecutors in the office of attorney general Alan Wilson – who secured murder convictions against Alex Murdaugh in February 2023 (only to see them thrown out this spring by the state supreme court due to jury tampering

and alleged jury rigging) – are currently investigating an alleged crime scene coverup of the double homicide involving multiple potential co-conspirators.

Specifically, investigators with the S.C. Law Enforcement Division (SLED) have conducted multiple interviews with individuals believed to have knowledge of the alleged coverup. In tandem with those inquiries, the S.C. statewide grand jury – run by lead Murdaugh prosecutor Creighton Waters – has reportedly issued subpoenas and conducted interviews with multiple subjects in connection with those inquiries.

Among those subpoenaed to provide testimony before grand jurors? Yemassee, S.C. police chief Greg Alexander, one of Alex Murdaugh's self-professed "Tombstone Buddies."

No stranger to grand jury scrutiny, Alexander's proximity to the Murdaugh family – and his potential ties to the Moselle scene – became the focus of extensive speculation before, during and after the first 'Trial of the Century.'

Early on in the saga, Alexander addressed the speculation publicly on social media – denying his involvement in any coverup.

"I'm not a cat," Alexander famously said during a since-deleted Facebook video dated March 11, 2022, nine months after the murders. "I don't cover up no doo-doo."

[Photograph: Yemassee, S.C. police chief Greg Alexander (Town of Yemassee)]

Nonetheless, Alexander now finds himself staring down seismic allegations tied to the alleged disposal of the weapons used to murder Maggie and Paul Murdaugh – allegations which are reportedly now part of a grand jury record.

Multiple sources familiar with the status of the SLED inquiry – and the grand jury probe – have confirmed to FITSNews that witnesses have testified to seeing the Murdaugh murder weapons in Alexander's possession in the immediate aftermath of the double homicide. These witnesses have further testified to Alexander allegedly describing his role in the crime scene coverup – and implicating at least one other Lowcountry law enforcement leader as having participated in the alleged conspiracy.

"If that's true, it would raise questions that need to be addressed before the court," Murdaugh lead attorney Dick Harpootlian told FITSNews when informed of these developments.

Using cell phone data, investigators believe Maggie and Paul Murdaugh were gunned down at approximately 8:49 p.m. EDT on June 7, 2021. Less than four minutes earlier, Murdaugh's

voice was captured at the crime scene on a video belatedly retrieved by law enforcement from Paul Murdaugh's cell phone – a revelation which shredded his alibi.

Vehicular data reveals Murdaugh left the Moselle property approximately seventeen minutes after the murders – at 9:06 p.m. EDT – and arrived at his parents' home in nearby Almeda, S.C. at 9:22 p.m. EDT, thirty-three minutes after the murders.

Police did not search the Almeda property until September 16, 2021 – more than three months after the murders.

Following a brief visit to Almeda, Murdaugh returned to Moselle at 10:00 p.m. EDT. Five minutes later, he made his way back to the crime scene and ostensibly “discovered” his murdered family members. At 10:06 p.m. EDT, Murdaugh made his infamous 911 call reporting the murders – and nineteen minutes later, at 10:25 p.m. EDT, the first responding officer, Colleton County sergeant Daniel Greene, arrived on the scene.

According to the prosecution's timeline, the elapsed time between the murders of Maggie and Paul Murdaugh and Greene's arrival at the crime scene was 96 minutes.

What happened in the interim? That's what investigators and prosecutors are now focused on...

Just over a month after his wife and son were murdered, Alex Murdaugh wrote a \$5,000 check to Alexander – which FITSNews first reported on in March of 2022, nearly ten months after the murders. Alexander told our media outlet the money was intended as a loan for his parents and that he was just a “pass-through.” He declined to say whether the money had been repaid.

During that conversation, Alexander referred to Alex Murdaugh as a “longtime friend” who had helped his family in the past. Alexander also received \$5,500 in contributions from Murdaugh family and friends in his failed bid for sheriff of Hampton County in 2022.

Alexander was further tied to Murdaugh's dubious finances when prosecution witness Nathan Tuten testified during the first trial that Alexander was present in the disgraced attorney's office when Tuten delivered envelopes of cash to Murdaugh.

Alexander figured prominently in defense testimony provided during the first trial by Murdaugh's younger brother, John Marvin Murdaugh – who claimed “our good friend” the police chief accompanied him to the scene of the graphic double homicide.

Reached for comment, Alexander's attorney – Columbia, S.C. defense attorney Joe McCulloch – called the allegations against the police chief “absurd.”

“They need to stop chasing fictional rabbits and start preparing for trial,” McCulloch said, equating prosecutors’ inquiries about Alexander to dragging a “dead fox” across the road in an effort to throw hunting dogs off the scent.

“It’s the oldest trick in the book,” McCulloch said.

Neither SLED nor the attorney general’s office was immediately able to provide comment on the status of their inquiries into Alexander and the alleged cover-up.

While the state probes the alleged coverup of the Murdaugh crime scene, Murdaugh’s attorneys have reportedly made significant progress in their inquiries related to alternative theories about who may have murdered Maggie and Paul Murdaugh.

Murdaugh attorneys have conducted multiple interviews in and around Walterboro, S.C. with individuals tied to the Cowboys, a Colleton County-based gang which has multiple connections to the Murdaugh saga. Details regarding the nature and substance of those inquiries were not immediately clear, and Murdaugh’s attorneys declined to shed any light on the situation.

Stay tuned for an extended follow-up report on the status of both of these new lines of inquiry... which are unfolding amid a heated battle over evidence and testimony ahead of Murdaugh’s second trial, tentatively scheduled for April 2027.

EXHIBIT C

Subpoena to Testify Before State Grand Jury, No. M26-SGJ-3-289, to Gregory Zendrel Alexander, issued August 31, 2026, on the application of the State of South Carolina by S. Creighton Waters, Senior Assistant Deputy Attorney General (appearance September 15-17, 2026)

SEP 30 2026 PM4:13
COLLETON CO GS, GARY HALE

STATE GRAND JURY OF SOUTH CAROLINA

SUBPOENA TO TESTIFY BEFORE STATE GRAND JURY

To: Gregory Zenzel Alexander

NO. M26-SK11-3-289 (396)

SUBPOENA FOR:
☒ PERSON

☐ DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the State Grand Jury of South Carolina at the place, date, and time specified below:

PLACE:

Robert C. Dennis Building
1000 Assembly Street
Columbia, South Carolina 29201

ROOM#

148 (Auditorium)

DATE AND TIME:

09/15/2026 - 09/17/2026

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

☐ Please see additional information on reverse

This subpoena shall remain in effect until you are granted leave to depart by the Clerk of the State Grand Jury.

CLERK

Margaret J. Self
Margaret J. Self
Clerk, State Grand Jury

DATE

August 31, 2026

This subpoena is
issued on application
of the State of South
Carolina

NAME, ADDRESS AND PHONE NUMBER OF ATTORNEY GENERAL OR
DESIGNEE
S. Creighton Waters
Senior Assistant Deputy Attorney General
1000 Assembly Street
Columbia, South Carolina 29201
(803) 734-3453

STATE OF SOUTH CAROLINA
COUNTY OF COLLETON

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

The State of South Carolina,

Plaintiffs,

vs.

Richard Alexander Murdaugh,

Defendant.

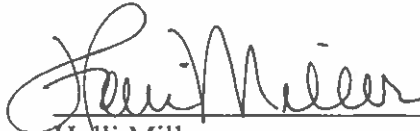
Indictment Nos. 2022-GS-15-00592, -593,
-594, and -595

CERTIFICATE OF SERVICE

I, Holli Miller, paralegal to the attorney for the Defendant, Richard A. Harpootlian, P.A., with offices located at 1410 Laurel Street, Columbia, South Carolina 29201, hereby certify that on September 30, 2026, I did serve via electronic delivery the following document to the below mentioned person:

Document: Motion to Compel Disclosure of Evidence Concerning the Disposal of the Murder Weapons and Memorandum in Support

Served: Creighton Waters, Esquire
Office of The Attorney General
Rembert C. Dennis Building
Post Office Box 11549
Columbia South Carolina 29211-1549
cwaters@scag.gov


Holli Miller

SEP 30 2026 PM4:13
COLLETON CO GS, GARY HALE