

FILED

JAN 20 2022

**MARGARET J. SELF
CLERK, SC STATE GRAND JURY**

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA)
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)
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v.)
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)
)
RICHARD ALEXANDER MURDAUGH,)
)
)
Defendant.)
_____)

Case No. 2022-GS-47-02

**INDICTMENT FOR BREACH OF TRUST
WITH FRAUDULENT INTENT; AND
COMPUTER CRIME**

At a session of the State Grand Jury of South Carolina, convened in Columbia, South Carolina, on January 20, 2022, the State Grand Jurors present upon their oath and charge as follows:

**COUNT ONE
BREACH OF TRUST WITH FRAUDULENT INTENT
VALUE \$10,000 OR MORE
S.C. Code Ann. § 16-13-230
CDR Code: 3424**

That RICHARD ALEXANDER MURDAUGH, in Hampton County, on or about December 21, 2011, did willfully, unlawfully, and feloniously convert to his own use, with intention to permanently deprive the owner of possession, goods to which he had been entrusted by the owner for the care, keeping, and possession, to wit:

While relying on his prestige and reputation as a lawyer, and the trust of the Pinckney family, who had come to MURDAUGH for help after a vehicular collision injured multiple members of the family and ultimately killed Hakeem Pinckney, MURDAUGH caused a check with the description "Settlement Proceeds: Hakeem L. Pinckney", in the amount of \$309,581.46, to be made out to Palmetto State Bank and disbursed from the

Peters, Murdaugh, Parker, Eltzroth, and Detrick, P.A. (PMPED) Client Trust Account. MURDAUGH then used the \$309,581.46 trust account check – which was supposed to be compensation to the estate for Hakeem’s injuries – in part to purchase money orders payable to a family member and to other client conservatorship accounts from which MURDAUGH previously borrowed money, in part to pay down a personal business loan, and in part to obtain cash for himself and a different family member. Instead of compensating the Estate of Hakeem Pinckney, MURDAUGH breached the trust of the estate and the family and converted the money to the personal use of MURDAUGH and his family.

All in violation of section 16-13-230 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct also involving a crime involving computer crimes, or a conspiracy or solicitation to commit a crime involving computer crimes, and such conduct having not been authorized by law.

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

**COUNT TWO
COMPUTER CRIME
VALUE MORE THAN \$10,000
S.C. Code Ann. § 16-16-20
CDR Code: 3110**

That RICHARD ALEXANDER MURDAUGH, in Hampton County, on or about December 21, 2011, did wilfully, knowingly, maliciously, and without authorization and for an unauthorized purpose, directly or indirectly access or cause to be accessed a

computer, computer system, or computer network for the purpose of: devising or executing a scheme or artifice to defraud; obtaining money, property, or services by means of false or fraudulent pretenses, representations, promises; and committing any crime; to wit:

To further his scheme to misappropriate a \$309,581.46 check of settlement proceeds that belonged to the Estate of Hakeem Pinckney, MURDAUGH requested transactions and thus caused the bank to access its systems in order to create money orders and perform internal loan transactions. These transactions exceeded \$10,000.

All in violation of section 16-16-20 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct also involving a crime involving computer crimes, or a conspiracy or solicitation to commit a crime involving computer crimes, and such conduct having not been authorized by law.

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

**COUNT THREE
BREACH OF TRUST WITH FRAUDULENT INTENT
VALUE \$10,000 OR MORE
S.C. Code Ann. § 16-13-230
CDR Code: 3424**

That RICHARD ALEXANDER MURDAUGH, in Hampton County, on or about May 16, 2017, did willfully, unlawfully, and feloniously convert to his own use, with intention to permanently deprive the owner of possession, goods to which he had been entrusted by the owner for the care, keeping, and possession, to wit:

While relying on his prestige and reputation as a lawyer, and the trust of the Pinckney family, who had come to MURDAUGH for help after a vehicular collision injured multiple members of the family and ultimately killed Hakeem Pinckney, MURDAUGH convinced Pamela Pinckney, mother of Hakeem Pinckney, to retain a lawyer who was a close friend of MURDAUGH. Years after the Pinckney family thought the case had been completely resolved and all money disbursed, MURDAUGH caused that lawyer to make out a settlement disbursement check for \$89,133.44, not to the client – but instead to Peters, Murdaugh, Parker, Eltzroth, and Detrick, P.A. (PMPED). MURDAUGH then caused a check with the description “Est. of Hakeem L. Pinckney”, and in the amount of \$89,133.44, to be made out to “Forge” and disbursed from the PMPED Client Trust Account. Forge Consulting, LLC, is a legitimate company often used by South Carolina lawyers to facilitate structured settlements. However, MURDAUGH then deposited the \$89,133.44 trust account check – which was supposed to be compensation to the estate for Hakeem’s injuries and suffering – into a bank account MURDAUGH had created under the name “Richard A Murdaugh Sole Prop DBA Forge”. MURDAUGH had created this bank account for the purpose of misappropriating funds belonging to others with the illusion that the money was being paid to the legitimate company Forge consulting, LLC. Instead of compensating the Estate of Hakeem Pinckney, MURDAUGH instead breached trust of the estate and the family and converted the funds to his own personal use, including cash, bank fees, and checks to himself and associates.

All in violation of section 16-13-230 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct also involving

a crime involving computer crimes, or a conspiracy or solicitation to commit a crime involving computer crimes, and such conduct having not been authorized by law.

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

**COUNT FOUR
COMPUTER CRIME
VALUE MORE THAN \$10,000
S.C. Code Ann. § 16-16-20
CDR Code: 3110**

That RICHARD ALEXANDER MURDAUGH, in Hampton County, between on or about May 17, 2017, and on or about November 6, 2017, did wilfully, knowingly, maliciously, and without authorization and for an unauthorized purpose, directly or indirectly access or cause to be accessed a computer, computer system, or computer network for the purpose of: devising or executing a scheme or artifice to defraud; obtaining money, property, or services by means of false or fraudulent pretenses, representations, promises; and committing any crime; to wit:

MURDAUGH created a bank account under the name "Richard A Murdaugh Sole Prop DBA Forge". He created this account for the purpose of misappropriating funds belonging to others with the illusion that the money was being paid to the legitimate settlement planning company Forge Consulting, LLC. MURDAUGH caused a \$89,133.44 settlement disbursement check, which represented proceeds intended for the benefit of the Estate of Hakeem Pinckney, to be made out to "Forge". He deposited the check into the Forge account under his control, and then conducted online banking transfers to convert settlement proceeds to his own personal use, which defrauded the

Estate and laundered the proceeds. These transactions exceeded \$10,000.

All in violation of section 16-16-20 of the South Carolina Code of Laws, and such conduct involving a violation of the South Carolina Anti-Money Laundering Act, or a crime related to a violation of the Anti-Money Laundering Act, and such conduct also involving a crime involving computer crimes, or a conspiracy or solicitation to commit a crime involving computer crimes, and such conduct having not been authorized by law.

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

A True Bill

Alan Wilson



FOREPERSON

ALAN WILSON (scw/jejj)
ATTORNEY GENERAL