

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HAMPTON )  
 )  
RICHARD ALEXANDER )  
MURDAUGH, JR., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
BLACKFIN, INC., WARNER BROS. )  
DISCOVERY, INC., WARNER )  
MEDIA ENTERTAINMENT PAGES, )  
INC., CAMPFIRE STUDIOS INC., )  
THE CINEMART LLC, NETFLIX, )  
INC., GANNETT CO., INC. AND )  
MICHAEL M. DEWITT, JR., )  
 )  
Defendants. )

IN THE COURT OF COMMON PLEAS  
CIVIL ACTION NO.: 2024-CP-25-\_\_\_\_\_

**SUMMONS**  
*(Jury Trial Demanded)*

**TO THE DEFENDANT ABOVE-NAMED:**

**YOU ARE HEREBY SUMMONED** and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at Kent Law Firm, LLC, P.O. Box 117, Manning, SC 29102 within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

[SIGNATURE PAGE FOLLOWS]

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ATTORNEYS FOR PLAINTIFF

June 14, 2024  
Manning, South Carolina

STATE OF SOUTH CAROLINA )  
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 COUNTY OF HAMPTON )  
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 RICHARD ALEXANDER )  
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 Defendants. )

IN THE COURT OF COMMON PLEAS  
 CIVIL ACTION NO.: 2024-CP-25-\_\_\_\_\_

**COMPLAINT**  
*(Jury Trial Demanded)*

The Plaintiff alleges that:

1. The Defendant, Blackfin, Inc. is a corporation organized and existing under the laws of New York with its principal place of business in New York, but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by the commission of the below described wrongful acts.
2. Defendant Blackfin, Inc. has transacted and engaged in a persistent course of business within this State, sent its agents into this State to collect information and create artistic work, derived substantial revenue from goods and services consumed in this State, entered contracts to be performed in this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of producing some of the artistic works that give rise to the cause of action described herein.

3. The Defendant, Warner Bros. Discovery, Inc., is a corporation organized and existing under the laws of Delaware with its principal place of business in New York, but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by commission of the below described wrongful acts.

4. Defendant Warner Bros. Discovery, Inc. has transacted and engaged in a persistent course of business within this State, derived substantial revenue from goods and services consumed in this State, entered contracts to be performed with thousands of subscribers within this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of distributing some of the artistic works that give rise to the cause of action described herein.

5. The Defendant, Warner Media Entertainment Pages, Inc., is a corporation organized and existing under the laws of Georgia with its principal place of business in Georgia, but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by commission of the below described wrongful acts. Warner Media Entertainment Pages, Inc. is a subsidiary of Warner Bros. Discovery, Inc.

6. Defendant Warner Media Entertainment Pages, Inc. as owner of some of the artistic works described herein has transacted and engaged in a persistent course of business within this State, derived substantial revenue from goods and services consumed in this State, and sold and distributed its artistic works with the reasonable expectation they would be used or consumed specifically in this State.

7. The Defendant, Campfire Studios Inc., is a corporation organized and existing under the laws of California with its principal place of business in California,

but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by commission of the below described wrongful acts.

8. Defendant Campfire Studios Inc. has transacted and engaged in a persistent course of business within this State, sent its agents into this State to collect information and create artistic work, derived substantial revenue from goods and services consumed in this State, entered contracts to be performed in this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of producing some of the artistic works that give rise to the cause of action described herein.

9. The Defendant, The Cinemart LLC, is a limited liability company organized and existing under the laws of New York with its principal place of business in New York, but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by commission of the below described wrongful acts.

10. Defendant The Cinemart LLC has transacted and engaged in a persistent course of business within this State, sent its agents into this State to collect information and create artistic work, derived substantial revenue from goods and services consumed in this State, entered contracts to be performed in this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of producing some of the artistic works that give rise to the cause of action described herein.

11. The Defendant, Netflix, Inc., is a corporation organized and existing under the laws of Delaware with its principal place of business in California, but it is subject



to the jurisdiction of the Court by reason of doing business in South Carolina and by the commission of the below described wrongful acts.

12. Defendant Netflix, Inc. has transacted and engaged in a persistent course of business within this State, derived substantial revenue from goods and services consumed in this State, entered contracts to be performed with thousands of subscribers within this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of distributing some of the artistic works that give rise to the cause of action described herein.

13. The Defendant, Gannett Co., Inc., is a corporation organized and existing under the laws of Delaware with its principal place of business in Virginia, but it is subject to the jurisdiction of the Court by reason of doing business in South Carolina and by the commission of the below described wrongful acts.

14. Defendant Gannett Co., Inc. has transacted and engaged in a persistent course of business within this State, derived substantial revenue from goods and services consumed in this State, entered and benefited from contracts to be performed with thousands of subscribers within this State, and produced goods with the reasonable expectation they would be used or consumed in this State, all in the process of publishing newspapers, print media, and online news sources such as the USA Today network. Defendant Gannett Co., Inc. has a certificate of authority to conduct business within this State issued by the South Carolina Secretary of State.

15. Defendant Gannett Co., Inc. publishes *The Hampton County Guardian* and other local and regional news sources within this State.

16. The Defendant, Michael M. DeWitt, Jr., is a resident of Hampton County and editor of the weekly newspaper *The Hampton County Guardian*. As editor of *The Hampton County Guardian* Mr. DeWitt is an agent of Defendant Gannett Co., Inc.

17. Venue of the case is proper in Hampton County under S.C. Code Ann. § 15-7-30 because there are multiple defendants, and it is the residence of Defendant Michael M. DeWitt, Jr.

18. On July 8, 2015, Stephen Smith, whose car had given out of gas, was walking along a rural road in Hampton County, South Carolina. It was late at night. As he was walking along the road he was allegedly struck by a part of a vehicle and killed. News sources now report his death is being considered by a statewide grand jury, and the media has reported on individuals unrelated to Plaintiff allegedly being involved in his death. The Plaintiff, even though he has been falsely accused of harming Stephen Smith as described below, has not been notified by any law enforcement entities of any allegations against him related to Stephen Smith's death.

19. On or about June 17, 2022, Defendant Warner Bros. Discovery, Inc. began streaming and broadcasting a series, "Murdaugh Murders: Deadly Dynasty", throughout the entire country, including South Carolina, through its platform discovery+ and the Investigation Discovery television channel, which falsely suggests and subtly accuses the Plaintiff of being the murderer of Stephen Smith. During a ten-minute segment of the "Murdaugh Murders: Deadly Dynasty" series, the Plaintiff is alluded to a number of times as the murderer of Stephen Smith.

20. These statements about the Plaintiff are defamatory and falsely accuse the Plaintiff of committing a crime of moral turpitude. The false statements have been published to hundreds of thousands, if not millions, of viewers who watched the show, including viewers in South Carolina, and the defamatory statements continue to be republished as of the filing of this action on a broad array of streaming platforms and channels owned by Defendant Warner Bros. Discovery, Inc. Defendant Warner Bros. Discovery, Inc. has hundreds of thousands of subscribers to its discovery+, Investigation Discovery, and other streaming and broadcasting services and channels within South Carolina, was aware of the acute regional interest in the series, and intended for South Carolina viewers to watch “Murdaugh Murders: Deadly Dynasty”. Defendant Warner Bros. Discovery, Inc. purposefully and specifically directed marketing and advertising efforts for the series to South Carolina citizens.

21. Defendant Blackfin, Inc. created and produced the series “Murdaugh Murders: Deadly Dynasty” and in doing so published the above-described defamatory statements concerning Plaintiff and profited from Defendant Warner Bros. Discovery, Inc.’s republishing of the statements. In creating and producing the series, Defendant Blackfin, Inc. engaged in persistent series-development, investigation, and filming activities within this State to create an artistic work that would have specific appeal to viewers within this State and would be consumed by viewers within this State.

22. Beginning on November 3, 2022, the Defendants Warner Bros. Discovery, Inc., and Warner Media Entertainment Pages, Inc. began distributing and streaming a three-part series to the public on the Murdaugh family entitled “Low Country: The



Murdaugh Dynasty” through Defendant Warner Bros. Discovery, Inc.’s platform HBO Max (now entitled Max) throughout the entire country and specifically within this State. The series publishes false statements that suggest the Plaintiff, along with others, murdered Stephen Smith by striking him with a baseball bat. A sequence in the show accuses the Plaintiff of killing Stephen Smith because of his sexual identity and further insinuates that the Plaintiff killed Stephen Smith in relation to a romantic relationship between Plaintiff and Smith. These statements are untrue in their entirety.

23. These statements are defamatory in that they falsely accuse the Plaintiff of committing murder. The false statements have been published to hundreds of thousands, if not millions, of viewers who watched the show, including viewers in South Carolina, and the defamatory statements continue to be republished as of the filing of this action across a broad array of streaming platforms and channels owned by Defendant Warner Bros. Discovery, Inc.

24. Defendant Campfire Studios Inc. created and produced the series “Low Country: The Murdaugh Dynasty” and in doing so published the above-described defamatory statements concerning Plaintiff and profited from Defendant Warner Bros. Discovery, Inc.’s republishing of the statements. In creating and producing the series, Campfire Studios Inc. engaged in persistent series-development, investigation, and filming activities within this State to create an artistic work that would have specific appeal to viewers within this State and would be consumed by viewers within this State.

25. On February 22, 2023, Defendant Netflix, Inc. began streaming a series entitled “Murdaugh Murders: A Southern Scandal” which depicts a young man with red hair carrying a baseball bat. The Plaintiff has red hair, and it is readily ascertainable from the content of the series that the creators were depicting the Plaintiff as the murderer of Stephen Smith. The series publishes statements such as “everyone keeps coming up to me and saying it was the Murdaugh boys” and “listening to these statements it is pretty clear; Stephen’s death is intertwined with the Murdaughs.” The series falsely contains statements that the Plaintiff was engaged in a romantic relationship with Stephen Smith and that it was Plaintiff, and maybe two other individuals, who killed Stephen Smith.

26. These statements are defamatory in that they falsely accuse the Plaintiff of committing murder. The false statements were published to hundreds of thousands, if not millions, of viewers who watched the show, including viewers in South Carolina, and the defamatory statements continue to be republished by Defendant Netflix, Inc. as of the filing of this action. Defendant Netflix, Inc. has hundreds of thousands of subscribers within South Carolina, was aware of the acute regional interest in the series, and intended for South Carolina viewers to watch “Murdaugh Murders: Deadly Dynasty”. Defendant Netflix, Inc. purposefully and specifically directed marketing and advertising efforts for the series to South Carolina citizens.

27. Defendant The Cinemart LLC created and produced the series “Murdaugh Murders: A Southern Scandal” and in doing so published the above-described defamatory statements concerning Plaintiff and profited from Defendant Netflix, Inc.’s

republishing of the statements. In creating and producing the series, The Cinemart LLC engaged in persistent series-development, investigation, and filming activities within this State to create an artistic work that would have specific appeal to viewers within this State and would be consumed by viewers within this State.

28. Michael M. DeWitt, Jr. is the editor of *The Hampton County Guardian*, a local weekly newspaper covering Hampton County. Mr. DeWitt appeared in the Netflix series “Murdaugh Murders: A Southern Scandal” in both his individual capacity and within the scope and course of his agency as editor of *The Hampton County Guardian*.

In the documentary he states:

- “We were hearing all of these rumors about a possible connection”,
- “There is some truth to it”,
- “We could not put the Murdaugh name in the story unless we wanted to face lawsuits. We said a prominent well-known family was rumored to be involved. Everyone knew who we were talking about. We published the story and we waited. People would come up to me in the Piggly Wiggly and pat me on the back. We’re so thankful you had the courage to run the story. We did everything but put the Murdaugh name in the story”, and
- “I began to have a bad taste in my mouth about the members of the Murdaugh family as many people in the community did.”

When put in context with the remainder of the documentary it is clear that Mr. DeWitt is falsely accusing the Plaintiff of being involved in the murder of Stephen Smith. Mr. DeWitt’s false statements defamed the Plaintiff and damaged his reputation.

29. Defendants’ publications are unprivileged or exceed the scope of any privilege recognized by South Carolina and/or federal law. The statements were made



with reckless indifference to the truth. In publishing these statements Defendants purposefully ignored information demonstrating their falsity that was readily available to and within the Defendants' knowledge, including information indicating that individuals unrelated to Plaintiff were responsible for Mr. Smith's death. Defendants' publications and republications of the defamatory statements are unfair and biased in that Defendants deliberately chose to omit from the series information contradicting the above-described defamatory statements.

30. All of the above-described statements were defamatory and falsely accused the Plaintiff of being involved in the murder of Stephen Smith; as a result of the specific false and defamatory statements made by Defendants and republished by Defendants the Plaintiff's reputation has been irreparably damaged, and he has suffered mental anguish. Plaintiff is entitled to actual damages and punitive damages because of the reckless conduct of the Defendants in falsely accusing him of being involved in the murder of Stephen Smith.

WHEREFORE, Plaintiff prays for actual damages, punitive damages, and the costs of this action.

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