

STATE OF SOUTH CAROLINA)
)
COUNTY OF BERKELEY)
)

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT
INDICTMENT NUMBER: 2016-GS-08-02603
WARRANT NUMBER: 2016A0810400692

STATE OF SOUTH CAROLINA,)
)
Plaintiff,)
)
-versus-)
)
MICHAEL COLUCCI,)
)
Defendant.)
)
_____)

**MOTION IN LIMINE TO PREVENT THE
STATE FROM REFERENCING OR ELICITING
TESTIMONY OF FUNERAL ARRANGEMENTS
FOR SARA COLUCCI OR DORIS COLUCCI**

2021 APR 29 PM 2:25
LEAN GUERAY
CLERK OF COURT
BERKELEY CO
FILED
ELB

Michael Colucci (“M. Colucci”) seeks an Order from this Court to prohibit the State from referencing or alluding to arrangements for the funeral of either Sara Lynn Colucci (“S. Colucci”) or Doris Colucci.

The death of M. Colucci’s mother in April of 2017 or details of her funeral do not have any tendency to make the existence of any fact that is of consequence to the determination of M. Colucci’s charged misconduct on May 20, 2015, more probable or less probable than it would without the evidence. SCRE 401, 402, 403, 404.

The actions or inactions of M. Colucci regarding S. Colucci’s funeral is not relevant to this case. Funeral arrangements, or lack thereof, timing of such arrangements, parties involved in such arrangements, payment and/or invoices for the same, length of time the body remained at Dyal Funeral Home, whether the body was cremated or not, time of when the ashes were retrieved, and who retrieved the ashes, do not have any tendency to make the existence of any fact that is of consequence to the determination of S. Colucci’s death more probable or less probable than it would without the evidence. SCRE 401, 402.

ELB

Even if relevant, the probative value of referencing or alluding to any action and/or inaction of M. Colucci regarding the funeral of either S. Colucci or Doris Colucci is substantially outweighed by the prejudicial effect it would have on a jury. SCRE 403.

Even if the probative value is outweighed by the prejudicial effect, the referencing or alluding to any action and/or inaction by M. Colucci regarding the funeral of either S. Colucci or Doris Colucci is inadmissible character evidence. SCRE 404.

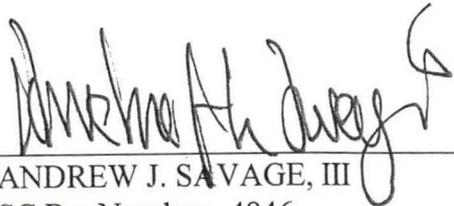
Respectfully submitted,

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April 29th, 2024