

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, ELICITING  
TESTIMONY, OR OFFERING EVIDENCE  
OF THE DAMAGED NECKLACE**

2024 APR 29 PM 12:58  
JEAN GUERNY DUPRE  
CLERK OF COURT  
BERKELEY COUNTY

*ELB*  
**FILED**

Michael Colucci (“M. Colucci”) seeks an Order from this Court to prevent the State from referencing, arguing for or against, eliciting testimony, or offering evidence of Sara Colucci’s (“S. Colucci”) necklace that was damaged during the 2018 trial of this case.

During the 2018 trial, the State’s theory was that M. Colucci strangled S. Colucci with the gold necklace that she wore around her neck. The State offered expert testimony in an effort to support this theory. During cross-examination of this expert, S. Colucci’s gold necklace was damaged.

Considering the State’s previous theory about the use of this necklace, the probative value of referencing, arguing for or against, eliciting testimony, or offering evidence of S. Colucci’s

*ELB*

damaged necklace is substantially outweighed by the prejudicial effect it would have on a jury.  
SCRE 403.

M. Colucci does not object to the use of photographs of an undamaged necklace or offering a replica of the damaged necklace.

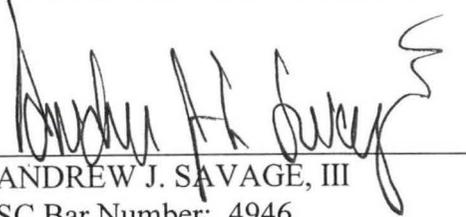
Respectfully submitted,

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ATTORNEYS FOR MICHAEL COLUCCI

BY: \_\_\_\_\_

  
ANDREW J. SAVAGE, III  
SC Bar Number: 4946

Charleston, South Carolina

April 26<sup>th</sup>, 2024

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STATE OF SOUTH CAROLINA, )  
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MICHAEL COLUCCI, )  
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**MOTION IN LIMINE TO PREVENT THE  
STATE FROM REFERENCING, ELICITING  
TESTIMONY, OR OFFERING EVIDENCE  
OF HOW THE NECKLACE WAS DAMAGED**

2024 APR 24 PM 2:05  
FILED  
LEAH O'BRYEN, CLERK  
BERKELEY COUNTY, SC

Michael Colucci (“M. Colucci”) seeks an Order from this Court to prevent the State from referencing, arguing for or against, eliciting testimony, or offering evidence of how Sara Colucci’s (“S. Colucci”) necklace that was damaged during the 2018 trial of this case.

During the 2018 trial, the State’s theory was that M. Colucci strangled S. Colucci with the gold necklace that she wore around her neck. The State offered expert testimony in an effort to support this theory. During cross-examination of this expert, S. Colucci’s gold necklace was damaged.

Considering the State’s previous theory about the use of this necklace, the probative value of referencing, arguing for or against, eliciting testimony, or offering evidence of how S. Colucci’s

ELB

necklace became damaged is substantially outweighed by the prejudicial effect it would have on a jury. SCRE 403.

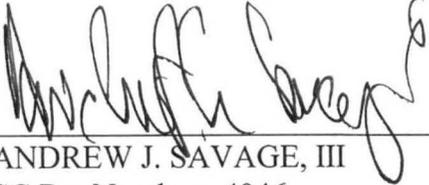
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