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STATE OF SOUTH CAROLINA) IN THE COURT OF GENERAL SESSIONS

2025 MAY 22 AM 11: 59

COUNTY OF BERKELEY) FOR THE NINTH JUDICIAL CIRCUIT

LEAH GUENTHER DUPREE
CLERK OF COURT
BERKELEY COUNTY, SC

INDICTMENT NUMBER: 2016-GS-08-2603

The State,)

v.)

Michael Colucci.)

DEFENDANT)

**STATE’S MOTION FOR AN
INSTRUCTION REGARDING THE
DAMAGED NECKLACE**

During the prior trial of Michael Colucci, the State moved Sara Lynn Colucci’s necklace into evidence. This was a necklace that Sara Lynn was wearing on the night of the incident. This necklace was authenticated and moved into evidence in the same condition as it was when it was taken into evidence during the autopsy. The necklace was damaged during the cross-examination of State’s Witness, Dr. William Smock, and is no longer in a condition representative of its state on the night of the incident.

The State moves that at the time this necklace is admitted into evidence, it is admitted with a photo of the condition that the necklace was in on May 20th, 2015 and the following instruction is read to the jury and admitted with the necklace. The proposed instruction will read: “State’s Exhibit ____, the necklace, is not in its current condition as it was on May 20th, 2015. The accompanying photo is the condition the necklace was in on May 20th, 2015. This exhibit was not damaged by any mishandling of the evidence by the State of South Carolina or its witnesses, and no inferences or conclusions should be made based on the condition the necklace is currently in.”

RESPECTFULLY SUBMITTED:

ALAN WILSON
ATTORNEY GENERAL

By: _____



JOEL ALEXANDER KOZAK
KINLI BARE ABEE
STATE OF SOUTH CAROLINA

JUNE 16TH, 2025
COLUMBIA, SOUTH CAROLINA