

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 TO LIMINE TO PREVENT THE
INTRODUCTION OF THE DEFENDANT'S
FINANCIAL STATUS**

2024 APR 29 PM 1:05
LEAH GUERNY DEBENE
CLERK OF COURT
BERKELEY, CA
Elb FILED

Michael Colucci (“M. Colucci”) seeks an Order of this Court to prohibit the prosecutor (and all State witnesses) from referring in argument or eliciting testimony regarding M. Colucci’s financial status at or about the time of Sara Colucci’s death.

M. Colucci’s financial status at or about the time of Sara Colucci’s death does not have any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would without the evidence. SCRE 401, 402.

Even if relevant, the admission of such evidence has a prejudicial effect which substantially outweighs any probative value. SCRE 403.

Even if the probative value is outweighed by the prejudicial effect, evidence of financial status, including payment or non-payment of debts, pending property sales, or any other financial occurrences, is inadmissible evidence of Colucci’s character or trait of character. SCRE 404.

Elb

The State possesses no competent evidence that the alleged homicide of Sara Colucci was motivated by his financial status, nor is there any evidence that Sara Colucci's death provided any financial gain for M. Colucci. SCRE 404(b).


Respectfully submitted,

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April 26, 2024