



## EPISODE 43: What Happened to Sara Lynn Colucci? Part One: The Story the Jury SHOULD Have Been Told + Victims Matter Rally

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### **Mandy Matney** 00:02

I don't know why it took this long to get justice for Sara Lynn Colucci, but after learning more about Sara and the details of the case that the prosecution left out during the 2018 trial, I am hopeful that the trial this spring will finally do her justice. My name is Mandy Matney. This is True Sunlight, a podcast exposing crime and corruption previously known as the Murdaugh Murders podcast. True Sunlight is a Luna Shark production written with journalist Liz Farrell. Well hello. Today is a good day for justice. We just got back from the third annual Victims Matter Rally presented by Sarah Ford and SCVAN. It was empowering to stand in solidarity with those who have lost in those who deserve justice. I did not speak this year but Sandy Smith, David, Eric Bland and I stood in the crowd and cheered others on. Sandy even met Attorney General Alan Wilson and we will talk about that at the end of the episode. Real quick thank you to all of the fans who showed up today. I know 9am on a Thursday is tough, but it was so important to see our army in action. Special thanks to the man who drove all the way from Charlotte just to meet us. You made our day. And I'm sorry, I didn't catch your name. Now I have to share a few parts of the rally with you all like they did with me. Hopefully these words will leave you ready to fight the good fight and take on the system. Here is attorney Sarah Ford reminding us of the mission at hand.

### **Sarah Ford** 02:06

We must continue to create and enforce a system where victims rights and defendants rights are both zealously protected. Victims deserve this system, a system that works for them and with them. I look forward to the day when judges no longer say they've never seen a victim represented by counsel in the courtroom. And it becomes commonplace and victims asserting their rights is as normalized as a defendant's right to have an attorney or asserting their right to be



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silent. victims and survivors are counting on all of us to center their rights and their voices in a system where they're often pushed to the sidelines. That is not the case. Today. Victims are at the heart of who we are and what we do and why we are here.

### **Mandy Matney** 02:49

The event focused on a case we have been covering for a year now drew our attention to the convicted murderer who was released from prison 15 years early thanks to a secret deal between solicitor Byron Gibson State Representative Todd Rutherford and judge Casey Manning David Pascoe, the man who prosecuted Price and put him behind bars spoke at the victims rally Thursday.

### **David Pascoe** 03:14

In December of 2002 Cole Jr. was gunned down in a horrific act of violence. on our streets right here in Richland County. The murderer was in is a high ranking member of a national street gang. His name as you heard, Jeroid Price. I was the prosecutor on Mr. Price's murder charge. And to give you an example of how dangerous he was, and still is. He is the only person that hundreds of violent criminals have ever tried. He's the only one where I had to have a police escort to and from my car at court. He's so dangerous, that witnesses were so fearful of him to testify. They fled the state even though they were under subpoena to testify. He went to jail for contempt of court. The jury convicted Price of murder. The judge sentenced him to 35 years a day to day sentence with no parole and call only on that day. During that trial in 2003. At least for Mr. Price stuff, they had some closure. Their price couldn't get out of prison until at least 2038. As for Mr. Price in the Department of Corrections, he was so bad in such a nuisance in our prisons, that they had to transfer him to New Mexico to go to prison. And yet, despite his violent record, despite his leadership and a national gang, despite his



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nuisance in our presence, he was able to have is it Earning a lawyer legislator, go back in a judge's chambers and have a judge sign a secret sealed order releasing drug Price from prison 15 years early. Call and Lily didn't know about Iran prices release until about two hours before he was released from that New Mexico prison. So the nightmare began again. This is the most outrageous thing I've ever seen occur in our system of justice in South Carolina. And they didn't know what to do. They called the governor's office no hell they call the Solicitor's Office no hell, and no one knew what to do because no one even knew why drop price was released from prison or who released him because it was all sealed. It was secret. It was about a month after prices release that a police officer a good friend of mine called me to ask me why you're on price out on the streets. I thought he was joking.

### **Mandy Matney** 06:02

He wasn't joking. And Pascoe knew this would be a nightmare for the small family whose son Carl Smalls, Jr. was murdered by price. Carl's father, also named Carl spoke on Thursday morning, and I swear the cement of the state house shook his words were so powerful Smalls reminded the crowd how Victims are often maligned and reduced by people who just don't understand. He talked about how cruel people can be with their insulting cutting comments.

### **Carl Smalls Sr** 06:41

The media has been great to us for putting our story on its face exposing the tragedy of justice. Also, we know that by the end of the day, we will hear that this family is being used for political purposes. Well, if you feel that way, you got us. We are guilty as charged. Just know that we are not being blindly led around by anyone. We have clear eyes. We see you. The state sees you. This country sees you. Light always overcomes darkness. And if this case can be used to shine



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through and expose wrongdoing, again, you got us we are guilty as charged. This absolute travesty of justice was brought to us by our law firm of Gibson, Rutherford and Manning.

### **Mandy Matney** 07:41

Did y'all hear that? He called them out on the State House steps. That is a big deal.

### **Carl Smalls Sr** 07:51

This was an embarrassment to the state of South Carolina and a black eye to the foundation of justice in this state. We want to convey to everyone in this state that this is not just about default, the small Sally, but all of us in family are victims of family, any one of us would gladly give anything not to be a part of. It's about decent, honest, law abiding citizens who go about their daily business and respect the law and each other. We are here as a small family to let you know that you're hurt. And your pain is our hurt and pain. We know your dissatisfaction with the system, the level of distrust you have dealing with a system that is heavily tilted toward trauma instead of you. We know what you went through, especially if you lost a loved one to violence, especially in son or daughter. A segment of this society will say that families need to move on you hear that all the time, just move on and man served his time. In our case, it's been close to 22 years. But to those who feel that way. I will only say try watching your son or daughter that to watch being bald, which I did what my son being born raised him for 22 years now laying in a casket that you have to pick out. Try that exercise, then we can talk. You see, we only have memories left. We wonder what and who they would become. We hold on to those special moments and memories. I had one of those moments about a year ago. There's a song that my son liked called 1000 miles. He would always say to me that he didn't say Daddy, I don't know why but I just



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liked that song. Every time I hear that song, it brings me back to him. Last year while I was driving down the road that song came on the radio and believe it or not I had to pull over to the side of the road to collect myself and it's been almost 22 years. Trust me, I would walk 1000 miles to see my son again. I would give my life for his, you never get through this. This is our burden to bear across to carry and to and to to get over and proud. If you are somehow annoyed or offended by people who just don't seem to get over respectfully, you need to get over we can't and we won't. We move forward because we have to life doesn't stop for us. But we will continue to carry our loved ones with us.

### **Mandy Matney** 10:48

He concluded his speech with words of inspiration. And yes, it was Stephen Smith he was talking about as he was pointing to Sandy.

### **Carl Smalls Sr** 10:57

when the system can release a convicted murderer in a covered darkness. Yet threatened is 70 year old Warren who's been displaced from our home for over 13 years, and just didn't look it just doesn't liberate a woman by all account has been robbed hasn't killed anybody or so many drugs. Lastly, years ago, while watching the Sunday political shows happened upon a wise man by the name of Mr. William razzberry. Talking about crime, he said, Sometimes I wonder if it's better to build a fence at the edge of the cliff or put an ambulance in the valley. The justice system has to be that fence at the edge of the cliff. That fence has to be a high fence built on the rule of law, accountability for one's action with the knowledge that there will be consequences consequences for unlawful behavior that fits them has to be fortified by equal scales of justice, that gives equal justice to victims as well as those who are accused of crimes. And it has to act as a blue walk to those who are appointed to execute the law, which again are the suits and rules. I



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was once told that when you are going to hell keep going. Again, when you go to when you're going to hell just keep going. Don't stop. Keep on being an advocate for your loved ones. They no longer have a horse you have to use you. You have to use yours the Steven, you have to use those for Jimbo. Yes, your kids need protection too. And yes, you must stand up for Larry. We must stand up for each other and keep going when we can because we are going through hell with the system and the and the travesty that we were dealt. But we have to keep going. We have to keep going. Because our loved ones man and we met. We've got to stay motivated. We've got to educate ourselves, know our rights. We have to know who we are Alexting to public office. We got to study down, educate yourself on them. And more importantly, know who you are, know who they are. We must have faith in Almighty God to help us through our pains. God is the answer for the hell that you're going through dealing with your loss of your loved one and the system. And lastly, I will say the acronym for push we all know, Pray Until Something Happens. Pray Until Something Happens. But also while we're preparing. We got to keep pushing until something happened. Because Well we all know we've been told faith without works is dead. So we have to keep pushing until something happened. Once again. Thank you as Potter as for small family, along with my daughter and grandchildren back in Charleston. And we do feel we are Paul We are family. Enough we feel comfortable here. We are my family. And let's keep pushing. Let's keep going. Thank you very much.

### **Mandy Matney** 14:40

That said this rally serves as an important reminder that our justice system needs to prioritize victims. Prosecutors need to prioritize victims. police need to prioritize victims reporters podcasters journalist all All of us need to prioritize victims. Only then will the scales of justice tipped to the point where powerful defendants no longer have automatic



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leverage. I've been thinking a lot about this as I've been spending all my nights and days watching the 2018 Colucci trial. It is a frustrating trial to watch for a lot of reasons. I want to say that I know I know Hindsight is 2020. And it is so much easier to critique a prosecutor than it is to build a case and convince a jury that a defendant is guilty beyond a reasonable doubt. It is a tough task. And the more that I watch prosecutors in action, the more grateful I am for the work of Big Creighton Energy Waters and his team. Creighton brought the Murdaugh case to the jury with passion, dedication, and an immense amount of well researched facts. He was convinced that Alex Murdaugh murdered his wife and son and cold blood and you could feel that in his voice. Day in and day out. From beginning to end. Creighton built a case out of bricks, leaving no room for the jury to see reasonable doubt. But if Creighton built his case out of bricks, then Megan Burchstead and Joel Kozak. The prosecutors in the 2018 Colucci trial built their case against Michael Colucci out of sticks. And Michael was represented by Andy Savage, a big bad wolf that makes Dick Harpootian look like one of the three little pigs but a lot meaner.

### **Liz Farrell** 16:53

One of the biggest similarities and major differences between the Colucci case and what we saw go down in Alex Murdaugh's murder trial is how the defendant was defended. Shortly after his arrest in early May 2016, almost a full year after Sara's death. Michael Colucci hired Charleston attorney Andy Savage. According to public records that reporter Beth Braden obtained for us from the Berkeley County clerk of courts office. Andy wasn't Michael's first attorney in the case, Michael started off being represented by a partner of another Charleston law firm that at the time was representing him in a case that he and Sara had brought against their daughter's private school, the school had erroneously sent information about their financial status to another



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family, which, according to testimony was connected to their non payment of tuition. And we'll talk more about that in a few minutes because it potentially speaks to Michael's frame of mind around the time of Sara's death. Initially, Michael was denied bond. It's a little confusing how this works, though. Because Michael was charged with murder, a violent crime that carries the potential death penalty sentence or life in prison sentence. He was also able to have a bond hearing in circuit court, so he was denied bond and magistrate court where bonds are usually set under his first attorney. Then days later, his bond case moved to circuit court where his new attorney Andy Savage, was able to successfully argue that because Michael had not skipped town after Sara's death, he deserved to be released from jail while he awaited trial. Now predictably, Judge Markley Dennis the judge from Bowen Turner's sweetheart plea deal agreed. He told the prosecution, which was arguing for no bond, that he could not ignore the fact that Michael had not tried to run away from law enforcement in the year leading up to his charge. But hello, the guy had just hired his criminal defense attorney. He clearly hadn't been planning to be charged with murder, at least not practically speaking. So what exactly was he fleeing from? As you'll remember, Alex Murdaugh had Dick and Jim nailed down from day one after Maggie's and Paul's murders. Dick and Jim were doing the absolute most for Alex in trying to manage his way out of murder charges. Many obviously including us believe that Alex should have and would have been arrested at the scene that night had he been any other person with any other set of attorneys. And if not at the scene then at least by August 11 2021. At the meeting he had with SLED with Cory Fleming right by his side when SLED agent David Owen asked him point blank did you kill Maggie and did you kill Paul? The sole reason Alex was in charge earlier than he was is because of state senator Dick Harpootlian, SLED and the AGs office spent over a year preparing their case before serving Alex charges to him. Basically





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room service style on a silver platter with a sprig of parsley. As soon as they lifted the lid on that dish SLED and the AGs office knew that Dick and Jim would be in there with their noses inspecting every little morsel on the plates to find any parts that were overseas and or undercooked with Colucci. The big time attorney didn't come into play until after he was charged. Why? Because Michael Colucci wasn't anticipating this outcome as an eventuality. At least not the same way Alex was. Now that we're almost nine years out from Sara's death and eight years out from Michaels being arrested in her death. You can see what money has bought Michael, had he not been out on bond, we promise you this case would have been retried a long time ago. We're going to hammer that point home a lot, by the way, because nine and eight years plus it's been six years since his first trial. Sara Lynn's family has had to live with zero resolution. And with this case hanging over their heads for almost a decade. Her daughter bishop has spent almost a full third of her life waiting for the justice system to retry this case alone. It's shameful. The only person that a delay like this benefits is a defendant who can afford the money it takes to make it happen in the first place. Now we've told you over and over about Andy Savage and his brief but irritating and not unsuspecting role in Steven Smith's case in 2021, where his chief accomplishment was keeping Stephen's mother from sharing Stephen's story with the media at a time when she needed all eyes on her son's case. The only other thing that we knew about Andy before this other than his reputation as a star attorney was that he had represented Michael Slager the North Charleston Police officer whose account of killing an unarmed black man was thrown into question when a video emerged showing the man Walter Scott, running away from Slager at the time he was shot. Andy was hired in 2016 after the video came out, contradicting Slater's account, which is when Slater's first attorney quit, and he was able to get Slager a federal deal on which he pleaded guilty to deprivation of rights under the law,



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and his charges of obstruction of justice and use of a firearm and a crime of violence got dismissed. But much to Andy's disappointment. Slager was still sentenced to 20 years in prison. According to a Post and Courier story in 2018, Andy considered this the loss of a lifetime and fell into a deep depression afterward. Anyway, that's a very short history on Andy. Anything we didn't know about him before. We've now learned by watching Michael Colucci. His first trial which was held in May 2018, and is available on CT tv.com. To understand how Andy conducts himself in the courtroom, I'm going to need you to first picture Dick our Boolean picture his arrogance, his entitlement, his rudeness, his feigned audacity at what he's hearing when he wants to make a point to the jury that this response from the state's witness is not only an affront to his client, but to society at large. But remove Dick sputtering and his afternoon chair naps in the courtroom. Okay, take all of those things. But now place this distilled version of dick in a room with the case files and sit him down at the desk and picture him actually reading the files and taking notes and not relying completely on his ability at ad libbing and a gross miscalculation of his own charm. Now, take this new version of Dick after he studied the case, beat for beat and imagine him popping in his well worn copy of Silence of the Lambs into his dusty old VCR. And picture him watching it over and over and over as he practiced the saying, well Clarice have the lamb stop screaming in the mirror. Then take that new version of decarb movie in and dip him into a vat of marshmallows a few times. Pop some glasses on him. Give him a belly first posture. And there you have Andrew John Savage, the third. Oh, one more thing you need to know about Andy. It would not surprise either of us one bit. If we found out years from now that when he entered law school, his name was actually Andy Smith, and the savage part came later. Like a weird surname transformation or some Mandela Effect thing that occurred after the universe saw how he handles witnesses in the courtroom. Because Andy Savage actually is savage. He



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is more calculating quicker on his feet smarter, more terrifying and far more effective than Dick Harpootlian in a courtroom. He speaks quietly giving you a false sense of decorum. He doesn't pace. He stands in one place and just asks questions that are meticulously designed to misdirect and confuse the jury and make the state's witness look like they took the afternoon off from their shift at McDonald's to investigate a murder and present their findings to the jury. Then when you and the jury are lulled into a sleepiness that can only be solved by a nap. Bam, Andy pulls out a bag of evidence and wraps a hose around his neck until its face turns color, and his voice is constructed by luck, oxygen while he continues to grill the witness. He did that by the way, he wrapped his neck in the hose that Michael says Sara used to kill herself in daylight while he sat in their car facing her mere feet away. And that wasn't even the most gross thing that Andy did during the trial. One of his core defenses of Michael is that maybe Sara tripped into the hose when instead of using the gate to enter the side of the building she squeezed between the fence posts and the building where she tripped and fell into the hose which was wrapped around the post. When a forensic pathologist testified that she was around the same height and weight as Sara and could not physically squeeze herself through the fence post. Andy appeared to pick a random woman out of the courtroom to ask her height and weight. And yes, it was that awkward. The prosecution objected. The jury was sent back and lo and behold, we find out that this random woman is actually an employee of Andy's law firm. To be specific, she's the only attorney who works with him in his firm and she's a former US Army attorney with three bronze stars according to the Post and Courier newspaper, and he successfully argued for the opportunity to present her to the jury after the woman testified to her height and weight, which was about seven inches taller than Sara, but only 20 pounds heavier. I don't have to tell you that the shape of a 165 pound woman who is five foot 11 inches tall can be very



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different from the shape of a woman who is 145 pounds and barely five foot four inches tall, right? But Andy was setting something up here. There seem to be a video of this decorated former US Army attorney successfully squeezing herself past the six foot fence post and the building. And Andy wanted the jury to see it. in service of that in front of the jury. He asked the forensic pathologist to guess at whether Sara's chest was bigger or smaller than the chest of the woman, his female employee, the decorated former US Army attorney who was standing there for all to examine her body. It was stunning. Not only did it create this sort of scandalous moment, it forced the witness to repeatedly bring up Sara's breast implants and maybe that was the point.

### **Mandy Matney** 27:46

And y'all, that wasn't even the grossest thing he did. One of the videos and he appears to have at the ready with a women squeezing themselves between the fence post and the building is of his wife, Cheryl, who sat second chair to him during this trial. Like Sara, Cheryl is the blonde. Cool, right? The jury could see Cheryl squeezing through the fence post and easily picture Sara doing it that night. And maybe you know, asphyxiating herself accidentally on a loop of a stiff industrial hose. But that wasn't enough for Andy and Cheryl. No, no, no. They somehow thought it would be a great idea to go buy the same dress Sara was wearing the night that she died and put Cheryl in that dress. And then film Cheryl, who was presumptively sober, squeezing through the fence post in that dress. That's right. Serious friends and family had to watch a video of Andy Savage's wife dressed like Sara Lynn Colucci. On the night she died, acting out the defense's theory on how Sara could have died that night, which is frankly ridiculous. Sara had a BAC of point two to nine when she died more than twice the legal limit to drive. If she did die by accident as Michael's team proposed alcohol and the cocaine in our system could have played a factor. But it's important



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to note asphyxiation by accident by tripping over a hose is uncommon. And how could she tripped over a hose and choked to death as her husband sat in the car a few feet away? And most importantly, what exactly does Annie's wife wearing Cirrus same dress squeezing through a fence at the crime scene actually proved to the jury. Even if Sara did go through the fence that night? Is that proof that she tripped and fell and hung herself on In a hose, while her husband said a mere few feet away, regardless of what Andy was trying to prove, it was one of the sickening moments we have ever seen during a trial. And we are saying this, as people who experienced Alex Murdaugh sit on the witness stand and give baby nicknames to everyone in his life in an attempt to not sound like a murderer. Luckily, the judge, Judge Deidre Jefferson did not allow it. We will get into that mess in a later episode. After a mistrial was declared, Andy was interviewed on his way out of the courtroom, and told a reporter that he was disappointed in the outcome, but from where we sit, the outcome was pretty ideal given the circumstances that Andy had to work with, meaning, Andy did a great job. In short, Sara's body was cold to the touch when EMTs arrived in her body was showing signs of liver mortis, meaning she had been dead for longer than Michaels timeline of events would allow for, she was found lying sort of on her side against a building, meaning she wasn't flat on her back the way one would be. If one's husband were administering CPR. As he told the 911 operator he was doing the car where Michael said he waited for Sara in while she was using the bathroom was a mere few feet from where Sara died, facing her with a clear view. Michael not only had a fat lip, which he said he got from the CPR he doesn't appear to have administered on Sara, he had additional signs of a physical altercation on his body. He had bruises and scratches, including on his upper right and left arms. He had abrasions on the knuckle of one hand, in skin, with peeled off on the inside of one of his arms near his wrist. Sara had a abrasions on both knees, and on top of



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one of her feet, the foot where her strappy high heel had fallen off, and was hanging on by her ankle, meaning according to at least one experts testimony, she looked as if she had been dragged. Sara also had what appeared to be a black eye, and was missing the tip of her left pinky nail in the car. On the floor, passenger seat, please found that pinky now on the driver's seat was the arm of a pair of broken sunglasses, still attached to a strap on the passenger side with the rest of those broken sunglasses.

### **Liz Farrell** 33:04

So the fact that Andy was able to convince some jurors that Sara didn't die at Michael's hands, seems to be an accomplishment. And Michael certainly got his money's worth because Andy burned down Sara's village in an attempt to save his client. He dehumanized her at every turn through humiliation, stereotype, belittling her, and, frankly, all women and bringing in details of her life that he wanted the jury to believe added up to alleyway suicide. Worse than that, the prosecution let him do this. Again, it's super predictable that a high priced defense attorney is going to take dynamite to a victim's life in order to free his client, right? It isn't just about using the law to defend their client at that point. It isn't just about holding the state accountable to the evidence, it becomes about something else. So it's the prosecution's job to, you know, Show some enthusiasm for a case and actually try hard to remind the jury of the human life that was lost here and why justice is so important in this case, again, that's not what happened here. We're not just talking about technical stuff here, either, like the dozen or so times that the prosecution allowed Andy to testify for the witnesses without objection. And we're not even talking about the unprofessional stuff like Megan birch said, rolling her eyes and snickering at the prosecution table. We mean basic stuff, like giving the jury a story to understand about who Sara was, and who Sara was with Michael in her



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life. So we want to take you through some things that we think the jury should have heard over those two weeks back in May 2018, starting with Michael's financial problems. Early on in testimony, the prosecution called to the stand a local used car salesman, and he was also a bar owner, who knew Sara and Michael. His primary purpose seemed to be to show the jury that Michael was possessive of Sara, he wouldn't let her go to the bathroom alone at this guy's bar and he was protective against people talking to Sara, which it's really hard to judge that right? Without knowing how shady this bar was, for instance, you heard me say the part where he was a used car salesman, so there's no telling there. But also, the state wanted to use his testimony to hint to the jury that Michael had financial issues. The used car salesman slash bar owner testified that shortly after Sara's death, Michael had asked him to borrow \$50,000 great right now we're on to something, maybe, again, it's hard to judge what that means without more context, which we did not get from the prosecution. Instead, we got Andy coming in with both marshmallow barrels blazing and his best Hannibal Lecter voice. He was basically like you're suggesting Michael had financial issues with that testimony? Did you know Michael comes from family affluence? You know who I am, right? Well, he could afford me. So now, neither of us are prosecutors. But holy hell, we would have taken that as a challenge. You better believe that when Andy put his wife Cheryl on the stand, which he did, by the way, we sure would have asked her as the office manager of her husband's law firm, to tell us how much Michael has paid for his defense so far, and whether Michael used his own money there. Would that question have ever been allowed? Probably not. But man would we try to get there? Why? Because Michael had long standing financial problems at the time of Sara's death, and, according to sources, was bolstered by his mother and his stepfather.



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**Mandy Matney** 36:46

Even absent the ability to ask Cheryl that question, the prosecution had at its fingertips several ways to show financial stress as a potential motive in the murder. They say Michael committed despite Michael's status as a Charleston jewelry store owner, which according to our sources he only attained with his family's help. He had a chaotic financial history for decades that appear to be getting increasingly worse. While the prosecution did point out some of Michael's financial problems, like the fact that Michael and Sara were so far behind on tuition for their two daughters that the girls did not return notices from the school in March 2015. They didn't attempt to make a strong connection between the stress of those problems, the already existing toxicity in their marriage and Sara's death, which again, they contend he caused during trial. We also learned that Sara Colucci, his parents made the downpayment on the house that they were living in. And they did this years before Sara's death. But the couple was several months behind on paying the mortgage and taxes on the house. What we didn't hear in trial was that Michael had a history of not paying mortgages, and somehow evading consequence. We are still digging through his financial records. And wow, there are so many. We found several records of Michael getting enormous loans and not paying them back. In 2008. Michael and his ex wife Camilla owed \$1.5 million on a loan. For example, in 2009, we found another foreclosure, where Michael owed over \$100,000 to a different bank, a sum that was settled on after the bank said he failed to pay back a large short term loan of \$550,000. He seemed to chaotically move from loan to loan with few repercussions. Does that remind you of someone from all appearances of his financial records, Michael never seemed to dig himself out of debt in June 2016, the month after he was charged with murdering his wife, and after he hired Andy savage to represent him. Michael's stepfather Ivo filed a claim showing that Michael owed him a whopping \$700,000





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Yikes. We have seen from the Murdaugh case and from many others, that increasing financial pressure can drive a man mad. Creighton Waters did an excellent job of laying this out for the jury. The pieces of Alex Murdaugh's financial history that built into a perfect storm he could no longer control which led him to do the unthinkable on June 7 2021, I can still hear Creighton's opening statement.

### **Creighton Waters 40:09**

And you're gonna hear some of what was going on and Alex Murdaugh's life leading up to that day stuff that happened that very day stuff that was leading up a perfect storm that was gathering. Much like storms that are coming outside today. Listen for that evidence. Listen to that gathering storm that all came to a head on June seventh 2021. The day the evidence will show he killed Maggie, and Paul. This has been a long exhaustive investigation. And it's going to be a fairly long trial. Because it's complicated. It's a journey. There's a lot of aspects to this case. There's a lot of factors to this case. But like a lot of things that are complicated when you start to put them all together, piecing together like a puzzle. All of a sudden picture emerges and it's really simple.

### **Mandy Matney 41:13**

The jury in the Colucci cases should have heard a very similar narrative with Colucci about his mounting debts that he could no longer pay back in the land deal. He was relying on to fix all of his problems falling through, and the wife who was ready to leave him in the divorce. He couldn't afford the image that Colucci so badly wanted to obtain. The family man, the businessman, the money maker, was slipping away from him on May 20 2015. But the jury didn't hear much about that. There is so much to talk about with this case, because of how many twists and turns and unexpected sets of circumstances there are



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attached to it. But before we get into all of that in future episodes, we wanted to start with the parts of the story that did not get told.

**Liz Farrell** 42:12

And yes, again, we're going hard on the prosecution here. In Alex Murdaugh's trial, we got to see the state rise to the occasion. The same thing didn't happen here. Not only did the prosecution dropped the ball with sharing a narrative that the jury could grasp. They didn't seem to prepare their witnesses enough or rather, they didn't seem to anticipate some of the very obvious avenues that Andy would go down with their witnesses. And there were simple things they didn't appear to follow up on. For instance, we were curious about Michael's story about Sara being upset that day at the cemetery where her previous husband, the father of her daughter was buried. Michael told law enforcement and people in his life that Sara was upset that the cemetery was allowing other people to be buried between her deceased husband and the water. So upset ostensibly that she killed herself right in front of him. Now, Michael Vieira, who Sara was married to before Michael Colucci is buried in Charleston at Magnolia cemetery. His burial plot is in a remote section of the cemetery on a dirt road and near the water with trees surrounding the area. The state did not present GPS records at the trial so we are unsure of where the stop fell during Michael and Sara Colucci has afternoon and evening together and how long they stayed there. Because we are curious though, we had reporter Beth Braden look into the story to find out where exactly Michael Vieira is buried, and whether the cemetery had gone back on its word to Sara in 2015 by burying people between Michael Vieira and the water, like Michael Colucci said happened that day in May 2015. So here's what Beth found on May 20 2015. No one was buried between Michael Vieira and the water. Shortly after that one person did get buried between Michael Vieira and the water. That person was Sara Lynn Colucci.



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### **Mandy Matney** 44:08

According to a woman Beth Braden spoke with at the cemetery. Sara remains the only person buried between Michael Vieira in the water to this day. Like we said, there were simple follow ups the prosecution seemed to have missed. So much was said about Sara during the trial. Her life was turned inside out by the defense and further and dignified by the prosecution and closing arguments. Prosecutor Megan Burchstead did Sara no favors and convinced the jury that she was a person that they should care about. In fact, she mentioned several times that Sara did drugs, drank, and was quote unquote, mean. She used that word to describe Sara twice in her closing argument. One of the last things she said was Sara was mean, but she didn't deserve to die. Why would you think that would help convince the jury of anything outside of her abusive relationship with Michael, as documented by the hundreds of text messages that we will talk about on a later episode. The jury didn't get to learn a whole lot about who Sara actually was. Especially before she met Michael in 2009. And this week, Liz spoke was one of Sara's friends, Stephanie Merrill, who told us about what Sara was like, and how it was ultimately, Sara's relationship with Michael that became her downfall.

### **Stephanie Merrill** 45:51

Sara and I became friends. In high school, we went to high school in the early 90s, Stratford High School in Goose Creek, South Carolina. And, you know, we were friends in high school, we didn't run in the same group, but sometimes we just hung out by ourselves. Gone, you know, few parties here and there. We had some classes together. But we reconnected at our 10 year high school reunion, and started hanging out a little bit more than that really connected after her husband Nicole Vieira passed away. And when she was single, we hung out a great deal for several years, until she started dating. Michael Colucci.



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**Liz Farrell** 46:43

Well, Megan Birchstead decided the jury should understand Sara as a mean person who didn't kill herself. Stephanie and others in Sara's life saw her differently.

**Stephanie Merrill** 46:54

Sara is very bubbly and vivacious. She's super cute. She always had this really cute, short, super curly, blonde hair style. And she just dressed really cute. And she was just one of those people that would kind of talk to anybody. And I just thought she was just a fun, you know, easy going personality, but she was like, mischievous, I guess she was pretty, pretty sassy. And just funny. And you know, she had a kind of a dry sense of humor too. And so she caught on to jokes pretty quickly. And, you know, always had a little comeback here and there. So she had a good, good personality. Sara was definitely one of those people that you know, would just hang out with who she wanted to hang out with, or really just talk with whoever she wanted to talk with. And that, you know, in that moment, she was also somebody who would listen, and not like trying to talk over you like sometimes that happens, and especially crowds and whatever she it seems like she was like pause before she said something. And so, yeah, I just remember that. And, you know, she enjoyed being around people. So she enjoyed listening to what they had to say.

**Liz Farrell** 48:20

In high school, Sara was named most mischievous. And that aspect of her personality carried on through adulthood.

**Stephanie Merrill** 48:27

Well, as the 10 year reunion, we I was actually staying because I was coming from out of town and I was staying at the hotel that the reunion



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was at and my son was with me at the time. And he would have been about nine and so she wanted to meet him so at some point, you know, her and I can't went to the hotel room and hung out with my son and then her husband came up and then they he decided they wanted to order I guess you could order like a Nintendo or something on the TV. And so they ordered that for my son to my son's name is Hunter and they ordered that for Hunter to play video games while we hung out downstairs.

### **Liz Farrell** 49:19

After their 10 year reunion, Stephanie and Sara continued to hang out together, along with Sara's daughter, Bishop Vieira, who is now 19 years old.

### **Stephanie Merrill** 49:28

After Michael passed away, Michael Vieira passed away. You know, we were both single we both had younger children. So sometimes we did things together. We took Bishop horseback riding. I had a friend who had some horses so we went out to her place and went horseback riding. I was playing rugby at the time and Sara would come to my rugby games. Just different events like that sometimes really, because we had small kids a lot of times we just like hung out at house and spa

### **Mandy Matney** 50:00

Stephanie told us that Sara was always impeccably dressed, that aesthetics were important to her, including the way her home looked.

### **Stephanie Merrill** 50:09

She had this like Hot Pink Velvet embossed 12 wallpaper in one area of her house, if that makes sense. And it looks really good with everything. It wasn't like, you know gaudy or tacky or anything, it wasn't too much,



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it was just like a pop of this like amazing texture color. You know, she had this way, like, even if she wasn't wearing any other makeup, she would wear like bright red lipstick. And then like her sunglasses, and she was look like very chic. She always looks put together pretty much like 99% of the time, you know, she always looks put together and she can and kind of like effortlessly put together if that makes sense. Like she one time she met her at the jewelry store and she was wearing like these white sort of below we I guess you would call him like sailor pants that had a high waist and they were I'm sorry, they weren't white, they were navy blue, they had a high waist and they had these big gold buttons. And then she wore like a white shirt sort of tucked into it. And it was just like a super effortless sort of put together, you know, look like essentially a t shirt and a pair of pants. But you know, then she had her red lips, and she had her gold jewelry. And you know, she just looked great every time. You know, she went out. Like, I feel like I could spend a lot of time trying to put together an outfit and just end up wearing like, you know, athletic yoga pants and but she could just throw something on. And you know, everything looks great. She just had a great style.

### **Liz Farrell** 51:49

We talked to Stephanie about how Sara was presented during the first trial by the defense as someone who is so heartbroken and destroyed over her previous husband's death that eight years later, she took her own life outside a warehouse with her current husband sitting mere feet away. The thing we learned from Stephanie is that Sara knew how to pick herself up off the ground. At the time she was killed. Sara was reportedly putting together a plan to take Bishop and leave Michael once and for all. She'd expressed this plan to her family. She was within days of executing it.



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### **Stephanie Merrill** 52:24

I mean, listen, everybody has struggles in their life. And you know, Sara had gone through many, you know, awful things. So it's no wonder that she had some troubles. And but you know, there were some other just really great things about her. And like, you know, she was funny, she was to be very kind. You know, I always have gone back just because all this has come up and just sort of looked at different Facebook messages she would send to me and send other people and, you know, it was always so sweet. And just funny or quirky, or just something like off the wall that I couldn't even remember now what she was talking about. But she was, you know, just one of those people like she was just thoughtful. So there was just a lot of things about her. I don't think there's too many people from our high school experience that would have, you know, anything bad to say about her. Although, you know, everybody faces challenges. And at some point, she was a single parent. And she went through a lot of things that she was extremely resourceful. She always found a way. And so, you know, once she had Bishop and then when Michael Vieira died, she knew she had to pick up the pieces and create a good life for Bishop. And you know, so she was very resourceful she had there were some things that happened with her, the business that her and Michael had after he passed away. And so that was not great. And then she had to get past that and find other sources of income and other ways to just move on. So she was very, very much a resourceful person, a survivor just kept plugging along. You know, every time she spoke of Michael Vieira, it was always like a positive thing about him or whatnot. But she wasn't, you know, wallowing in self pity about it. At any point that we were together.

### **Liz Farrell** 54:36

At the time of her death, Sara had a dependency on drugs and alcohol. She was also being treated for ADHD, depression and anxiety. The idea



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of Sara taking her own life wasn't entirely far fetched to Stephanie, who lost touch with Sara after Sara got involved with Michael Colucci, meaning just hearing that Sara might have died by suicide. wasn't enough to arouse suspicions on its own. what stuck out to Stephanie was how Michael said it happened. And where Michael said it happened.

### **Stephanie Merrill** 55:09

When I first heard it was suicide, but but no details. I essentially pitch her her, you know, in her house and sort of like, you know, like, the wallpaper background, that beautiful hot pink and just like, I think, like, sort of like how beautiful she looks like, you know, in that moment. And then when I found out that her death occurred in like that 30 Ally way, I was like, There's no way on earth, she would have committed suicide and an absolutely, yeah, I mean, it was just like 100%, in my mind, impossible. That would have mattered to her. You know, how she presented herself to the public how she would present herself to her family, her mom, especially, I think would have been extremely important to Sara. And I just don't. I mean, really, there's just no way. I don't even know what else to say about it. There's just no way about a

### **Liz Farrell** 56:21

month before Sara's death and years after she lost touch with Sara. Stephanie was at a gas station in North Charleston when she ran into Michael Colucci.

### **Stephanie Merrill** 56:31

So just, you know, a few weeks prior to her death. I was at a gas station on my way to I was in a play. And I was on my way to rehearsals. And so I was kind of an area that I'm not typically in. So it was a little shocking when I was pumping my gas and Michael Colucci approached me at





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the gas pump. And kind of startled me and exchanged a few words with me. And he just made me uncomfortable. And so I asked him if Sara was in the car. And he said, Yes, she was. So I walked over to the car, she was in the driver's side, see, and I walked over to the car, and she rolled the window down. And I just said hi to her. And she kind of stuck her head out of the window. And we just gave each other like a kiss on the cheek sort of thing. And then she got, you know, her head back in the car and said, Goodbye. And we left. And that was I got my car and left to rehearsal. And I'm assuming Michael got back in the car, and they left. And that was last time I saw her. So it was like, you know, very shocking a couple of weeks later, but I was really glad to have that moment. Because, you know, Sara and I had not talked before they had gotten married. And so it was just a nice moment to have.

**Liz Farrell** 57:59

We asked Stephanie if Sara's relationship with Michael played a role in her drift from Sara.

**Stephanie Merrill** 58:04

Oh, yes, definitely. You know, they were volatile together and toxic. And, you know, it was like, Michael was very much a person that like, you know, he would do things for you. But it was never just like, out of the kindness of his heart. It was like a running list that he would keep of favors he did for you. And then sort of like, throw them in your face or, you know, didn't I do this for you sort of tit for tat kind of a thing. And, and I don't know, they just it just ended up being a very toxic sort of relationship between the two of them. And so that was essentially the end of our friendship.



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**Liz Farrell** 58:56

If the state's theory of Sara's death is that she was killed as a result of his volatile and toxic relationship. And that is their theory, then the story of Sara and Michael is one that needed to have been told in a much more clear and cohesive way during Michael's first trial. He needed to be told in a way that connected the dots between Michael's position and their marriage, as a man about to be abandoned by the wife he accompany to the bathroom and bars and his position financially as a man who was in trouble, whose financial salvation repeatedly lay in the hands of his mother visa vie, her husband, his stepfather. We'll talk more about that in the future. Remember, a year after Michael was charged in Sara's murder, Michael coochie stepfather who was in the early stages of dementia, shot and killed Michael's mother. There's a whole story there that needs to be told. Back to the original point, the prosecution needed to better connect all of that. Sara was a woman who didn't shy away from her opinion. She had a sharp tongue and knew how to hit were hurt. She was also a woman who was still standing after dealing with so much grief and struggle, in the face of all of that, she knew there could be light at the end of a very dark tunnel. And as such, she was planning a better future for her and her daughter in the face of a failing marriage and failing finances, and on the day, when the woman he loved was grieving over another man, a man he could not possibly compete with, did Michael experienced the sharper part of Sara's personality? The part that could ignite a temper? Here's Stephanie.

**Stephanie Merrill** 1:00:34

Sara was not a meek, you know, we want in, you know, she definitely, I mean, she definitely would have given, you know, what she got, it would have been, you know, so it would have been like, a back and forth situation, she would just not have taken something. And then that was that. It is a little surprising some of the, you know, things that you think



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about, and, you know, with her personality being such a strong personality, and her being a survivor, you know, I do often wonder, like, why she stayed in that relationship so long. But, you know, I think just like, most people, she's just a very complicated person, and she has x personality and y personality, and, you know, you can be so many things, and you can present yourself to the world one way and you can feel another way or behind closed doors, it's another way. So although it is surprising, that, you know, she stayed in that relationship for so long, being that she is such a strong, you know, willed person. Or she was a strong willed person. You know, you just don't You don't know why everybody makes choices that they make. So I'm not really sure. You know, there was the, there were a lot of things about Sara, that was the sort of, you know, Southern and I think a lot of that comes from her mom and her wanting to, you know, please her mom, you know, for instance, that double named Sara Lynn and if you notice, like I call her Sara, because that's always what her name, you know, a lot of people call her Sara Lynn. But then that's a very, very, very Charleston Southern thing. And then also exactly like what we were saying with Bishop Bishop always had the big bows in her hair, and, you know, always dress so cute. And Sara was always put together. But you know, I think that Sara had a lot of, you know, qualities that, you know, if you kind of think of Scarlett O'Hara, that would be a little bit more of an accurate sort of, Sara, you know, very strong willed, but always beautiful, sort of that, that would be more of the personality.

### **Mandy Matney** 1:03:14

Before we go, we wanted to again, remind listeners who knew Stephen Smith or new people who knew Stephen Smith, to continue sending any photos or videos of him so that we can share them with his family. We are continuing to dive deep into the evidence in his case, and we are getting close to being able to share our next significant discovery



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with you. Also, we've gotten a lot of questions about the Grant Solomon case. We are continuing to go through the immense amount of documents we have, and we are still waiting for some of the foyers. We filed last summer and fall. We plan to visit Tennessee in the next few months to do some on the ground reporting there. So we should be able to get you some updates soon. Now to wrap up, I thought it would be important for you all to hear from Sandy Smith herself, who was front row at the victims matter rally wearing her Justice for Stephen shirt. I asked Sandy how she felt after the rally.

**Sandy Smith** 1:04:22

It's amazing just to see the support. And the people like thanking me for still speaking. And I have taught them how to speak and not be quiet anymore because that's what we need to do. We need to start raising how until we get the justice we need for our families.

**Mandy Matney** 1:04:48

Sandy was sure to get face time with Attorney General Alan Wilson, whose office is in charge of prosecuting Stephens' case while their interaction was brief. It was a step in the right direction.

**Sandy Smith** 1:05:01

It was really good. Um, it was kind of awkward, you know, because I wanted to ask questions, but he was in a hurry, hurry, hurry, but at least we will have opportunity to set up an appointment. So we can actually talk face to face. And they were so helpful and they sent us to the right directions that we needed to get to. So that's what we're going to do next.



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### **Mandy Matney** 1:05:28

We especially appreciated the employees of the Attorney General's office and we encourage Sandy to sit down with Alan Wilson and told her that they would help her set that up, we look forward to hearing about what that meeting will bring. In the meantime, Sandy is begging everyone to continue to share Stephens story and to continue to keep the pressure up on sled on the AGs office on every person who knows what happened to Stephen Smith.

### **Sandy Smith** 1:05:57

Well, the main thing I want is if you know something, or you know somebody who knows something, to please I'm begging just please send in a tip um, going on nine years and let's just try to keep this from happening again. Um, you know, because if it could happen to me, it could happen to you. And so if you know something or you know, somebody that doesn't know anything, please just turn in a tip.

EXPOSING CRIME & CORRUPTION

### **Mandy Matney** 1:06:38

Stay tuned, stay pesky, and stay in the sunlight. True Sunlight is a Luna Shark production created by me Mandy Matney and co-hosted by journalist Liz Farrell. Learn more about our mission and membership at [lunasharkmedia.com](http://lunasharkmedia.com). Interruptions provided by Luna and Joe Pesky.