



EPISODE 49: Speeding To The Colucci Retrial - Newly Discovered Reports Shed Light On Michael Colucci's Time Out On Bond

Mandy Matney 00:02

I don't know if the South Carolina Attorney General's Office is at all prepared for the war ahead facing Goliath aka Andy Savage in the Colucci retrial this month, but I hope they realize this case is much bigger than Michael or Sara Colucci. It is about our two systems of justice that unfortunately haven't changed at all since the Murdoch trial. 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, Aloha from Hawaii. David and I have been on an adventure of a lifetime these past few weeks between LA, Sonoma and now Maui meeting with fans and partners. Each place has filled my soul in different ways as we are resting up and mentally preparing for the Colucci trial in less than two weeks. I saw something the other day that said nothing in nature blooms all four seasons, so go easy on yourself. I was reminded of this walking around wineries and smelling the baby bushels of grapes and Napa tis the season for rest and growth. This has been my season for rest and growth and healing the wounds that struck me deeply over the past five years of reporting. Some of y'all might not have noticed that this has been my rest last healing season. And that is because of our amazing team at carrying the load. Specifically Liz Farrell. She is in her blooming season. Y'all the work she is doing on this Colucci case is phenomenal and Pulitzer worthy. Her deep dive reporting with victims at the heart of her work is truly remarkable and unmatched. She inspires me and motivates me and I am so excited to get to cover another trial with her now that we are both mentally in a much better place than we were last January. Also, major props to Beth Braden, who has been reporting her tail off these past few weeks filing FOIAs, checking in with officials and asking all of the pesky questions. Finally, I want to say thank you or Mahalo to our listeners. Sometimes I just wake up and realize that we still have a

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successful podcast going. We are still following our mission to give voice to victims, expose the truth wherever it leads and get the story straight. It has been the opportunity of a lifetime. We aren't going anywhere. But I just keep thinking, wow. Two years ago, I was hanging on by a thread, unable to foresee a future in podcasting, where we could still be doing this very important work and 2024 and thank you. Thank you. Thank you. Or Mahalo to the Luna Shark Premium members who are absolutely vital in supporting that mission. Our team is working hard to make sure you have all of the details before Michael Colucci goes to trial again on May 13, 2024 for the murder of Sara Lynn Colucci, Soak Up the Sun Premium members have access to a full timeline case documents, articles and watch parties of the 2018 trial with the team. We have two more watch parties before the second trial starts. The first is on Thursday, May 2nd at 7pm eastern time. And the next will be on Thursday, May 9th at 7pm eastern Time. And on Monday, May 13th join us in the courtroom for live coverage of jury selection in the start of the retrial of Michael Colucci. It's Andy Savage versus the Attorney General's Office round two which is going to be absolutely wild. To join Luna Shark Premium or update your account to the Soak Up the Sun tear so that you can watch the trial live while chatting with me and the Luna Shark team. Visit lunashark.supercast.com. Finally, we were a little off schedule this last week, but I want to remind you to check out the last two episodes of Cup of Justice episode 78 and 79. And to check out the new Cup of Justice Instagram account at COJPod for all key updates. On 78 my husband the amazing and talented Luna Shark producer David Moses made his Cup of Justice debut and oh my gosh, he knocked it out of the park. I was a proud wife to see him in front of the microphone where he most certainly belongs. And in 78 South Carolina prosecutor Mandy Powers Norrell joined us for a breakdown of the evidence and the lawyering in the 2018 Colucci trial. And she talked about the issues facing domestic violence prosecutors in Episode 79,

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the OG crew, Liz, Eric and I covered several important bases of the legal system, including dealing with rude neighbors and Weinstein's conviction being overturned. Now, let's get into it.

Liz Farrell 05:44

If you ever want a lesson in how bureaucratically indifferent a justice system can be, or how morally indifferent a group of people can be when presented with a wealthy defendant, the Michael Colucci retrial is going to be a really great place for you to start. Granted, the Colucci case is far from unique in terms of people in wealthy defendants' circles seeming to just throw up their hands like, well, what can you do about it? Move on? Why waste your time on a case like this? When it comes to cases where a defendant swears he didn't do the crime, and has the money to make it go away? Despite what the evidence might show? I mean, hello, obviously, we were raised on Alex Murdaugh. So we know that this is a thing. There's just something so frustratingly different here by all appearances, accounts and assumptions. Michael Colucci has money and a form of power and influence, but it's not like a generational thing. It's not something that was woven into the fabric of the community, like it was with Alex not to dismiss people's tolerance of Alex's behavior or their propensity to look the other way with the Murdaugh family. But it's at least understandable. It was scary to them, and there were consequences to speaking out, or not keeping the secrets there. But here, Michael Colucci is basically just a guy with friends and friends who have money. And we have a growing list of evidence that shows this isn't a one off for him in terms of being accused of bad behavior. Obviously, murder is a much different category, apart from let's say, being accused of pawning off customers jewelry or criminal vandalism or leaving a friend with \$50,000 in medical bills because he snuck up behind him and put him in a chokehold and broke his leg or being in perpetual serious debt that he

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can always pay back according to court records. In other words, it's really confusing to us when people want to overlook all the facts of the case and all the facts about a person in favor of allowing a potential injustice to go on punished just because they like or they relate to the defendant or just because they think holding them accountable is too difficult. It's especially confusing to us when Michael's defense is either that Sara Lynn killed herself right in front of him without him noticing. While she used a very ineffective method of doing that, or that Sara Lynn tripped and fell and accidentally hanged herself on a loose hose right in front of him. He said he gave her CPR, but she wasn't flat on her back when police got there. It's confusing to us when he said this had just happened, but her body was cold to the touch when first responders got there. And it's confusing to us when he said there hadn't been a fight before her death. But he had a busted lip and scratches on him and she had a bruised eye and a broken finger. Now, also, this isn't even to mention their texts and their marital history. It says if some people would rather cover their eyes, plug their ears and don't want to hear the truth when that truth conflicts with what they want to be true about a man. They hide behind their own faulty logic and double down on their beliefs or worse, flaunt his indifference to the law, flaunt his apparent belief that the rules don't apply to him. But we'll get to that one in a second. Again, we should be used to this stuff by now. But it's still so disappointing to see it in action. And we're constantly shocked by it. It's almost like the system and the people on the sidelines, see that a case involves a challenge and that this challenge alone is simply not worth pursuing. So thank God for the people behind the scenes who continue to push for accountability with Michael Colucci. Thank goodness, there are good people who are watching from the sidelines right now and helping us get justice for Sara Lynn More Colucci for her mother, Barbara, and Sara Lynn's daughter, bishop, and to get justice for the Colucci siblings who have

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had to sit and watch the legacy their father built, get torn up and spit on by their step brother. That said, Michael Colucci goes to trial on May 13th In Berkeley County. Today we're going to talk about how his defense team is already hissing at the sunlight by doing their signature motion bombing with the court. It's unreal and we cannot wait to tell you about this. But first let's talk about Michael Colucci's confusing and annoying bond situation again. As you all know, the Attorney General's office told us that Michael is under house arrest at his quote, parents house which, no he is not. He was evicted from his parents house in 2016. Soon after his arrest and went to live at their beach house, where he was again evicted in March 2018. In May 2017, the AGs office filed a motion to amend or revoke Michaels bond. On June 2 2017, a judge clarified the conditions of Michael's bond, ruling that he was to be at the beach house between the hours of 8pm and 6am. Now, when we first told you about this, we didn't know exactly what precipitated this motion because the motion was pretty vague. It just said that the AGs office had been made aware of Michael violating the terms of his bond reporter Beth Braden file the Freedom of Information Act requests for all Colleton County sheriff's office calls for service to the beach house address, the house that was owned by Eva Colucci and his wife that Michael was sent to live in 2016. And to the beach house address where Michael apparently resides now and according to sources has lived out since his march 2018 eviction calls for service are basically every time a law enforcement officer is called upon to physically appear at an address. This kind of FOIA can be illuminating because it asks for all instances when 911 was called from a particular address or to a particular address. It's like a nook and cranny FOIA because not every call for service results in a police report. And not every call for service has a name attached to it. So it wouldn't come up if you were simply asking an agency for anything attached to so and so's name. What we learned from this boy is that on the day Michael's mother was shot and

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killed by Michael stepfather Ivo police went to the family's beach house to tell Michael and got there around 9:15pm. Only it's not clear whether Michael was there. He was supposed to be there, obviously, but the call for service report does not know whether police and there were four of them that went to his house made contact with him. According to the report, it looks like Edisto Beach police asked the Colleton County Sheriff's Office for backup. The report notes that one of the Edisto Beach police officers quote self initiated their response to the call meaning they apparently elected to help out. What we can tell you is this in the 17 calls for service reports that we got several noted that the case was quote settled, like contact ostensibly contact with the subject the subject being Michael, this report does not contain any such note. This happened in April 2017. By the way, just over a month later, the AGs office filed its motion asking for Michael's bond to be reconsidered. Can we draw any conclusions there? Absolutely not. But all we can do is note the timing. While we commend the agency's office for taking action in 2017, it was literally the least they could do. We know from sources that at this point in time, there had been multiple reports of Michael allegedly violating conditions of his bond. So the question remains, why does the AGs office continued not to address or at least publicly address Michael's alleged violations of bond since then? There have been no hearings to correct the address where he's supposed to be on house arrest. Is that important? Well, I guess it depends on how you might assume a man who has been waiting retrial for six years on a murder charge who already got in trouble for bond violations? might think, do you think that a man under those circumstances is thinking hmm, these conditions still apply despite the fact that they have the address wrong? Or do you think a man under those conditions is reasoning with himself? This agreement can't be enforced because I no longer live there. Obviously, we don't know Michael's thinking there, but put a pin in that. Let's do a few more updates on Michael's bomb

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situation. And this next one will interest our listeners who are Murdoch historians. Over the last week we receive more information from the Dorchester County Sheriff's Office about incidents involving Michael Colucci at his parents Summerville house. In a previous episode we told you about how evil Colucci called deputies in June 2016. To report that he believed Michael, who had just been put under house arrest at their home was violating the conditions of this bond. We have the agency's supplemental report on that now and here's David with what that says.

DAVID MOSES 14:45

June 16, 2016, I contacted Creighton Waters at the South Carolina Attorney General's office regarding this incident, Mr. Waters advisors they will be checking Mr. Colucci, his GPS monitor and If it does not show him at home 100% of the time he will be detained with violating his house arrest order.

Liz Farrell 15:10

Creighton Waters, you say? Well, there's a name we welcome seeing in this case. But despite sources telling us they believe that Michael Colucci was on an ankle monitor leading up to his 2018 trial, the AG's office has told us that this was never the case except during Michael's 2018 trial that ended in mistrial. When the trial was over, Michael's bond conditions reverted back to ostensibly the conditions that were set for him in June 2017. The Public Index does not list Michael's June 2017 Bond conditions. Instead, it lists his original bond conditions from June 2016 and his temporary bond conditions from the trial in November 2018. It only shows an ankle monitor for the latter. Now, does this mean Creighton Waters or was wrong? We're not clear on that. But here's what we think it means either Creighton was right and Michael was on an ankle monitor at that point in time. And when Creighton looked he saw that Michael had not violated his bond conditions, or Creighton did

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what the bailiff did upon Murdaugh's 2019 arraignment in the boat crash case, he assumed based on logic and professional experience that a certain set of circumstances existed. In Paul's case, the bailiff assumed that because Paul was now under arrest, that he'd be put in handcuffs and taken to jail. That didn't end up happening. In Colucci's case, it's possible that Creighton made the very logical assumption that a man accused of murder who was able to secure a bond would have an ankle monitor on given the facts. It seems like the latter might be true, because in what world is a good for any civil society to allow a man accused of a violent crime to operate according to the honor system? It's an absolute absurdity. And frankly, very fixable. It seems like a conscientious legislator who cares about being tough on crime with maybe, I don't know the help of a Sheriffs Association would want to champion a law that mandates ankle monitors for all defendants accused of violent crimes, while also taking a stab at fixing this very broken system of ankle monitors actually being monitored.

EXPOSING CRIME & CORRUPTION

Mandy Matney 17:30

Over the weekend, we received screenshots from the Facebook account of a man purporting to be friends with Michael Colucci. The post, which appears to have been made Sunday evening, includes photos of this man with Michael. One shows them on a golf course during the daytime. The next shows Michael laughing as they physically horse around outdoors. And the last one shows them playing a card game inside a house where Michael is wearing sunglasses in front of a picture of his mom in what looked like high school wrestling trophies. The post included the caption glorious weekend with my brother, and a red heart emoji, a high five emoji and the strong arm emoji. Now, we obviously don't know when or where these photos were taken. We don't even know if they were photoshopped. And anyway, if the attorney general's office is at all interested in learning more, they have the ability

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to subpoena Facebook for the metadata. More to the point. We also don't know the context of these photos. Was this friend just posting fun moments that organically happened with his friend who happens to be facing an upcoming trial for murder? Or was he making a point a publicly showing support to Michael whose case is being explored in the news right now? Since our episodes on Michael have aired, we've been told the photos of Michael, including the ones that appear to show him out and about after dark in allegedly hours from his Edisto Beach home have been deleted from social media. So was this posting a message of some sort? Maybe meaning it is a sign of support or a sign that they find this funny. If the photos were taken during this past weekend, then Michael surely is having a good time for a man out on bond who just got a speeding ticket in a town that he doesn't live in. speeding ticket you say? Oh yes, midmorning on Friday, a Walterboro police officer stopped Michael and gave him a ticket for speeding 10 miles per hour or less over the speed limit in Walterboro which is decidedly not Edisto Beach. Now the terms of Michael's bond from June 2017 says that he is allowed to leave his house between the Hours of 6am and 8pm for a whole host of reasons including work related activities and events, appointments at MUSC medical appointments in emergencies meetings with his attorney and activities related to the parenting of his daughter. So it is absolutely possible that he was out and about for one of those reasons. Walterboro is about an hour northwest of Michael's beach house address. It is over an hour away from where Michaels attorney's offices, but also it is one of the routes someone might take to get back and forth from where his girlfriend lives in Aiken County, which is about three hours from the beach house. If the AGs office were so inclined. We are sure that they could find out why Michael was in Walterboro on Friday. That said, let's talk a little bit more about those calls for service after a short break. In December 2017 on a Sunday morning, Colleton County deputies were called to

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Michael's parents' beach house because his ex wife called them to conduct a welfare check on their daughter who was staying with Michael. According to public records, Michael had full custody of their daughter who was 12 years old at the time. According to the call for service report, Camilla Michaels ex wife told deputies that she had visitation rights and that she pays Michael child support. She said Michael had blocked her from contacting their daughter and that he had pulled the girl out of school and that she isn't attending school. Here's David reading that report.

DAVID MOSES 21:46

Call her also things that they are doing see five three out of the residence. She is also advising that this male has been charged with the murder of his former wife and has caught in January. She hasn't seen her daughter in eight months. She is requesting a call back when law enforcement clears. She does have paperwork stating that she has visitation every other weekend.

Mandy Matney 22:14

Deputies arrived at the house at around 11:30 am. The report notes that the call was unfounded. But what is weird is that it gives no indication that please make contact with Michael and notes that they will quote "attempt" again later today. They then note that they called Camilla to update her and she was quote extremely disgruntled and hung up with the dispatcher. There is no report showing that the deputies returned to the house that day. It is not until April 7 2018 that there is another call for a welfare check. At 11:12 pm. Charleston County deputies called Collin County to request a welfare check on Michael's 13 year old daughter. The report notes that when a deputy went there about 30 minutes later, the house was vacant. And that Michael aka the old tenant was evicted from there in March. The next call for service related to Michael Colucci



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is at his new address on Edisto Island, which was about five miles or so down the road from his old address. This call was made in October 2019 and was for a request for escort. It is not clear who made this request for an escort. But the report notes that it's for a home visit. This case was quote settled by contact about a week after that there's a call for service do that same house. This time it's related to Michael's ex-girlfriend who we told you about in episode 47. That summer she had reported Michael to police saying that he physically abused her by picking her up and breaking her arm. According to those reports. The investigators made a few attempts to contact the ex-girlfriend in a follow up but she did not respond. In October of that year though. She called the Charleston investigator to say that she wanted to press charges. Turns out she also called the Colleton County Sheriff's office that day just before 5pm According to the call for service report, caller is at this location trying to get her car title back caller wants to press charges. She told the dispatcher that Michael broke her arm nine weeks earlier in Charleston County. Quote he has not been physical with her today. Residents is a white two story house with a silver Chevy Impala and the yard and that is it. It is not clear what deputies did after they arrived on scene. But the report notes that it was quote settled by contact on December fourth 2019 Collin County deputies were called again to Michael's address just before three in the afternoon. According to that report, the Department of Social Services needed to make a report that they aren't able to locate a family that they received a report for. The report notes that the case was settled by contact. So it appears that they were able to connect with Michael. On February 21 2020. deputies were called again to Michael's address at around 11. That morning, the caller was the guardian ad litem for Michael's daughter. She told deputies she was doing a surprise home visit and that she is requesting law enforcement to just be in the area in case she needs them. She told the dispatcher that she quote has been to this address several times

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and law enforcement is aware of what she is doing. The report notes that the case was quote settled by contact whether that means contact with the guardian ad litem, or Michael, we are not sure. But we did ask a source whether it is protocol for a guardian ad litem to request a police backup for a home visit. While it is not unheard of, we are told that it is relatively unusual. According to the dispatch report. It certainly seems like they made a note that she has done this before meaning it appears that she was pre-empting. Any questions please might have about why they needed to be involved, which they would likely only do if it was something out of the ordinary. That said why did the guardian ad litem the person assigned to protect the interest and Michael's teenage daughter feel like she needed a police escort? Was she just being cautious? Or did she legitimately fear for her safety? Or was she expecting to encounter a situation in which police would ultimately have to be called Next we have a call for service from July 21 2021. And there is next to no information about why deputies were called to Michael's house or what happened when they got there. The call came in at 1230 and was completed seven minutes later. Additionally, the report notes that the case was you guessed it settled by contact.

Liz Farrell 27:07

Finally, we have calls for service in 2018 surrounding Michael's eviction from his, quote parents beach house. Also our FOIA came back for the full incident report related to vandalism that occurred immediately after his eviction along with photos of the damage. So let's start with the first call that came in late morning on March 25, 2018. According to the report, the call was quote in reference to a person or restraining order writing by house he is supposed to be on house arrest. The report notes that this call ended with an incident report being filed. According to the incident report, the caller did not have paperwork with them related to a restraining order. But this call resulted in police making



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periodic drive bys of the house to check on it. The first report we have of one is from the next day just after midnight. The next report we have after that is from April 4 2018 When a call came in about the vandalism. After the vandalism. Deputies did two additional drive bys of the property one was just after midnight, four days later than again five days after that. And that was the end of that. Now, again. At this time, Michael stood accused of destruction of property and theft when he was evicted from the home that Sara Lynn's parents owned the home that Sara Lynn was so proud of and so worried that Michael wouldn't leave, and so worried that Michael would cause her to lose when she texted him about divorcing him and the weeks leading up to her death. Michael wasn't charged with any crime in that case, but the report noted extensive damage to the home that seemed to go beyond just normal wear and tear. It was about 30 to \$35,000 in damage according to the report. The house that Michael's parents owned on Edisto Island was behind a gate that had code the house sat on marsh front property and was called beach in house which was on a sign in front of it. According to the incident report the case was administratively closed on November 13 2018, because, quote, all leads exhausted at this time. But here's the thing. It appears that all leads were not exhausted at that time. At least not according to this report and not according to follow up questions Beth Braden asked of the college and County Sheriff's Office. Beth was initially told that there was no additional documentation related to this case other than what we were already given. But shortly after that we received additional information from the sheriff's office so it's confusing. Again, Beth asked more questions and was definitely told though, that this Was it we have the entire case file now? Now, let's be clear about why this is important. There are two reasons. One, if Michael committed this crime or was connected to the person or persons who committed this crime, then that would be significant. Right? It would have been an alleged violation of the law

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while he was out on bond, it could have very well put him behind bars if deputies had charged him in this. The second reason is the timing of when this was closed administratively. November 2018. Literally right before Michael was set to go to trial for the murder of his wife.

Convenient, right? We'll tell you why we think all leads weren't exhausted. But first let's talk about this damage. Premium Members of Luna shark media might have already seen some of the photos which we shared on Discord last week when the report came in. They're pretty intense. The first thing to know is that responding deputies did the right thing and did treat this like a crime scene, meaning they put down placards they marked places where DNA and fingerprints could be obtained. They collected evidence and they took photos of footprints they found such as a very clear footprint on a smashed stainless steel trash can. deputies were also told that Michael was believed to be the suspect in the case, he was listed as the solitary person of interest and in the report deputies noted that officers should take caution with him because of quote, violent behavior. So the damage let's start with the kitchen area which had the majority of it, the floor was covered in debris. Tables and other furniture were turned over there were broken pieces of ceramic dishes and a lot of broken and shattered glass strewn across the floor. There were empty cans and other trash. knickknacks had been thrown on the ground as well as kitchen items and utensils like a random Turkey lifter and a ladle. The vandal or vandals stuck a big barbecue fork into the back of a leather couch and the leather couch was spray painted on the back with what looks like a p and A W but we can't be sure what was going on there. Another couch was spray painted with squiggles or illegible word on the front. There were three stick knives plunged into a pockmarked wall. A fingerprint was found on one of those knives. The filters were ripped out of the stove vent and the stove top burners were removed. A blade from a ceiling fan sat on top of the stove top. A fingerprint was left on the hood above the stove

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near where some spray painting was. Another fan blade sat on the kitchen counter. The glass doors on the double oven were shattered to pieces. At least two pans were bent and dented. Apparently they were used to smash items. A meat tenderizer was plunged into a wall by its handle. screens were ripped out of windows. The stainless steel refrigerator had fu spray painted on it except the full word not the reductive one that I just gave you. whole sections of drywall are ripped from the studs. A fresh golf cart tire was found outside the house. The sink faucet was broken the dishwasher was dented. The granite or marble countertop was smashed. Fu is spray painted on the cabinet's along with you killed your wife. A broom was destroyed and remnants were left in the oven door the handle was plunged into the ceiling. The microwave was spray painted and had its glass door busted. A coffee table was spray painted with a penis. And another message that said again, you killed your wife. A smashed pumpkin was found on the floor nearby. In other parts of the house, the door was ripped off its hinges and the door jamb was damaged. There was also a hole in the wall, a door had spray paint on it furniture was destroyed and more glass was found on the floor and outdoor fridge was toppled over. And that's pretty much the rundown on the damage. With all of that deputies noted that there was no sign of forced entry but the back porch was screened in and had sections of screen ripped out. Mind you. This is a house on stilts. So the back porch is actually on the second and third floor. Again. This house was behind a gate and there was a code for that gate. Also deputies took eight pieces of evidence to be tested forensically. We'll talk about that in a second. First, let's talk about those spray painted messages. You killed your wife. There are basically two explanations for that right? One could be that Michael did this and wrote you killed your wife to throw police off his scent, which would make this his version of like Murdoch's roadside shooting maybe, or someone was targeting Michael and trashed the house. If deputies ever



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tried to contact Michael to ask him who might be trying to target him. They did not note that in the case file which again, we're told we have the entire file. So that said the forensic evidence was pretty much ignored. Here's what deputies collected in orange Friday. Pan that appeared to be used to cause a damage was collected for DNA evidence. A green frying pan was collected for the same reason. A print card was taken of the fingerprint found on the stove hood with a notation the offender may have placed their hand on the exhaust hood as they painted words on the cabinets above the stove. When a steak knife was collected because a fingerprint was observed on the handle near the blade, the Smash trashcan was collected because of the nearly complete footprint found on there, a Red Bull can was collected for DNA impossible prints. That barbecue fork was collected for possible prints and DNA, and the broom handle found in the ceiling was collected for possible fingerprints and DNA. According to the report, deputies were able to develop fingerprints from the steak knife, the green frying pan and the Red Bull Ken. This evidence along with ostensibly the DNA swabs were sent to sled along with the print card of the fingerprint found on the hood of the stove. On June 21 2018, deputies received a letter from sleds saying that they did not search the national database for the fingerprints. Why? No idea. We've never seen anything like this. It doesn't say prints can be developed. It literally says APHIS not searched for each item. As for the DNA evidence, there's no explanation for what happened to that. But there's no indication that sled ever developed any profiles or compared the evidence to any database. So does this mean the evidence was there but they just decided not to go further? Or does it mean it wasn't worth sleds time to search the databases, were told that sled didn't bother with a fingerprint or DNA evidence because Michael had lived at the beach house, and therefore it would not have told them anything if the Prince and DNA came back as a match to him. But who said it was Michael,



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the family told deputies they believed it to be him. So deputies listed him as a person of interest. He was just evicted. So I guess he had a motive. And there was no forced entry, which is telling as well. The decision not to test that evidence, though, feels like investigators basically decided independent of what the forensic evidence would have told them perhaps, that Michael did this, but there was no way to prove it. So why try get that the evidence would have potentially been useless how to come back as matches to Michael. But the last time that steak knife and a frying pan were used was clearly in commission of this crime. The absence of anyone else's profile on there might have been notable, more importantly, the existence of someone else's profile, and there would have been significant right. It could have absolved Michael. But investigators didn't bother looking. It appears they didn't even bother talking to Michael and if they did, and were shut down by him or his legal team. They didn't make a note of that. So the report gives us no indication of whether Michael refused to sit with police to help them find the culprit. Whether he feels wrongfully accused in the case, or whether he feared for his safety because someone had spray painted, you killed your wife while destroying the house. It appears deputies didn't try to get any additional information from neighbors or Michael cell phone records. And it doesn't appear that they tried to find out whether there were digital records of the gate being opened by the code. Instead, right before Michael was due to go to trial. The case got administratively closed. If he did it, then he got away with it. If he didn't do it, then investigators did him dirty by not pursuing the evidence and someone else got away with it. What's frustrating about a situation like this is that it forces us all to contend with a dark reality at least anecdotally, and that's the most crimes go unprosecuted. Most criminals go on caught. Most victims end up without justice. There are legitimate times when there's nothing investigators can do. But when



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the opportunity exists to do something and they choose not to that is really hard to understand.

Mandy Matney 39:24

Okay, now, let's talk about the upcoming trial and how Andy Savage is being the most extra in his attempts to strip the state's case down to nothing. For those of you who practice criminal defense law or want to practice it, it is time to take some notes because what we are about to share with you is a case study and you can't get what you do not ask for last week. We told you all a little bit about one of the many absurd filings submitted by Andy Savage in the last month. It's a proposed juror questionnaire that Andy Savage submitted with the court on April 14th. Andy Savage comes out swinging strong. In the first few paragraphs of this filing, David will read this part so y'all can get a real feel of what I'm talking about.

DAVID MOSES 40:14

Media coverage of the incident, Colucci's subsequent arrest, his bond hearing, and his two week trial in December of 2018 was unrelenting. His initial trial was broadcast live on a national television network and remains available for viewers to watch until this day. The trial has been covered by every national network including Fox, NBC, CBS, and A B C. news programs including dateline and 48 hours have provided extensive coverage. Social media coverage has been as extensive including websites and blogs totally dedicated to this event. And there have been podcasts on social media opinions of the circumstances surrounding the manner of Sara's death have been ubiquitous. Rare is there a report or statement that is factually accurate?



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Mandy Matney 41:43

Now, remember a while ago, Liz and I talked about how the newspaper industry taught us to write headlines as the most aggressive form of the truth. This is a perfect example of Andy being really aggressive with the thinnest of truths, no one aired the trial Live, which makes Andy's claim in this motion. Not true. Media coverage of this case in 2018 was above average when compared to most murder cases. But Andy is trying to paint this case with a Murdaugh media brush. And it just is not that Court TV filmed the trial and 2018 as a part of their network reboot. They didn't broadcast it in real time, which perhaps explains the lackluster approach by the AGs office. Fact, prosecutors tend to try harder when their moms are watching them on Court TV. Media reports indicate that Dateline crews covered the 2018 trial, but they never featured the Colucci case on a full episode. We can't find any special news features on the Colucci case from the big ones like 2020 Dateline or 48 hours. We are hearing and hoping that it is going to be different this time. But I'm honestly shocked at this point. How vastly different reality is from what the defense is saying in this motion. This case is just as complex and fascinating, and almost as important as the Murdaugh case was to South Carolina. And I've been wondering when if ever the media is going to wake up to that. Here is David with another part of that motion.

David Moses 43:26

In light of the pervasive media accounts and the multitude of opinions offered regarding the circumstances of Sara's death. Colucci is submitting a request for voir dire, which is tailored to discover whether any juror has been exposed to experiences or information which might affect their ability to be fair, and impartial.



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Mandy Matney 43:57

So Andy is saying my case is special. My client is special. The Big Bad beast of the media are out for us here and we need an extensive jury selection process to get a fair and impartial jury. This is a good time to say that we would never cover a case with a purpose of tainting a jury pool. That is a legal wrong, and not at all the justice system that we want. We covered this case so that Sara Colucci's family could get a fair shot at justice, something they were robbed of in 2018. With an attorney like Andy Savage on the defense, the prosecution is at an immediate disadvantage just due to resources alone. It is like a high school football team against a mediocre NFL team. Well, there are excellent attorneys at the Attorney General's office like Creighton Waters. It is rare that a prosecutor gets to dedicate that kind of time and resources to one case, we are covering This case in the hopes that the South Carolina Attorney General's Office simply gives more to this case than what they gave in 2018. Because in 2018, they didn't give much at all, despite what Andy calls relentless media coverage, and we're doing this so that the witnesses in this case do better. They were so unprepared in 2018, especially law enforcement. When investigators couldn't answer a simple question about who the sheriff was at the time that he responded to the call about Sara Lynn Colucci, the sheriff that he served under several times during the first trial. We both screamed at our TVs for the witness to consult their notes and not guess the answer to slow down and think before walking into Andy's traps while we are flattered because clearly our coverage is intimidating him. Given that right away. We were the only media bothering to do a deep dive into Colucci is concerning past. Andy is being a bit dramatic here. And this just sets the stage for his defense strategy. It is aggressive. It is intense. And it is at a lot of points just absurd. Andy is arguing because of the relentless media coverage of this case, it should be considered high profile and typically in high profile cases. The court allows for attorneys to question

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the jury pool via a written questionnaire before voir dear, which is fine. It should make the process smoother. The submitted questionnaire, which has not been approved by the judge, according to the Public Index, ask potential jurors a series of 59 questions about the potential jurors social media usage, media consumption, personal connections, education, background and potential media exposure to this case specifically, for example, one question specifically asked what podcast the potential juror listens to on a regular basis. Another asks if they have bumper stickers on their car. Another asks if the potential juror watches Court TV. Other specific questions asked if the potential jurors know anyone who works at the two agencies who recused themselves from this case, the Berkeley County Sheriff's Office and the Ninth Circuit Solicitor's Office, and also the current investigating agency sled and the current prosecuting office, the AGs office. These of course, could be seen as standard questions during regular jury duty potential jurors are asked if they know anyone or are related to anyone and whatever agencies are connected to whatever the case may be, including law firms, by the way, but in this case, Andy is taking full advantage of the fact that that Berkeley County Sheriff's Office in the Ninth Circuit handed off the case he's putting it in jurors minds from the get go that all of these agencies are biased when it comes to Michael and in fact, two were so biased, they had to recuse themselves, when in reality, sources have told us that the recusal has happened because of Michael's connections in both the sheriff's office and the prosecutor's office. But see, once the seed has been planted in jurors minds that police were against Michael, which is laughable. Andy's seemingly random questions about the sheriff's election signs that Michael had in the back of his car for Rick Orlick end up sticking better without saying anything. And he gets to insinuate that the sheriff's office had a bone to pick with Michael because of course, there is a story to tell there too. In February 2015, the Berkeley County sheriff had stepped down because

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he was arrested for a DUI after a high speed chase with the South Carolina Highway Patrol before Governor Nikki Haley appointed a man named Butch Henry to take over Rick Olek, who was the chief deputy at the time served as interim Shara. A special election was held for early June, Rick, whose candidacy Michael supported and appears to have sat on the investigation into Michael loss to Dwayne Lewis, the man who ended up sending Michael's case to SLED.

Liz Farrell 49:18

So here's the thing to know about sheriff's office: the chief deputy generally ultimately wields the most operational power on a day to day basis. Michael obviously has some sort of affinity for the chief deputy enough that he was driving around with campaign signs that night. Oh, I might as well mention another fun fact about Michael's pick for sheriff. Michael's case isn't the only case people have accused Rick Olick of not investigating hard enough or properly. years after Sara Lynn's death. Rick was appointed Chief of Moncks Corner police in 2021. He was suspended for two weeks in connection to accusations that his office didn't properly investigate act stations that a student was sexually assaulted by a student resource officer from all x agency. In a report from that time, reporter Riley Benson, who was then with WCBD TV news, quoted a concerned citizen as saying this about Rick Olick. Here's David with that.

DAVID MOSES 50:17

You didn't care enough to do a proper investigation. What do you all think he cares about up here in Moncks Corner if he didn't care about that situation? I know some of his colleagues, they say if his mouth is open, he's lying. Is that who we want to be Chief of Police for Moncks corner, and I believe history is going to keep repeating itself.



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Liz Farrell 50:44

That concerned citizen was Vicki Hall, who is the mother of a woman named Katie Major. Katie was a married Berkeley County woman who was found dead in 2008. Along railroad tracks. Katie's baby daughter was found drowned in a pond about 100 feet away from her. Rick Olick was the lead investigator in that case, and immediately determined it was a murder suicide that Katie had killed her baby and then herself. According to reports, all it believe this because of a note he found in Katie's pocket that he had determined made her sound quote, delusional. We've both spoken with Katie's mother over the years and hers is a case that's been on our list for a while. It's so wild to consider how all these cases seem to interconnect with the same players though. The same man accused of failing to properly investigate Sara Lynn's death, has also stood accused of failing to properly investigate at least two other cases, one of which was also labeled as suicide. What do they all have in common? female victims. Anyway, back to Michael Anandi. This was all just to say that Andy being the high press defense attorney that he is, is leaving no spot of Earth on scorched in this case he is exploiting every crumb he can. During the Murdaugh case. We often likened Dick and Jim's technique to that of a clown making balloon animals out of the truth, just constantly twisting their balloons and the monkeys and trying to sell them as stuffed animals even though most of us could still see that they were balloons. But the hope was always that at least one jury member would be like sweet, I love stuffed animals. And his goal is the same of course, but his technique is much different. He is not a clown twisting balloons. He's more like the inventor of aioli. You'd be surprised at the number of people who still don't know that aioli is just basically flavored mayonnaise, but very handy is adding hot sauce and seasoning to what I think is the most disgusting condiment on Earth, and then sneaking it onto every sandwich in America, calling it special sauce in the hopes of tricking

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those of us who hate mayonnaise, to quote Camille Grammer from Real Housewives of Beverly Hills. He is pernicious and insidious that we had to tell you about these motions he just filed on Monday afternoon. As you know from earlier episodes, Andy Savage has a history in this case of filing jaw dropping pre-trial motions just papering the courtroom like he's Dolores Umbridge, covering the walls of Hogwarts with more absurd on the fly rules for students. For instance, we told you all about how in 2018 He filed a motion to prevent the state from mentioning his fancy status as an expensive attorney. Even though at trial he ended up bringing that up himself when a used car salesman slash bar owner was testifying that shortly after Sara Lynn stuff, Michael had asked him for a \$50,000 loan, indicating that Michael was in some sort of financial trouble back then. And he tried to strike that down by making sure the jury knew that Michael came from wealth and could afford the likes of the Andy Savage. We think the latest slew of nine motions and lemony is proof that Andy's team is maybe listening to this podcast. We'll go over each one. But I want to start with what Mandy and I think is the most significant Michael's motion and lemonade to prevent the introduction of the defendant's financial status in the last several episodes, and on this week's cup of justice. We have talked about how Michael Colucci was clearly experiencing serious financial pressure around the time his wife died and how that pressure appeared to be adding additional stress to his already broken marriage. We talked about his financial history like how he allegedly sold a diamond ring for customer and was accused of failing to give that man his \$7,000 profit and how Michael then used his wife's death as an excuse for giving this man checks that bounced and then begged the man not to go to police or sue him because he was about to get a loan of \$50,000 to \$70,000 and could pay him from that. That shows financial chaos like the kind of pressure and chaos Alec Murdoch was facing around June 2021. We have argued that it is relevant and important for the jury to

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hear more about Michael's increasing financial issues around the time of Sara's death because it paints a clearer picture for the jury to understand how he could have done this and why the couple's text messages in the weeks before her death alone show the strain that Michael's weak financial status had on the relationship. They were behind on the mortgage. Their girls were getting kicked out of their private school because tuition hadn't been paid Sara Lynn was scrapping for cabin money. Savage argues 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 a consequence to the determination of the action more probable, or less probable than it would without the evidence. Now, the Attorney General's Office barely mentioned color cheese financial problems in the 2018 trial, which is sort of angering because if they believe Michael killed Sara Lynn, then why did they think he did it? What do they think was happening around that time? The jury needs to hear that kind of thing. They need to feel what was happening. And I mean, we can see it from where we sit, because obviously we're reporters, and we're trained to examine data and evidence and then connect the dots so that people can understand the story that that data and evidence is telling. The AG's office needs to tell that story. Why do they think Michael did this? Could it be that he was running on empty, and that his financial failings were causing Sara Lynn to become more and more insulting to him, causing their marriage to become more volatile to the point he maybe snapped that night? Remember, the defense attorneys' motions eliminate their attempts to suppress evidence and control the rules of the trial in favor of their client is basically them telling on themselves. This is Andy broadcasting to the prosecution. We think his financial status is damning. So we're trying to shut you up about it. What exactly does Andy know about his clients financial problems around the time of his death? What is he afraid of the jury hearing? So maybe this motion

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eliminator is encouraging. Maybe Andy is expecting things to be different this time around? We hope that's the case.

Mandy Matney 57:24

And speaking of, what else is Michael Colucci hiding? We have got to talk about this next motion, the motion to prevent the state from arguing or eliciting testimony concerning Michael Colucci, his treatment of his children Milan and Bishop. It says:

DAVID MOSES 57:41

How Michael Colucci interacted with his children does not have any tendency to make the existence of any fact that is of consequence to the determination of Sara Colucci. Is death more probable or less probable than it would without the evidence, SCRE 401402.

Mandy Matney 58:11

So this raises serious questions about Michael's history with violence. Right? I think the assumption here is that Andy knows that the prosecution has evidence of something. Is he afraid that Sara Lynn's daughter Bishop is going to testify? Or maybe the prosecution has information about how Michael treated his daughter Milan? Both are young women. Now, like we told you earlier in this episode, it is clear that DSS was involved at some point with Michael in Milan's guardian ad litem that Milan's guardian ad litem felt like she needed police escorts to do surprise visits at Michael's home. I know most defense attorneys would seek to suppress any testimony about a defendant's prior bad acts such as physical abuse of children or being accused of throwing your girlfriend on the ground so that you break your arm or being sued by your friend because you snuck up behind him and put him in a chokehold causing 40 to \$50,000 in medical bills. If you don't know what we are referring to, by the way, listen to episode 47. But here



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is the thing. When there was a question of whether a husband killed his wife, it seems rather obvious that his tendency towards violence would be considered irrelevant. Andy wants the jury to think that the prosecution's theory is that one day out of the blue, this decent man with no reason to be angry, who only had a history of love and servitude for his wife and kids who was not going through any marital pressure due to his financial problems, killed his wife. The prosecution better be ready to dispel that notion. The next few motions filed by Andy got a little intense First, there's the motion in limine to prevent the state from arguing or eliciting testimony concerning Michael Colucci is conduct toward Sara Colucci when she used the restroom.

DAVID MOSES 1:00:12

During the 2008 teen trial, Robert O'Leary, a bar owner testified that when Michael Colucci was at the bar with Sara Colucci, he would never let Sara Colucci pee alone and or go to the bathroom alone. Such conduct does not have any tendency to make the existence of any fact that is of consequence to the determination of s Gallucci is death more probable or less probable than it would without the evidence, SCRE 401402.

Mandy Matney 1:01:04

If y'all don't know by now, Sara Lynn's bathroom habits played a key role in this case, or at least Andy Savage wants them to just not the part where Michael comes off as controlling the night Sara Lynn died. They supposedly stopped at the gold standard so that she could pee outdoors. And this according to the defense is why she squeezed between the wall and the fence posts causing her to apparently fall into a garden hose loop. The other theory is that she killed herself instead of going to the restroom. That said, Andy uses this piece outside as a way of getting the jury to see Sara Lynn as a wild, untamed, disturbed



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person who would kill herself. The way he refers to it during testimony is super judgy for a reason. The next motion in limine asks the court to prohibit all state witnesses from using prejudicial terms such as the ones David will read in a second. Get ready for this one.

DAVID MOSES 1:02:11

AMD wants to bar the prosecution from using victim to describe Sara Colucci defendant to describe em Colucci crime scene to describe the incident location of 2206 North Main Street in Summerville, South Carolina admission or confession to describe statements that may have been made by M Colucci to law enforcement or third parties struggle to describe alleged actions at the incident location medical examiner to describe a witness and homicide to describe the death of S Colucci.

Mandy Matney 1:02:58

Andy did this before the 2018 trial with separate motions, which made it even more obnoxious. To be fair, the Berkeley County Coroner's Office officially listed Sara's manner of death as undetermined, which they likely did because they were told it was a suicide, but could not rightly say it was one knowing that this particular case requires an investigation. But oh look, the Berkeley County Sheriff's Office sat on that investigation. However, this word undetermined gives the defense a little bit of leeway when it comes to the word homicide. However, Sara is dead. And what happened to her no matter what Michael says was horrific and she deserves to be called a victim. The other attempts to suppress the terminology used in the courtroom like trying to bar the court from calling Michael a defendant are a bit absurd. Michael is charged with murder. He is defending that charge to call him anything else would be giving him an advantage only given to defendants who can afford an attorney like Andy Savage, who would dare to bother to ask. See how this whole two systems of justice thing works. Only an



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attorney like Andy Savage could get away with papering the courtroom with motions like this. He is not afraid of the judge, as demonstrated during the first trial where they repeatedly butted heads, which we will talk about more later. But this motion to limit the terms used in court really tries to strip the state's case down to nothing. If a fight led to Sara Lynn's death in there is evidence to support that theory. Then the word struggle is an accurate way to describe what the state believed happened in the lead up.

Liz Farrell 1:04:56

The next two motions in limine filed by Andy Savage are maybe the most absurd of all, the defense is asking the court to prevent the state from referencing eliciting testimony or offering evidence of the damaged necklace or offering evidence of how the necklace was damaged. Yeah, he filed two motions on this particular issue. Why? Well, first that phrase, quote, was damaged is hilarious. The necklace. The evidence was broken by Andy Savage during the first trial. Think about this. Think about what would happen if any other attorney basically destroyed evidence during their clients first trial, then had the audacity to ask the judge to not allow that evidence to be entered into the retrial. And in addition to that, asked that the jury not hear the why of it all. It's outrageous. He broke the necklace and now is trying to prevent the state from entering it into evidence to prevent the jury from knowing about evidence of the thing that was around Sara Lynn's neck. The night she died from asphyxiation, a thing that left marks on her neck that have significance. And then he doesn't want anyone on the jury to know how it got broken. Why is this not a reportable offense to the Bar Association? Can any attorney just alter evidence and then use the fact that they did as a reason to suppress that evidence in a retrial? Okay, so the last few motions in limine include a motion eliminate to prevent the state from referencing or eliciting testimony of funeral

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arrangements for Sara Colucci or Doris Colucci. Why is he doing that? Well, Michael didn't pick up Sara Lynn's ashes for six months and he didn't get a headstone for his mother's grave and doesn't want the jury to know his client is that guy. Then there's the motion in limine to prevent the state from referencing arguing for or against eliciting testimony or offering evidence concerning the red spot on Sara colored cheese bone, the red spot tested positive for presumptive human blood. And Andy basically says unless the prosecution is willing to offer expert testimony about that spotted blood, they shouldn't be able to use it. Finally, there's this one, the motion in limine to exclude argument or testimony about defendants' alcohol or drug use. Defendant: what defendant is he referring to? According to you, Andy, there is no quote defendant in this case. Again, the absurdity here. So Andy doesn't want the jury to hear about Michael's alleged drug and alcohol use before May 20 2015. He wants to limit testimony to the day Sara Lynn died. Meanwhile, during the first trial, and he sure did drag Sara Lynn through the mud, repeatedly referring to her as a drug addict and alcoholic. Is Sara Lynn's alleged alcohol and drug use relevant to her death, as Andy wants the jury to believe. Then so too as Michaels. If Andy wants the jury to hear that Sara Lynn's addiction issues might help explain why she died that night than the jury should also hear that Michaels alleged addiction issues might also help explain why she died that night because we all know addiction issues can be part of the equation when it comes to a volatile marriage that is also fueled by financial problems.

Mandy Matney 1:08:21

Ultimately, Michael is getting what he paid for with Andy Savage. Andy is full on scalpels out here. He is like a legal surgeon determined to cut away at every piece of rotting tissue in his clients case said that the state is left with nothing to point to, like a lawyer friend of ours said, if you have the resources, you might as well ask for everything. Our worry

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is whether the Attorney General's Office is ready for this battle. And are they willing to give it their all? One good thing is that the judge in this case has already shown herself to be very fair, and very unafraid to stand up to Andy when he pushes the boundaries. She's also like Judge Clifton Newman, and that she seems more prone to ruling on these motions and lemons as those issues come up during the trial as opposed to making broad prohibitions up front. This case, like so many others, unfortunately, has to bear the burden of what was basically a delayed investigation. For whatever reason. Did the deputies really truly believe that Sara Lynn killed herself that night? Or were they less inclined to look too hard into it? Because someone powerful in the agency knew Michael, regardless, we believe that there is good evidence in this case. That is the bottom line. And it's going to take the prosecution presenting it in a way that makes sense this time, and it's going to take the prosecution standing up to Andy Savage in the courtroom. Before we finished recording this episode we learned from someone close to the case it was spoken to a member of the AG's office that despite what we have been told by the AG's office, they are now saying that Michael is wearing an ankle monitor and is not under house arrest. We wanted to be sure to include that information because once again, it shows just how haywire and distorted this case is. We of course plan to get to the bottom of it before trial begins May 13th. 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. Interruptions provided by Luna and Joe Pesky.