STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS
COUNTY OF BERKELEY	CASE NO.: 2017-CP-08-2672
THE ESTATE OF SARA LYNN COLUCCI, BY AND THROUGH SUCCESSOR PERSONAL REPRESENTATIVE J.R. MOORE, Plaintiff,	MICHAEL COLUCCI'S ANSWER TO AMENDED COMPLAINT
v.	
MICHAEL F.A. COLUCCI, Defendant.	

FILED
2018 MAY -3 PM 1:01
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY S.C.

The Defendant, Michael F. Colucci, by and through his undersigned attorneys, answers Plaintiff's Complaint herein as follows:

AS A FIRST DEFENSE
(General Defenses)

1. Defendant denies each and every allegation contained in the Complaint not specifically admitted herein and demands strict proof thereof. Each and every allegation contained in each paragraph of this Answer is realleged in each succeeding Paragraph hereof as fully as if set forth verbatim therein.

2. Defendant admits, upon information and belief, the allegations of Paragraphs 1-8.

3. Defendant admits in Paragraph 9 only that he adopted Child Doe. Defendant cannot attest to the knowledge of Sara Lynn's parents of said adoption nor to the status of the adoption records.

4. Defendant admits, upon information and belief, the allegations of Paragraph 10.

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5. Answering Paragraph 11, Defendant denies a history of illegal drug abuse. Defendant admits that he has used drugs in the past, but has never had a dependence on them, does not currently use any drugs, and has not used any drugs for some time. Defendant denies a history of financial distress. Defendant cannot attest to the status of the mortgage on 177 Woodbrook Way as the mortgage was not in his name. Defendant denies any knowledge of a foreclosure on the property at the time of Sara Lynn's death. Should the property have been in foreclosure at the time of Sara Lynn's death, Defendant denies responsibility for such as the mortgage to the property was not in his name. Defendant denies any remaining allegations of Paragraph 11.

6. Defendant admits, upon information and belief, the allegations of Paragraph 12.

7. Answering Paragraph 13, Defendant lacks the information to comment on conversations between Sara Lynn and her mother and friends and therefore denies the allegations of Paragraph 13 regarding the same. Defendant does not recall any 911 calls by Sara Lynn regarding Defendant and therefore denies the same. He does recall at least one 911 call made by Sara Lynn regarding another family member, and the tapes or other information relating to that call will provide any information regarding that call. Defendant admits that Mrs. Moore did occasionally come to their home to watch their children but denies that Mrs. Moore became involved in any arguments. Defendant admits that he acted in self-defense on one occasion against Mr. Moore, but denies that he was physically violent towards Sara Lynn's father. Defendant denies any further allegations of Paragraph 13.

8. Defendant lacks the information necessary to properly respond to Paragraphs 14 and 15 and therefore denies the same. Defendant is unaware of any conversations which Sara Lynn and her mother may have privately had nor the topics of such conversations or their

times and dates of occurrence. Defendant denies all other allegations contained within Paragraphs 14 and 15.

9. Defendant admits, upon information and belief, the allegations of Paragraphs 16-18.

10. Defendant denies the allegations of Paragraph 19.

11. Defendant denies the allegations of Paragraph 20.

12. Defendant admits, upon information and belief, the allegations of Paragraphs 21 and 22.

13. Defendant denies the allegations of Paragraph 23.

14. Defendant admits the allegations of Paragraph 24.

15. Answering the allegations of Paragraph 25, Defendant admits only that Child Doe is the only child and heir at law of Sara Lynn and has suffered due to the loss of her mother. Defendant denies any and all allegations that Defendant was in any way responsible for the death of Sara Lynn Colucci. To the extent Paragraph 25 requires further response, Defendant denies any further allegations contained in the Paragraph.

16. Answering Paragraph 26, the Defendant repeats Paragraphs 1-15 of his Answer as if fully set forth herein.

17. Defendant denies the allegations of Paragraphs 27, 28, 29, 30, 31, and 32 and all subparts therein.

18. Answering Paragraph 33, the Defendant repeats Paragraphs 1-17 of his Answer as if fully set forth herein.

19. To the extent that Paragraph 34 requires a response, any allegations contained in that paragraph are denied and the Defendant would pray that this Declaratory Judgment be dismissed with prejudice.

20. Responding to the allegations of Paragraph 35, Defendant repeats and reiterates the pertinent allegations of Paragraphs 1-19 above as fully as if set forth verbatim herein.

21. The allegations of Paragraph 36 constitute conclusions of law which require no response. To the extent that a response is required, Defendant denies the allegations of Paragraph 36.

22. Defendant denies the allegations of Paragraphs 37, 38, 39, and 40, and all subparts therein, being the remaining allegations of Plaintiff's Amended Complaint.

AS AN ADDITIONAL DEFENSE
(Contributory/ Comparative Negligence)

23. Further answering the Amended Complaint, and as and for a further defense thereto, Defendant asserts that Plaintiff's claims are barred or should be reduced due to Plaintiff's contributory/comparative negligence.

AS AN ADDITIONAL DEFENSE

24. Further answering the Amended Complaint, and as and for a further defense thereto, Defendant asserts that on the night of May 20th, 2016, Sara Lynn Colucci took her own life by suicide through strangulation, and he was in no way involved in the death of Sara Lynn Colucci.

25. Sara Lynn, by and through her own actions, caused any and all harm Plaintiffs now seek recourse for in this action.

AS AN ADDITIONAL DEFENSE

26. Further answering the Amended Complaint, and as and for a further defense thereto, Defendant asserts that Plaintiff's claims are barred as she assumed the risk of her own conduct.

WHEREFORE, having fully answered the Complaint, the Defendant prays that it be dismissed with prejudice together with the costs of this action.

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April 30, 2018
Mt. Pleasant, South Carolina