

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

IN THE COURT OF GENERAL SESSIONS
FOR THE NINTH JUDICIAL CIRCUIT
INDICTMENT NUMBER: 2016-GS-08-02603
WARRANT NUMBER: 2016A0810400692

STATE OF SOUTH CAROLINA,)

Plaintiff,)

-versus-)

MICHAEL COLUCCI,)

Defendant.)

**MOTION TO DISCLOSE PERSONAL
RELATIONSHIPS, ASSOCIATIONS, AND TIES
BETWEEN THE PROSECUTION OR LAW
ENFORCEMENT WITH ANY MEMBER OF
THE FAMILY OF THE DECEASED OR
ANY PROSPECTIVE JUROR**

2016 APR 10 PM 12:54
TAM GUERRA
CLERK OF COURT
BERKELEY COUNTY

FILED
MC

Michael Colucci seeks an Order of this Court requiring the Prosecutor and members of his team, including other attorneys and staff members within the South Carolina Attorney General's Office; employees of the Berkeley County Sheriff's Office or the South Carolina Law Enforcement Division, including but not limited to Special Agent Ryan Kelly; or any of their prospective witnesses to disclose whether they have any type of personal relationship, previously or currently, to any members of the family of the deceased, Sara Colucci, or any members of the jury panel.

STATEMENT OF LAW

The right of trial by jury shall be preserved inviolate. Any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury . . .

South Carolina Constitution, Article I, Section 14

GS
12-41230me
S ms. Linda
C M Amy Cholasma

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The right of a criminal defendant to a public trial by an impartial jury is the cornerstone of Anglo-American Due Process. Recognizing the importance of impartiality in jury selection, the practice of *voir dire* has been codified and is utilized in almost every civil and criminal trial in the state. The requirement of an impartial jury is of such importance in maintaining the integrity of the judicial system, especially in capital cases, that affirmative disclosure by the prosecution of relationships and prospective jurors must be mandated.

These considerations, as well as the following factors, necessitate the granting of this motion:

1. That the selection of an impartial jury will be difficult due to extensive pretrial publicity and the fact that sensitive emotional issues are likely to be raised.
2. That the difficulty in selecting an impartial jury is compounded by the size of the community and the fact that Special Agents of the South Carolina Law Enforcement Division, many of the investigating officers and the Moore family are well known in the community with many personal ties to prospective jurors which might impede their ability to make a fair and impartial determination on the issues.
3. That the discovery of religious, social, business, professional, recreational, and political associations, with any prospective juror or juror's family and the prosecution is essential to a thorough *voir dire* of the jurors and a selection of an impartial jury.

Respectfully submitted,

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April 10, 2025