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FILED

STATE OF SOUTH CAROLINA,)
COUNTY OF BERKELEY)
CLERK OF COURT)
BERKELEY COUNTY, SC)
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 IN LIMINE TO PREVENT THE
STATE FROM REFERENCING, ELICITING
TESTIMONY, OR OFFERING EVIDENCE
OF HOW THE NECKLACE WAS DAMAGED**

Michael Colucci ("M. Colucci") seeks an Order from this Court to prevent the State from referencing, arguing for or against, eliciting testimony, or offering evidence of how Sara Colucci's ("S. Colucci") necklace that was damaged during the 2018 trial of this case.

During the 2018 trial, the State's theory was that M. Colucci strangled S. Colucci with the gold necklace that she wore around her neck. The State offered expert testimony in an effort to support this theory. During cross-examination of this expert, S. Colucci's gold necklace was damaged.

Considering the State's previous theory about the use of this necklace, the probative value of referencing, arguing for or against, eliciting testimony, or offering evidence of how S. Colucci's necklace became damaged is substantially outweighed by the prejudicial effect it would have on a jury. SCRE 403.

Respectfully submitted,

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