

FILED

2025 APR 23 PM 1:27
STATE OF SOUTH CAROLINA,)
LEAH GUERRY) JUDGE)
COUNTY OF BERKELEY) CLERK OF COURT)
BERKELEY COUNTY, SC)
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 THE DAMAGED NECKLACE**

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 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 S. Colucci's damaged necklace is substantially outweighed by the prejudicial effect it would have on a jury.
SCRE 403.

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M. Colucci does not object to the use of photographs of an undamaged necklace or offering a replica of the damaged necklace. Additionally, should any of the State's witnesses "open the door" regarding the damaged necklace, the Defense reserves the right to use the circumstances under which the damage to the necklace occurred as impeachment information under the applicable SCRE.

Respectfully submitted,

J. SCOTT BISCHOFF, II
WILLIAM S. MCGUIRE
ADAMS & BISCHOFF, LLC
171 Church Street, Suite 360
Charleston, SC 29401
Telephone: (843) 277-0090
E-mail: scott@adamsbischoff.com

ANDREW J. SAVAGE, III
SAVAGE LAW FIRM
15 Prioleau Street
Charleston, SC 29401
Telephone: (843) 720-7470
E-mail: andy@savlaw.com

ATTORNEYS FOR MICHAEL COLUCCI

BY:


J. SCOTT BISCHOFF, II
SC Bar Number: 74285

Charleston, South Carolina

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