

STATE OF SOUTH CAROLINA)

COUNTY OF ANDERSON)

The State,)

v.)

Rosmore Wayne Vilardi,)

DEFENDANT)

IN THE COURT OF GENERAL SESSIONS

FOR THE TENTH JUDICIAL CIRCUIT

INDICTMENT NUMBERS: 2024-GS-04-0221 thru 0224

**MOTION IN LIMINE TO EXCLUDE
THIRD-PARTY GUILT EVIDENCE**

The State moves for an order to prevent the Defendant and his attorney from making reference to third-party guilt evidence during the trial of this case.

Any evidence of third-party guilt must be deemed inadmissible unless it satisfies the standard set forth in *State v. Gregory*, 198 S.C. 98, 16 S.E.2d 532, 534-5 (1941), which provides that evidence offered by a defendant as to the commission of the crime by another must be limited to facts inconsistent with his own guilt and which raise a reasonable inference as to his innocence. Evidence that merely casts a bare suspicion on another is not enough; there must be a train of facts or circumstances that clearly points out another as the guilty party.

The State will ask for the exclusion of any reference to any items involving any third-party guilt including, but not limited to: any inquiry by counsel and/or any reference by counsel during summation, argument, opening statement, closing argument, any objections, witness examination, and any actions in front of the jury which allege any specific instance of third-party guilt unless and until the Court has determined such evidence is admissible under *State v. Gregory*.

The State would request an in-camera review by the Court before any such evidence may be deemed relevant or admissible in this case under the grounds stated in this Motion.

RESPECTFULLY SUBMITTED:

ALAN WILSON
ATTORNEY GENERAL

JULY 13, 2026
COLUMBIA, SOUTH CAROLINA

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