

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

) IN THE COURT OF COMMON PLEAS  
)  
) CASE NO. 2017-CP-08-2672

THE ESTATE OF SARA LYNN  
COLUCCI, BY AND THROUGH  
SUCCESSOR PERSONAL  
REPRESENTATIVE J.R. MOORE,

PLAINTIFF,

vs.

MICHAEL F.A. COLUCCI,

DEFENDANT.

SUMMONS

MARY P. BROWN  
CLERK OF COURT  
BERKELEY COUNTY, SC

2017 DEC -5 AM 11:09

FILED

**TO: DEFENDANT ABOVE-NAMED:**

YOU ARE HEREBY SUMMONED AND REQUIRED to Answer the Complaint in this action, of which a copy is herewith served upon you, and to serve a copy of your Answer thereto on the subscribers at their office located at 321 East Bay Street, Post Office Box 22437, Charleston, South Carolina 29413, within thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will move for entry of Default Judgment and apply to the court for the relief sought therein.

**PIERCE, HERNS, SLOAN & WILSON, LLC**  
321 East Bay Street  
Post Office Box 22437  
Charleston, SC 29401  
(843) 722-7733



Carl E. Pierce, II Esquire  
Benjamin C. Smoot, II Esquire

December 5, 2017

*Attorneys for the Estate of Sara Colucci*

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

) IN THE COURT OF COMMON PLEAS  
)  
) CASE NO. 2017-CP-08-2672

THE ESTATE OF SARA LYNN  
COLUCCI, BY AND THROUGH  
SUCCESSOR PERSONAL  
REPRESENTATIVE J.R. MOORE,

PLAINTIFF,

vs.

MICHAEL F.A. COLUCCI,

DEFENDANT.

**COMPLAINT**  
**(Jury Trial Demanded)**

**WRONGFUL DEATH**

MARY P. BROWN  
CLERK OF COURT  
BERKELEY COUNTY, SC

FILED  
2017 DEC -5 AM 11:09

The Estate of Sara Lynn Colucci, by and through Successor Personal Representative J.R. Moore (“Estate of Sara”), and through the undersigned counsel, hereby complains of Michael F.A. Colucci (“Colucci”) and shows unto the Court the following:

**PARTIES, JURISDICTION AND VENUE**

1. On May 20, 2015, Sara Lynn Colucci’s (“Sara Lynn”) life came to an abrupt and tragic end in the City of Summerville within Berkeley County, South Carolina. (Death Certification, “Exhibit A”). Sara Lynn was a citizen and resident of Berkeley County, South Carolina residing at 177 Woodbrook Way, Moncks Corner S.C. 29461 before her death.
2. At the time of Sara Lynn’s death, Colucci was a citizen and resident of Berkeley County, South Carolina residing with his wife on Woodbrook Way in Moncks Corner.

3. Following Sara Lynn's death, Colucci opened and administered the Estate of Sara in the Berkeley County Probate Court. Colucci was appointed Personal Representative of the Estate of Sara on February 5, 2016.
4. In September 2017, Colucci was removed as Personal Representative of the Estate of Sara by Order of the Berkeley County Probate Court. Sara Lynn's natural and biological father, J.R. Moore, was appointed Successor Personal Representative for the Estate of Sara Lynn Colucci with all powers and duties appurtenant to the position under South Carolina law, including the right to assert a wrongful death action on behalf of the Estate of Sara against Colucci. (September 20, 2017 Order, "Exhibit B").
5. This Court has personal jurisdiction over the parties to this action and subject matter jurisdiction over the claims asserted in this Complaint. Venue is proper in this Court.

#### **FACTUAL ALLEGATIONS**

6. Sara Lynn and Colucci met in or around 2009 and began dating shortly thereafter. Sara Lynn was previously married to one Michael Vieira ("Vieira") who died suddenly in May 2007. Sara Lynn and Vieira had one daughter ("Child Doe") together.
7. Colucci was previously married to one Mary Camilla Colucci ("Mary Camilla"). That relationship ended by divorce on December 15, 2010 in the Charleston County Family Court. Colucci and Mary Camilla had one daughter together.
8. During Colucci's divorce, he began living with Sara Lynn and her daughter, Child Doe. Colucci and Sara Lynn had a church wedding in 2011 and were formally married by civil ceremony on September 25, 2012.

9. Soon thereafter, Colucci legally adopted Sara Lynn's daughter, Child Doe, unbeknownst to Child Doe's maternal grandparents in Berkeley County, South Carolina. The records surrounding Colucci's adoption of Child Doe are sealed.

10. Colucci is the biological son of Doris Duane Colucci, Deceased ("Doris Colucci") who was married to Ivo Francesco Colucci ("Ivo Colucci"). Upon information and belief, there is no legal relationship between Colucci and Ivo Colucci. Colucci changed his surname from Antonio to Colucci after Doris Colucci and Ivo Colucci were married.

11. Upon additional information and belief, Colucci has an extensive history of illegal drug use and abuse. Despite his involvement and ties to multiple jewelry and property holding businesses in the Charleston area, Colucci also has an extensive history of financial distress. To wit, the home Colucci shared with Sara Lynn at 177 Woodbrook Way in Moncks Corner was in foreclosure prior to Sara Lynn's death on May 20, 2015 due to Colucci's failure to make timely mortgage payments.

12. In or around July 30, 2014, Colucci and Sara Lynn filed a civil lawsuit against Northwood Academy for negligence. That lawsuit survived Sara Lynn's death. Settlement was reached by the parties in 2016 but is now subject to appeal before the South Carolina Court of Appeals on the defendant's motion to vacate the settlement agreement. Charleston County Court of Common Pleas C/A No.: 2014-CP-10-4680.

13. From 2014 through her death on May 20, 2015, Sara Lynn communicated to her mother and friends growing tension and stress in her marriage to Colucci. Sara Lynn called 911 on two separate occasions during arguments with Colucci in their home out of fear for her physical safety. During the same time period, Sara Lynn's mother came to the home that Colucci and Sara Lynn shared at Sara Lynn's request to take care of Child Doe and/or

intercede in arguments between Colucci and Sara Lynn. Sara Lynn informed her mother that she feared Colucci, particularly when Colucci was using drugs. Colucci was physically violent toward Sara Lynn's father.

14. In the days before May 20, 2015, Sara Lynn communicated to her mother that she was going to leave Colucci on Saturday, May 23, 2015.

15. On the day of Sara Lynn's death, Sara Lynn telephoned her mother at approximately 3:30p.m. Sara Lynn informed her that she was in downtown Charleston with Colucci at their attorneys' office and needed to use the restroom. Sara Lynn informed her mother that she would never go into the attorneys' office again, was tired of having to look over her shoulder all the time, and that Colucci was not a good person. Sara Lynn ended that telephone call with her mother at around 4:00p.m.

16. At approximately 7:20p.m. on May 20, 2015, law enforcement were notified of Sara Lynn's lifeless body outside of a storage shed previously used by Colucci in his various business dealings at 2206 North Main Street in Summerville, S.C.

17. Between the hours of 4:00p.m. and her death at approximately 7:20p.m. on May 20, 2015 Colucci was the only person with Sara Lynn.

18. Colucci informed law enforcement officials at the scene that he pulled up to the storage shed and Sara Lynn got out of his vehicle to go into the storage shed and later discovered her at the door with a black garden hose around her neck. Sara Lynn's Death Certification identifies the cause of death as 'Asphyxia by Neck Compression' and notes that it is undetermined as to how the injury occurred. (Death Certification, "Exhibit A").

19. In the days and weeks following Sara Lynn's death, Colucci's version of the events surrounding Sara Lynn's death varied considerably. Colucci initially informed Sara Lynn's

family that he had not been drinking when Sara Lynn died but then recanted this and informed them that he had been drinking fireball cinnamon whiskey. Colucci also informed Sara Lynn's family that he never took his eyes off of Sara Lynn from the time she exited his car to the time he found her dead but then recanted this version of events and informed them that Sara Lynn tripped and fell into the garden hose causing her death. Colucci further informed Sara Lynn's family that he discovered Sara Lynn's lifeless body standing straight up against the storage shed but then recanted this and informed Sara Lynn's mother that he discovered Sara Lynn's body leaning forward at forty-five (45) degree angle from a fence.

20. In light of Colucci's contradictory and inconsistent statements, the medical evidence, injuries to Colucci, information from several witnesses, and evidence that a fight or struggle ensued, the Estate of Sara is informed and believes Colucci did, by way of assault, battery, and with intentional and reckless indifference to life end Sara Lynn's life on May 20, 2015.

21. Following Sara Lynn's death, Colucci removed Sara Lynn's biological daughter, Child Doe, from her maternal grandparents and took her to live with Doris Colucci and Ivo Colucci in Summerville in July 2015.

22. Child Doe resided with Colucci, Doris Colucci, and Ivo Colucci until May 4, 2016 when Colucci was charged with the Murder of Sara Lynn by the S.C. Law Enforcement Division. (05/03/2016 SLED Affidavit, "Exhibit C"). By court order, Child Doe was removed from the Colucci household and placed in the care of her biological maternal grandparents.

23. While Child Doe resided with Colucci, Doris Colucci and Ivo Colucci between July 2015 and May 4, 2016, Child Doe was exposed to domestic violence, drug use, and misled about the events surrounding her mother's death.

24. On April 14, 2017, Ivo Colucci shot and killed Doris Colucci on the premises of the family's jewelry store business in North Charleston, S.C.

25. This wrongful death lawsuit against Colucci, brought by the Estate of Sara, seeks civil damages for the exclusive benefit of Child Doe, Sara Lynn's only child and only heir at law of the Estate of Sara. Child Doe has suffered extreme grief, sorrow, and anguish beyond that of which any child should be reasonably expected to endure or experience.

**FOR A FIRST CAUSE OF ACTION**  
**(WRONGFUL DEATH/SURVIVAL)**  
**Intentional Tort**

26. The Estate of Sara re-alleges and incorporates by reference the allegations of the preceding paragraphs as if fully set forth herein verbatim.

27. On May 20, 2015, Colucci engaged in conduct that placed Sara Lynn in reasonable fear of bodily harm.

28. On May 20, 2015 Colucci inflicted forcible contact on Sara Lynn's person.

29. As a result of Colucci's conduct and infliction of forcible contact on Sara Lynn, Sara Lynn suffered injuries, damages and death.

30. As a direct and proximate result of Colucci's assault, battery, and intentional and reckless indifference to life, the Estate of Sara's beneficiary, Child Doe, has suffered injuries, which have caused, and in the future, will cause Child Doe to suffer the following elements of damage as to the wrongful death claim:

- a. pecuniary loss;

- b. mental shock and suffering;
- c. wounded feelings;
- d. grief and sorrow;
- e. loss of companionship; and
- f. deprivation of use and comfort of Sara Lynn's society, including loss of her experience, knowledge, and judgment in managing the affairs of her beneficiary.

31. In addition, as a direct and proximate result of Colucci's assault, battery, and intentional and reckless indifference to the life of Sara Lynn as set out above, Sara Lynn suffered injuries, which caused her death and to suffer one or more of the following elements of damage as to the Estate of Sara's survival action claim:

- a. physical pain;
- b. suffering;
- c. mental anguish;
- d. emotional distress;
- e. shock and injury to Sara Lynn's nerves and nervous system;
- f. pecuniary loss; and
- g. medical expenses/cost of medical treatment.

32. That as a direct and proximate result of the foregoing, the Estate of Sara is entitled to judgment against Colucci for actual and punitive damages for the wrongful death of Sara Lynn in an amount to be determined by the Jury.

**FOR A SECOND CAUSE ACTION**  
**DECLARATORY JUDGMENT**

33. The Estate of Sara re-alleges and incorporates by reference the allegations of the preceding paragraphs as if fully set forth herein verbatim.

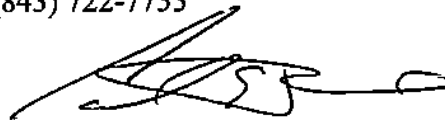


34. The Estate of Sara seeks a declaration from this Court that Colucci permit and direct that one-half (50%) of all proceeds recovered by plaintiffs in Michael Colucci et al v. Northwood Academy and Wilcomp Software, LLC d/b/a RenWeb, C/A No.: 2014-CP-10-4680 be paid to the Estate of Sara.

**WHEREFORE**, The Estate of Sara prays for a trial by jury and for the following:

- i. Judgment against Colucci for actual and punitive damages in an amount to be determined by the jury;
- ii. For the costs of this action;
- iii. For a declaration that Colucci permit and direct that one-half (50%) of all proceeds recovered by plaintiffs in Michael Colucci et al v. Northwood Academy and Wilcomp Software, LLC d/b/a RenWeb, C/A No.: 2014-CP-10-4680 be paid to the Estate of Sara; and
- iii. For such other and further relief as this court deems just and proper.

**PIERCE, HERNS, SLOAN & WILSON, LLC**  
321 East Bay Street  
Post Office Box 22437  
Charleston, SC 29401  
(843) 722-7733



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Carl E. Pierce, II Esquire  
Benjamin C. Smoot, II Esquire

*Attorneys for the Estate of Sara Colucci*

December 5, 2017  
Charleston, S.C.

STATE OF SOUTH CAROLINA  
CERTIFICATION OF VITAL RECORD

DEATH CERTIFICATION

STATE FILE NUMBER: 139-15-021850 AMENDED

DECEDENT'S NAME: \*SARA LYNN COLUCCI\*

AKA's: NA  
ARMED FORCES: NO  
DATE OF BIRTH: [REDACTED]

TYPE OF PLACE OF DEATH: OTHER (SPECIFY)  
NAME AND ADDRESS OF PLACE OF DEATH: 2206 NORTH MAIN STREET, SUMMERVILLE, SC 29483  
PLACE OF DISPOSITION: TRI COUNTY CREMATION CENTER  
DISPOSITION LOCATION: SUMMERVILLE, SOUTH CAROLINA  
METHOD OF DISPOSITION: CREMATION

DECEDENT'S RESIDENCE: 177 WOODBROOK WAY, MONCK'S CORNER, BERKELEY COUNTY, SC, 29464  
PLACE OF BIRTH: SOUTH CAROLINA

SURVIVING SPOUSE'S NAME: MICHAEL FA. COLUCCI  
FATHER'S NAME: RONALD MOORE  
MOTHER'S NAME PRIOR TO FIRST MARRIAGE: BARBARA HARRIS

INFORMANT'S NAME: MICHAEL FA COLUCCI  
MAILING ADDRESS: 177 WOODBROOK WAY, MONCK'S CORNER, SC, 29464

FUNERAL HOME: JAMES A. DYAL FUNERAL HOME, INC., 303 SOUTH MAIN ST., SUMMERVILLE, SC, 29483  
FUNERAL DIRECTOR: DONALD J. MILLER JR.

EMBALMER'S NAME: NA  
ACTUAL OR PRESUMED DATE OF DEATH: MAY 20, 2015

ACTUAL OR PRESUMED TIME OF DEATH: Est 1910 to 1915

CAUSE OF DEATH - PART I  
ASPHYXIA BY NECK COMPRESSION

SEX: FEMALE  
SOCIAL SECURITY NUMBER: [REDACTED]

AGE: 38 YEARS  
COUNTY OF DEATH: BERKELEY

MARITAL STATUS: MARRIED

RELATIONSHIP: SPOUSE

LICENSE NUMBER: 2588  
LICENSE NUMBER: NA

MANNER OF DEATH: COULD NOT BE DETERMINED

OTHER SIGNIFICANT CONDITIONS - PART II:  
NA

CORONER CONTACTED? YES  
DATE OF INJURY: MAY 20, 2015  
PLACE OF INJURY: DECEDENT'S BUSINESS  
LOCATION OF INJURY: 2206 N. MAIN STREET, SUMMERVILLE, BERKELEY COUNTY, SC, 29483  
HOW THE INJURY OCCURRED?  
UNDETERMINED

AUTOPSY PERFORMED? YES  
TIME OF INJURY: Est 1910 to 1915  
INJURY AT WORK? NO

CERTIFIER NAME AND TITLE: DEPUTY CORONER DARNELL D. HARTWELL

LICENSE NUMBER: NA

CERTIFIER'S ADDRESS: 300 B CALIFORNIA AVE, MONCK'S CORNER, SC, 29461

DATE FILED: JUNE 19, 2015  
DATE OF ISSUANCE: JULY 27, 2015

SPECIAL INSTRUCTIONS:  
CAUSE OF DEATH AMENDED BY: DHEC 627 PER WILLIAM SALISBURY, CORONER, INJURY INFO AMENDED BY: DHEC 627 PER WILLIAM SALISBURY, CORONER, MANNER OF DEATH AMENDED BY: DHEC 627 PER WILLIAM SALISBURY, CORONER.

SC04515463



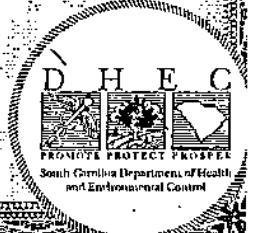
This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.

*Catherine Templeton*  
Catherine Templeton  
Director and State Registrar

*Barbara E. Derrick*  
Barbara E. Derrick  
Assistant State Registrar

This copy is not valid unless prepared on an engraved border displaying the state seal and issuing agency logo.

Revision Date: 09/10/2014



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BERKELEY )

IN THE PROBATE COURT  
CASE NO. 2016-ES-08-127

IN THE ESTATE OF: )  
SARA LYNN COLUCCI )

J.R. Moore, as guardian for B.C., a minor, )  
 )  
Petitioner, )

vs. )

Michael F.A. Colucci, as Personal )  
Representative for the Estate of Sara Lynn )  
Colucci, )  
 )  
Respondent. )

**ORDER**

RECEIVED  
2017 SEP 20 PM 3:48  
PROBATE COURT  
BERKELEY COUNTY  
S.C.

This matter came before me on September 20, 2017 by way of Petitioner J.R. Moore, as guardian for B.C., a minor, Petition to remove and restrain Michael F.A. Colucci, as Personal Representative for the Estate of Sara Lynn Colucci. Present before me were Carl E. Pierce, II and Benjamin Catlett Smoot, II for Petitioner and Andrew T. Cash, Esq. for Respondent. Respondent has consented by agreement to the relief sought in the Petition.

**ACCORDINGLY, IT IS HEREBY ORDERED** that Michael F.A. Colucci is hereby removed as Personal Representative for the Estate of Sara Lynn Colucci and restrained from taking any further action on behalf of the Estate of Sara Lynn Colucci.

**IT IS FURTHER ORDERED** that J.R. Moore is hereby appointed successor Personal Representative for the Estate of Sara Lynn Colucci, and now holds all rights and privileges appurtenant to a successor personal representative under South Carolina law.

**IT IS SO ORDERED!**

*[Signature on following Page]*

*[Handwritten Signature]*  
192

Certified True and Correct Copy  
of Original Record

*[Handwritten Signature]*  
Keith W Kornahrens, Judge of Probate  
Berkeley County, SC





The Honorable Keith W. Kornahrens, Chief Judge  
Berkely County Probate Court

September 20, 2017  
Moncks Corner, South Carolina

May 4 2016

RECEIVED  
2017 JUL 25 AM 11:41  
FILE # 31-15-0074  
SHERIFF'S OFFICE  
BERKELEY COUNTY

STATE OF SOUTH CAROLINA  
COUNTY OF BERKELEY

**AFFIDAVIT**

Personally appeared before me, a magistrate of this County, Sgt. Special Agent David Owen, of the South Carolina Law Enforcement Division (SLED), who, first being duly sworn, deposes and says that

**MICHAEL F. COLUCCI**

did within this County and State on the 20<sup>th</sup> day of May, 2015, violate the criminal laws of the State of South Carolina in the following particular:

**DESCRIPTION OF OFFENSE  
MURDER  
16-3-10**

The affiant states that there is probable cause to believe that the defendant named above did commit the crime(s) set forth, and that such probable cause is based on the following facts:

That on May 20, 2015, while at 2206 North Main Street, Summerville, in the County and State aforesaid, the above named defendant, MICHAEL F. COLUCCI, did commit the offense of violation section 16-3-10 of the South Carolina State Code of Laws, 1976 as amended, MURDER, in that he did willfully, unlawfully, feloniously, and with malice aforethought, strangle the victim, Sara Lynn Moore Colucci, and that this did directly cause the death of the victim.

That on May 20, 2015, members of Berkeley County Sheriff's Office responded to 2206 North Main Street, Summerville, in reference to an unresponsive female. Victim Sara Lynn Moore Colucci was located outside of a building, deceased from an apparent strangulation. Subsequent investigation revealed that the victim and defendant arrived at this location together. There were no witnesses present. The victim reportedly exited the vehicle and sometime later, the defendant found the victim, purportedly hung with a garden hose.

That on or about July 30, 2015, Sheriff Duane Lewis of Berkeley County, requested the South Carolina Law Enforcement Division (SLED) to investigate. Subsequent investigation conducted by Special Agent (S/A) David Owen revealed information from several witnesses, whom will be later identified, that the defendant told them that the victim hung herself with a garden hose, with the defendant approximately 20 feet away, seated in his vehicle. Medical evidence collected from the victim found that she was not strangled with the mentioned garden hose. Furthermore, evidence collected from the scene the night the incident was reported contradicts the defendant's version of events as relayed by witnesses and that the evidence indicates a fight or struggle ensued.

The above information was revealed through the investigation of S/A Owen, and his, along with witness' statements, is witness to prove the same against the form of the statute in such case made and provided against the peace and dignity of the State.

Sworn to and Subscribed before me  
this 3<sup>rd</sup> day of May, 2016

*[Signature]*  
Signature of Judge

*[Signature]*  
Special Agent David Owen  
South Carolina Law Enforcement Division  
104 Simmons Street  
Waltham, SC 29488  
(43-782-3822)



**SOUTH CAROLINA LAW ENFORCEMENT DIVISION**

**NIKKI R. HALEY**  
Governor



**MARK A. KEEL**  
Chief

RECEIVED  
2011 JUL 25 AM 11:41  
SOUTH CAROLINA  
LAW ENFORCEMENT DIVISION

Contact: Thom Berry  
Office: (803) 896-7136  
After Hours: (803) 737-9000  
tberry@sled.sc.gov

**FOR IMMEDIATE RELEASE**  
May 4, 2016

**SUMMERVILLE MAN CHARGED WITH MURDER**

Agents of the S.C. Law Enforcement Division Wednesday arrested and charged a Summerville man in connection with the May 20, 2015 death of his wife.

Michael F. Colucci, 46, was charged with Murder, a felony that carries a penalty upon conviction of death or a minimum of 30 years to life in prison.

Colucci was booked at the Berkeley County Detention Center.

SLED investigated the case at the request of the Berkeley County Sheriff's Department.

The case will be prosecuted by the Ninth Circuit Solicitor's Office.

###

Warrant and Affidavit Attached.  
BNR: 0285

[www.sled.sc.gov](http://www.sled.sc.gov)



An Accredited Law Enforcement Agency

P.O. Box 21398 / Columbia, South Carolina 29221-1398 / (803) 737-9000 / Fax (803) 896-7588

No. 8123 P. 1

**ARREST WARRANT**

**2016A0810400692**

STATE OF SOUTH CAROLINA

County  Municipality of  
Berkeley

THE STATE vs. 34-15-0074  
Against

Michael F. Colucci

Address: 400 Murray Blvd  
Summerville, SC 29483-9011

Phone: \_\_\_\_\_ SSN: \_\_\_\_\_

Sex: M Race: W Height: 6 Weight: 175

Dr. State: SC D.A. # \_\_\_\_\_

DOB: 1/1970 Agency Code: SCLED0000

Issuing Agency: State Law Enforcement Division

Issuing Officer: D.H. Owen - 990127

Offense: Murder / Murder

Offense Code: 0116

Case/Charge No.: 16-03-0010

The warrant is CERTIFIED FOR SERVICE at the  
 County  Municipality of  
BERKELEY The accused  
is/are alleged to be brought before me to be  
dealt with according to the law.

*[Signature]* (C.S.)

May 3, 2016

RETURN  
Copy of this arrest warrant was delivered to  
defendant Michael Colucci  
on 5/11/16

*[Signature]* -5160

RECEIVED

May 4, 2016

RETURN WARRANT TO:  
General Sessions  
300 B California Avenue  
PO Box 219  
Moncks Corner, SC 29461

ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA  
 County  Municipality of  
Berkeley

**AFFIDAVIT** ORIGINAL

Personally appeared before me the undersigned D.H. Owen  
being duly sworn, deposes and says that defendant Michael F. Colucci  
did violate the laws and state of South Carolina 5/20/2015  
of the State of South Carolina (or violation of  County  Municipality of Berkeley)  
in the following particulars:

DESCRIPTION OF OFFENSE: Murder / Murder

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

SEE ATTACHED AFFIDAVIT

*[Signature]*  
Signature of Affiant

STATE OF SOUTH CAROLINA  
 County  Municipality of  
Berkeley

Affiant's Address: P.O. Box 71398  
Columbia, SC 29221

Affiant's Telephone: \_\_\_\_\_

**ARREST WARRANT**

TO ANY LAW ENFORCEMENT OFFICES OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that  
on or about 5/20/2015 defendant Michael F. Colucci  
did violate the criminal laws of the State of South Carolina for violation of  
 County  Municipality of Berkeley as set forth herein.

DESCRIPTION OF OFFENSE: Murder / Murder

Having found probable cause and the above affiant having sworn before me you are empowered and directed to arrest the said defendant and bring him to  
me before me forthwith in the event it is practicable. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as  
soon thereafter as is practicable.  
Sworn to and subscribed before me  
on 5/3/2016

*[Signature]* (C.S.)  
Whitney V. Bassett  
Judge Code: 723E

Judge's Address: P.O. Box 5122  
Moncks Corner, SC 29461-3705

Judge's Telephone: (843) 719-4050

Hearing Court:  Magistrate  Municipal  Circuit

ORIGINAL ORIGINAL ORIGINAL

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

The Estate of Sara Lynn Colucci, By and Through  
Successor Personal Representative J. R. Moore

Plaintiff(s)

vs.

Michael F. A. Colucci.

Defendant(s)

IN THE COURT OF COMMON PLEAS

CIVIL ACTION COVERSHEET

2017-CP - 08 - 2072

(Please Print)

Submitted By: Carl E. Pierce, II Esquire  
Address: Pierce, Hems, Sloan & Wilson, LLC  
321 East Bay Street  
Charleston, South Carolina 29401

SC Bar #: 7946  
Telephone #: 843-722-7733  
Fax #: 843-722-7732  
Other:  
E-mail: carlpierce@phswlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this cover sheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

\*If Action is Judgment/Settlement do not complete

- JURY TRIAL demanded in complaint.  NON-JURY TRIAL demanded in complaint.
- This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- |   |  |  |   |
|---|--|--|---|
| <p><b>Contracts</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Constructions (100)</li> <li><input type="checkbox"/> Debt Collection (110)</li> <li><input type="checkbox"/> Employment (120)</li> <li><input type="checkbox"/> General (130)</li> <li><input type="checkbox"/> Breach of Contract (140)</li> <li><input type="checkbox"/> Other (199)</li> </ul>  | <p><b>Torts - Professional Malpractice</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Dental Malpractice (200)</li> <li><input type="checkbox"/> Legal Malpractice (210)</li> <li><input type="checkbox"/> Medical Malpractice (220)</li> <li>Previous Notice of Intent Case #<br/>20__-CP-____-</li> <li><input type="checkbox"/> Notice/ File Med Mal (230)</li> <li><input type="checkbox"/> Other (299)</li> </ul>  | <p><b>Torts - Personal Injury</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assault/Slander/Libel (300)</li> <li><input type="checkbox"/> Conversion (310)</li> <li><input type="checkbox"/> Motor Vehicle Accident (320)</li> <li><input type="checkbox"/> Premises Liability (330)</li> <li><input type="checkbox"/> Products Liability (340)</li> <li><input type="checkbox"/> Personal Injury (350)</li> <li><input checked="" type="checkbox"/> Wrongful Death (360)</li> <li><input type="checkbox"/> Other (399)</li> </ul> | <p><b>Real Property</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Claim &amp; Delivery (400)</li> <li><input type="checkbox"/> Condemnation (410)</li> <li><input type="checkbox"/> Foreclosure (420)</li> <li><input type="checkbox"/> Mechanic's Lien (430)</li> <li><input type="checkbox"/> Partition (440)</li> <li><input type="checkbox"/> Possession (450)</li> <li><input type="checkbox"/> Building Code Violation (460)</li> <li><input type="checkbox"/> Other (499)</li> </ul>   |
| <p><b>Inmate Petitions</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> PCR (500)</li> <li><input type="checkbox"/> Mandamus (520)</li> <li><input type="checkbox"/> Habeas Corpus (530)</li> <li><input type="checkbox"/> Other (599)</li> </ul>  | <p><b>Judgments/Settlements</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Death Settlement (700)</li> <li><input type="checkbox"/> Foreign Judgment (710)</li> <li><input type="checkbox"/> Magistrate's Judgment (720)</li> <li><input type="checkbox"/> Minor Settlement (730)</li> <li><input type="checkbox"/> Transcript Judgment (740)</li> <li><input type="checkbox"/> Lis Pendens (750)</li> <li><input type="checkbox"/> Transfer of Structured Settlement Payment Rights Application (760)</li> <li><input type="checkbox"/> Other (799)</li> </ul> | <p><b>Administrative Law/Relief</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reinstate Driver's License (800)</li> <li><input type="checkbox"/> Judicial Review (810)</li> <li><input type="checkbox"/> Relief (820)</li> <li><input type="checkbox"/> Permanent Injunction (830)</li> <li><input type="checkbox"/> Forfeiture-Petition (840)</li> <li><input type="checkbox"/> Forfeiture-Consent Order (850)</li> <li><input type="checkbox"/> Other (899)</li> </ul>   | <p><b>Appeals</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Arbitration (900)</li> <li><input type="checkbox"/> Magistrate-Civil (910)</li> <li><input type="checkbox"/> Magistrate-Criminal (920)</li> <li><input type="checkbox"/> Municipal (930)</li> <li><input type="checkbox"/> Probate Court (940)</li> <li><input type="checkbox"/> SCDOT (950)</li> <li><input type="checkbox"/> Worker's Comp (960)</li> <li><input type="checkbox"/> Zoning Board (970)</li> <li><input type="checkbox"/> Public Service Commission (990)</li> <li><input type="checkbox"/> Employment Security Comm (991)</li> <li><input type="checkbox"/> Other (999)</li> </ul> |
| <p><b>Special/Complex /Other</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Environmental (600)</li> <li><input type="checkbox"/> Automobile Arb. (610)</li> <li><input type="checkbox"/> Medical (620)</li> <li><input type="checkbox"/> Other (699)</li> <li><input type="checkbox"/> Pharmaceuticals (630)</li> <li><input type="checkbox"/> Unfair Trade Practices (640)</li> <li><input type="checkbox"/> Out-of State Depositions (650)</li> <li><input type="checkbox"/> Motion to Quash Subpoena in an Out-of-County Action (660)</li> <li><input type="checkbox"/> Sexual Predator (510)</li> </ul> |  |  |   |

MARY ELIZABETH BROWN  
 CLERK OF COURT  
 BERKELEY COUNTY, SC  
 2017-DEC-5 AM 11:08  
 FILED

*Handwritten signature/initials*

Submitting Party Signature:

*Handwritten signature*

Date: December 4, 2017

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.



**FOR MANDATED ADR COUNTIES ONLY**

Allendale, Anderson, Beaufort, Clarendon, Colleton, Florence, Greenville, Hampton, Horry, Jasper, Lee, Lexington, Pickens (Family Court Only), Richland, Sumter, Union, Williamsburg, and York

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

**You are required to take the following action(s):**

1. The parties shall select a neutral and file a "Proof of ADR" form on or by the 210<sup>th</sup> day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the "Notice of Intent to File Suit" or as the court directs. (Medical malpractice mediation is mandatory statewide.)
4. Cases are exempt from ADR only upon the following grounds:
  - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
  - b. Requests for temporary relief;
  - c. Appeals
  - d. Post Conviction relief matters;
  - e. Contempt of Court proceedings;
  - f. Forfeiture proceedings brought by governmental entities;
  - g. Mortgage foreclosures; and
  - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

**Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.**

**Common Pleas**  
**Clerk : Mary P. Brown**  
**300 B California Avenue**  
**Moncks Corner, SC 29461**  
**Phone:(843) 719-4400 Fax:(843) 719-4509**

Received From:	Pierce, Carl Everette II PO Box 22437 Charleston, SC 294132437	Date: 12/ 5/2017 Receipt #: 6077811 Clerk: c08thill
Paying for:	Colucci, The Estate Of, Sara Lyni	
Transaction Type:	Payment	Reference #: 71486
Payment Type:	Check \$150.00	Comment: Non-Refundable
Total Paid:	\$150.00	

Total Received: \$150.00 You may check the status of your Berkeley case at:  
Change Due: \$0.00 <http://www.sccourts.org/caseSearch/>

Case #	Caption	Previous Balance	Amount Paid	Balance Due	S/T
2017CP0802672	Sara Lynn Colucci, The Estate Of VS Michael F.A. Colucci	\$150.00	\$150.00	\$0.00	360



<b>Total Cases:</b>	<b>1</b>	<b>\$150.00</b>	<b>\$150.00</b>	<b>\$0.00</b>
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