

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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*Appeal from Colleton County*

Court of General Session  
The Honorable Robert J. Bonds, Circuit Court Judge

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THE STATE,

Respondent,

v.

RYAN LENARD MANIGO,

Appellant.

Appellate Case No. 2024-001818

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**STATE’S RETURN TO  
APPELLANT’S MOTION TO FILE INITIAL BRIEF  
AND DESIGNATION OF MATTER OUT OF TIME**

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Appellant, Ryan Lenard Manigo, moves this Court to accept his initial brief of appellant and designation of matter out of time. Respondent must object because the appeal is not properly before the Court. Appellant has not yet gone to trial or received a sentence in this criminal matter. The appeal is interlocutory; thus, the notice should be dismissed. Consequently, there is no cause to grant the motion to file out of time. In support of its position, Respondent would respectfully show the Court:

1. Appellant is a pretrial detainee in Colleton County currently charged with multiple crimes including: five counts of murder; arson first degree; two counts of criminal sexual conduct first degree; two counts of criminal sexual conduct with a minor; two counts of kidnapping; six

counts of possession of a deadly weapon in the commission of a violent crime, burglary first degree; attempted murder and incest. The charges remain pending at this time.

2. This Court has already denied Appellant's attempt to secure a writ of supersedeas to prevent the release of jail calls to the media in response to a Freedom of Information Act request. The Court found that "Appellant will not suffer irreparable harm or a miscarriage of justice due to the release of the recordings in accordance with the circuit court's well-reasoned order" and denied the petition. (May 5, 2025 Order).

3. Appellant is now attempting to appeal the same ruling through the ordinary appeal process. However, Appellant previously asserted that he was not intending to pursue an ordinary appeal. In responding to Gray Media Group's motion to dismiss the appeal, Appellant wrote:

Gray attempts to treat this matter as a traditional appeal with ordinary briefing schedules pursuant to Rule 204 of the South Carolina Appellate Court Rules. However, the Petitioner's Notice of Appeal was nothing more than a vehicle to have this Court consider the Appellant's Writ of Supersedeas pursuant to Rule 240 of the South Carolina Court Rules.

(December 6, 2024, "Reply to Gray Media Group, Inc.'s Motion to Dismiss Appeal, at p. 2). Thus, according to Appellant, the notice would have "served its objective" if this Court would "continue its consideration of Appellant's Writ of Supersedeas." *Id.* As noted, this Court considered and denied the petition for a writ of supersedeas. (May 5, 2025 Order).

4. Whether by acceptance of the concession noted above, or by review of the case which shows no final judgment from which to appeal, the case is not ripe for appeal. The State reasserts, as it did in response to the petition for writ of supersedeas, that the attempted appeal is interlocutory and improper. (Return, at p. 2). That point is dispositive here.

5. It is a well-settled principle that a criminal defendant may not appeal prior to being sentenced. *See, e.g., State v. Rearick*, 417 S.C. 391, 400, 790 S.E.2d 192, 196 (2016) ("defendant

may appeal only after sentence has been imposed”); *Ex parte Wilson*, 367 S.C. 7, 13, 625 S.E.2d 205, 208 (2005) (“Absent some specialized statute, the immediate appealability of an interlocutory or intermediate order depends on whether the order falls within [section] 14-3-330.”); S.C. Code Ann. § 14-3-330 (1) (setting out required finality for appellate jurisdiction). Appellant has not been sentenced and has not shown an exception that would allow him to maintain this appeal. The notice of appeal should be dismissed. Considering the appeal must be dismissed, the motion to file out of time should be denied.

### CONCLUSION

WHEREFORE, having made its return, and for all the foregoing reasons, the State submits the motion should be denied, and the notice of appeal should be dismissed. *Rearick, supra*.

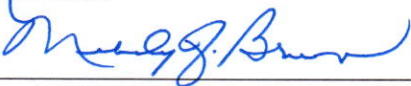
Respectfully submitted,

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By:   
\_\_\_\_\_  
MELODY J. BROWN  
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ATTORNEYS FOR RESPONDENT

May 22, 2025  
Columbia, South Carolina.

May 22 2025

SC Court of Appeals

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**PROOF OF SERVICE**  
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The undersigned certifies that, pursuant to Rule 262 (c)(3), SCACR, and the April 24, 2024 Amended Order of the Supreme Court of South Carolina, the *Return to Motion to File Brief of Appellant and Designation of Matter Out of Time and Proof of Service* has been served upon Appellant's counsel, by forwarding same via email today at the following addresses:

S. Boyd Young, Esq. at [byoung@sccid.sc.gov](mailto:byoung@sccid.sc.gov),  
Robert L. Bank, Jr., Esq. at [rbank@sccid.sc.gov](mailto:rbank@sccid.sc.gov)

and also to counsel for Gray Media Group

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This 22nd day of May, 2025.

  
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## Angela Brown

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**From:** Angela Brown  
**Sent:** Thursday, May 22, 2025 4:27 PM  
**To:** 'byoung@sccid.sc.gov'; rbank@sccid.sc.gov  
**Cc:** manzelmo@mcguirewoods.com; jarichardson@mcguirewoods.com; mark@peperlawfirm.com; brenna@peperlawfirm.com; Melody Brown  
**Subject:** The State v. Ryan Lenard Manigo (2024-001818)  
**Attachments:** Manigo, Ryan - State's Return to Motion to File Initial Brief of Appellant Out of Time.pdf; Manigo, Ryan - State's Motion to Dismiss Notice of Appeal.pdf

Dear Counsel, please find attached the State's (1) Return to Appellant's Motion to File Initial Brief and Designation of Matter Out of Time and (2) State's Motion to Dismiss Notice of Appeal in referenced to the above appeal. The Return and Motion will be electronically filed with the South Carolina Court of Appeals on today's date.

Thank you,

**Angela Bennett Brown, Administrative Coordinator II**  
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