

IN THE SOUTH CAROLINA COURT OF APPEALS

Scott R. Manna, Appellant

v.

Jack Sinclair, Respondent

Appellate Case No.: 2025-001313

105225

RECEIVED

JUL 10 2025

SC Court of Appeals

**MOTION FOR LEAVE TO FILE NOTICE OF APPEAL NUNC PRO TUNC**

COMES NOW the Appellant, Scott R. Manna, Pro Se, and respectfully moves this Honorable Court pursuant to Rule 203(b)(1) of the South Carolina Appellate Court Rules (SCACR) and all applicable law, for leave to file a Notice of Appeal nunc pro tunc, and as grounds therefore states as follows:

1. Appellant timely submitted a Notice of Appeal to the Charleston County Clerk of Court on May 5, 2025. Said filing was accepted and docketed by the clerk's office and appears on the public index.
2. The clerk on duty at the time advised the Appellant that the filing was complete and no further action was required. Based on this representation, Appellant believed in good faith that the appeal had been properly initiated.
3. On June 30, 2025, Appellant was advised by the Court of Appeals that the Notice of Appeal had not been received and that no appellate case had been docketed.
4. On July 2, 2025, Appellant received a letter assigning appellate case number 2025-001313, but noting a deficiency based on the timing and format of the original Notice of Appeal.
5. The failure to transmit the notice to the Court of Appeals and to provide timely guidance regarding any filing deficiencies was due entirely to administrative or clerical error, not Appellant's fault.
6. Denying Appellant the right to appeal under these

circumstances would result in manifest injustice.

**WHEREFORE**

, Appellant respectfully requests that this Court  
grant leave to file the Notice of Appeal nunc pro tunc  
and accept the filing as timely, and for such other and further relief as the Court  
deems just and proper.

Respectfully submitted,

 7/2/25  
Scott R. Manna

Appellant, Pro Se

July 2, 2025

IN THE SOUTH CAROLINA COURT OF APPEALS

Scott R. Manna, Appellant

v.

Jack Sinclair, Respondent

Appellate Case No.: 2025-001313

RECEIVED  
JUL 10 2025  
SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the following documents:

- Corrected Notice of Appeal (SCACR Form 1 Format)
- Motion for Leave to File Notice of Appeal Nunc Pro Tunc

upon the Respondent's counsel by depositing a copy of the same in the United States Mail, first class postage prepaid, properly addressed to:

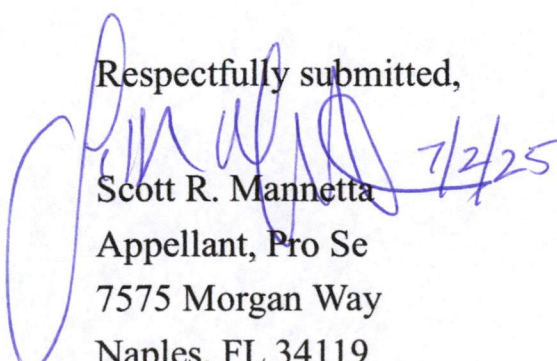
Robert Lubs Eaton, Esquire

PO Box 22528

Charleston, SC 29413

This the 2<sup>nd</sup> day of July, 2025.

Respectfully submitted,

 7/2/25  
Scott R. Manna

Appellant, Pro Se

7575 Morgan Way

Naples, FL 34119

Scott R. Manna  
7575 Morgan Way  
Naples, FL 34119  
U120@yahoo.com  
July 2, 2025

Clerk of the South Carolina Court of Appeals  
1220 Senate Street  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**  
JUL 10 2025  
SC Court of Appeals

RE: Notice of Appeal & Motion to File Nunc Pro Tunc  
Appellate Case No.: 2025-001313

Dear Clerk,

Enclosed please find the following for filing in the above-referenced matter:

1. Corrected Notice of Appeal (pursuant to Form 1 of Appendix C to Part II of the SCACR)
2. Motion for Leave to File Notice of Appeal Nunc Pro Tunc
3. Certificate of Service

Please let me know if any further information or correction is required. I am also enclosing payment for the \$250 appeal fee and the \$50 motion fee, as indicated in your July 2, 2025 deficiency letter.

Thank you for your assistance.

Sincerely,

Scott R. Manna  
Appellant, Pro Se

