

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

CHARLESTON COUNTY

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Jan 06 2026

SC Court of Appeals

Scott R. Manna,
Plaintiff,

v.

Jack Sinclair, Esq.,
Defendant.

Civil Action No.: 2025-001313 _____

COMPLAINT

(Jury Trial Demanded)

I. INTRODUCTION

1. This is a civil action arising from legal malpractice, breach of fiduciary duty, professional negligence, and attorney misconduct committed by Defendant Jack Sinclair, Esq., a court-appointed attorney entrusted with representing a vulnerable adult in guardianship proceedings.
 2. Defendant was appointed to represent Jake Manna, Plaintiff's adult son, during a contested guardianship proceeding in the Charleston County Probate Court.
 3. Rather than zealously advocating for his client's expressed wishes and constitutional rights, Defendant abandoned core duties of loyalty, advocacy, investigation, and communication, resulting in catastrophic and irreversible harm to Jake Manna and foreseeable harm to Plaintiff.
 4. Defendant's failures include, but are not limited to:
 - o Excluding Plaintiff from all substantive legal involvement despite Jake's express instructions;
 - o Conducting strategy discussions in the presence of the opposing party;
 - o Failing to investigate or present less restrictive alternatives to guardianship;
 - o Failing to challenge the ex parte initiation of the guardianship;
 - o Failing to call critical witnesses or present available evidence;
 - o Failing to challenge or rebut an inaccurate and biased Guardian ad Litem report; and
 - o Failing to file an appeal despite Jake's clear desire to do so.
 5. As a direct and proximate result of Defendant's misconduct, Jake Manna was placed under a limited guardianship that stripped him of autonomy and severed his relationship with his father, causing ongoing emotional, psychological, and constitutional harm.
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II. PARTIES

6. Plaintiff Scott R. Manna is a resident of Naples, Florida, and is the biological father of Jake Manna. Plaintiff was a named party and next of kin in the underlying probate proceeding and suffered direct, foreseeable harm as a result of Defendant's misconduct.
 7. Defendant Jack Sinclair, Esq. is an attorney licensed to practice law in South Carolina, with an office located in Charleston County, South Carolina. At all relevant times, Defendant acted under court appointment and color of state authority.
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III. JURISDICTION AND VENUE

8. This Court has subject-matter jurisdiction pursuant to S.C. Code Ann. §§ 14-3-320 and 14-3-330.
 9. Venue is proper in Charleston County because the acts and omissions giving rise to this action occurred in Charleston County and Defendant practices law there.
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IV. FACTUAL BACKGROUND

A. The Guardianship Proceeding

10. In or about 2022, a guardianship action was initiated in the Charleston County Probate Court styled In re: Guardianship of Jake Manna, Case No. 2022-GC-10-0078.
 11. Jake Manna is an adult with mild intellectual and developmental disability who consistently expressed a desire to maintain autonomy and meaningful involvement from both parents, particularly Plaintiff.
 12. Defendant Jack Sinclair was appointed by the Probate Court to represent Jake Manna in the guardianship proceedings.
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B. Jake's Express Instructions Were Ignored

13. Throughout Defendant's representation, Jake repeatedly and expressly instructed Defendant that he wanted his father, Plaintiff Scott Manna, included in:
 - All legal discussions;
 - Strategy meetings;
 - Decision-making;
 - Presentation of evidence.
 14. Defendant was aware of these instructions through direct communications and written correspondence, including emails later submitted as exhibits.
 15. Despite these clear instructions, Defendant categorically excluded Plaintiff from all substantive involvement.
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C. Exclusion and Conflicted Conduct

16. Defendant conducted strategy discussions in the presence of the petitioner/mother, an adverse party in the proceeding.
17. Defendant refused to meet privately with Plaintiff, even after Plaintiff terminated his own brief representation to remove any perceived barrier to communication.
18. Defendant's conduct violated fundamental duties of loyalty, confidentiality, and conflict-free representation.

D. Failure to Investigate or Present Less Restrictive Alternatives

19. Defendant failed to investigate or present evidence of less restrictive alternatives to guardianship, despite such alternatives being statutorily favored and factually supported.
20. Defendant failed to develop or present evidence of Jake's functional abilities, independence, support systems, or expressed preferences.

E. Failure to Challenge the Ex Parte Initiation

21. The guardianship was initiated via an ex parte process that deprived Jake of notice, participation, and due process.
22. Defendant never moved to vacate, challenge, or seek heightened scrutiny of the ex parte initiation.

F. Failure to Present Evidence and Call Critical Witnesses

23. Plaintiff was present, available, and uniquely qualified to provide testimony regarding:

- Jake's functional capacity;
- Jake's wishes;
- Historical caregiving;
- Abuse and alienation by the petitioner;
- Less restrictive alternatives.

24. Defendant never listed Plaintiff as a witness, never prepared him, never deposed him, and never called him to testify.
25. Defendant also failed to present or advocate for the admission of a multi-party conference call in which all involved parties acknowledged Jake's need for both parents' involvement.

G. Failure to Challenge the Guardian ad Litem Report

26. The Guardian ad Litem report was materially incomplete, inaccurate, and biased.

27. Defendant failed to challenge the report, cross-examine its author, or present rebuttal evidence.

H. Failure to Appeal

28. Following entry of the final guardianship order, Jake expressly requested an appeal.
29. Defendant refused and allowed the appeal deadline to lapse without action, permanently foreclosing review.
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V. CAUSES OF ACTION

COUNT I – Legal Malpractice / Professional Negligence

30. Defendant owed Jake Manna a duty to exercise reasonable care, skill, diligence, and loyalty.
31. Defendant breached that duty through the acts and omissions described above.
32. Defendant's breaches were the direct and proximate cause of injury to Jake Manna and foreseeable injury to Plaintiff.
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COUNT II – Breach of Fiduciary Duty

33. Defendant owed fiduciary duties of loyalty, confidentiality, and good faith.
34. Defendant breached those duties by subordinating his client's interests, excluding trusted support, and failing to advocate.
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COUNT III – Negligent Infliction of Emotional Distress (Derivative / Foreseeable Harm)

35. Defendant knew or should have known that his misconduct would foreseeably sever the parent-child relationship and cause severe emotional distress to Plaintiff.
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COUNT IV – Attorney Misconduct / Abuse of Court Appointment

36. Defendant's conduct constituted abuse of his court-appointed role and undermined the integrity of judicial proceedings involving a vulnerable adult.

VI. DAMAGES

37. As a result of Defendant's misconduct, Plaintiff has suffered:

- Loss of relationship with his son;
 - Emotional distress;
 - Reputational harm;
 - Financial loss;
 - Ongoing constitutional injury.
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VII. PRAYER FOR RELIEF

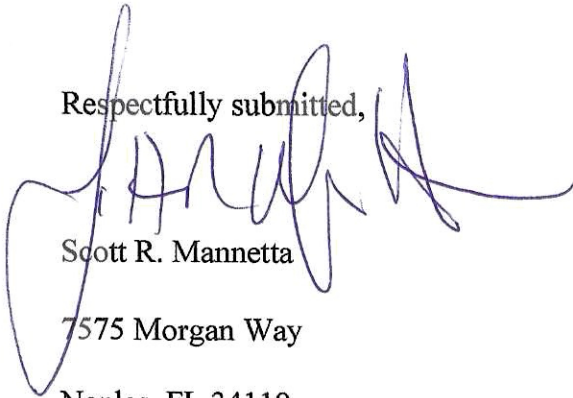
WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Enter judgment against Defendant;
 - B. Award compensatory and consequential damages;
 - C. Award costs and fees as allowed by law;
 - D. Grant such other relief as the Court deems just and proper.
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VIII. JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Scott R. Manna", written over the typed name.

Scott R. Manna

7575 Morgan Way

Naples, FL 34119

Phone: 704-280-4785

Email: u120@yahoo.com

Pro Se

Date: 01/05/26