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SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Colleton County

Robert J. Bonds, Circuit Court Judge

Opinion No. 6149 (submitted May 1, 2026 – filed June 24, 2026)

THE STATE,

RESPONDENT,

V.

RYAN LENARD MANIGO (2),

APPELLANT

APPELLATE CASE NO. 2024-001818

PETITION FOR REHEARING

On June 24, 2026, this Court dismissed Appellant’s appeal. Pursuant to 221, SCACR, Appellant respectfully requests rehearing because this Court’s finding that the appeal is interlocutory only related to his claims that the release of the calls would violate his United States and South Carolina Constitutional rights to a fair trial. This Court reasoned that it does “not see how Manigo can prove that any error by the circuit court resulted in prejudice to him as he has not yet been tried, convicted, or sentenced.” (State v. Manigo, Op. No. 6149 (S.C. Ct. App. Filed June 24, 2026) (*citing* State v. Black, 400 S.C. 10, 16-17, 732 W.E.2d 880, 884 (2012))). The Court continued that “[w]hile pretrial publicity may prejudice a criminal defendant in South Carolina,

our courts require evidence of actual juror bias rather than presuming prejudice from media exposure alone, with adequate voir dire examination serving as the primary safeguard against potential prejudice.” *Id.* (citing State v. Kelsey, 331 S.C. 50, 67-68, 502 S.E.2d 63, 72 (1988); State v. Owens, 293 S.C. 161, 167, 359 S.E.2d 275, 278 (1987)). However, this Court overlooked Appellant’s other claims related to the circuit court’s final order. Specifically: 1) whether the calls are public records that are subject to the Freedom of Information Act (FOIA); 2) other United States and South Carolina Constitutional deprivations, including his right to privacy, equal protection, and due process; 3) whether FOIA’s statutory exemptions prevent the release of the calls; and 4) whether the order violates public policy.

This Court conflates the Appellant’s rights related to a fair trial, the admissibility of evidence, and potential mootness with his collateral appellate claims that are independent of the outcome of any possible trial. The Appellant challenges a **final order** by the circuit court permitting the release of recorded telephone calls pursuant to FOIA. The order is not inherent to the final judgment of Appellant’s criminal charges. No matter the result of the judgment in the lower court – acquittal or conviction and sentence – the circuit court’s final order implicates Appellant’s rights in the First, Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments of the federal Constitution and Article I, §§ 3, 9, 10, 11, 12, 14, and 15 of the state Constitution. The circuit court’s final order also violates the statutory exemptions provided for in FOIA and the public policy of South Carolina. The outcome of his criminal trial does not relate to the claims Appellant raises. The prejudice is not potential – it has already occurred.

WHEREFORE, based on the foregoing argument, as well as the arguments in the Brief of the Appellant and all other previous filings, Appellant respectfully requests that this Court reverse the findings of the circuit court and enter relief.



Robert Louis Bank, Jr.
Capital Defender
SC Commission on Indigent Defense
Capital Trial Division
1330 Lady Street, Suite 401
Columbia, SC 29201
(803) 734-1343
SC Bar # 101112

S. Boyd Young
Chief Attorney
SC Commission on Indigent Defense
Capital Trial Division
1330 Lady Street, Suite 401
Columbia, SC 29201
(803) 734-1343
SC Bar # 16959

Matthew Lee Walker
Assistant Public Defender
Fourteenth Circuit Public Defender
319 N Lucas St.
Walterboro, SC 29488
SC Bar # 72535
(843) 549-1633

ATTORNEYS FOR APPELLANT

This 8th day of July, 2026.

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APPELLATE CASE NO. 2024-001818

CERTIFICATE OF SERVICE

Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, the undersigned hereby certifies a true copy of the Petition for Rehearing in the above-referenced case has been served upon Melody J. Brown and I. McDuffie Stone, Esquires AND Michael J. Anzelmo and Mark Peper, Esquires, at the primary e-mail addresses listed in the Attorney Information System (AIS), this 8th day of July, 2026.



Robert Louis Bank, Jr.
Capital Defender
SC Bar # 101112

South Carolina Commission on Indigent Defense
Capital Trial Division
PO Box 11433
Columbia, SC 29211
(803) 734-1343

Warren, Kaylynn

From: Warren, Kaylynn
Sent: Wednesday, July 8, 2026 10:14 AM
To: Melody Brown
Cc: Bank, Robert; Young, Boyd; Isaac McDuffie Stone, III; manzelmo@mcguirewoods.com; mark@peperlawfirm.com; 'abennett@scag.gov'; Taft, Renee
Subject: 2024-001818 The State v. Ryan Lenard Manigo (2)
Attachments: 2024-001818 The State v. Ryan Lenard Manigo (2) Petition for Rehearing.pdf

Good Morning,

Attached for service in the above-referenced case is the Petition for Rehearing which will be filed today, July 8, 2026, with the Court of Appeals via email filing.

Respectfully,

Kaylynn

Kaylynn Warren

Administrative Assistant

South Carolina Commission on Indigent Defense

Division of Appellate Defense

(803) 734-1330

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