



The South Carolina Court of Appeals

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CLERK

V. CLAIRE ALLEN
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November 28, 2022

The Honorable Richard A. Shirley
PO Box 8002
Anderson SC 29622-8002

REMITTITUR

Re: Brittany Holbrooks v. Lane Construction Corporation
Lower Court Case No. 2020CP0402058
Appellate Case No. 2022-001563

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in blue ink that reads "V. Claire Allen".

CLERK

Enclosure

cc: David R. Price, Jr., Esquire
Ronnie Lanier Crosby, Esquire
Chelci Suzanne Avant, Esquire
John Elliott Parker, Jr., Esquire
Elizabeth Ann Martineau, Esquire

The South Carolina Court of Appeals

Brittany Holbrooks, Appellant,

v.

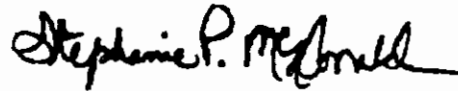
South Carolina Department of Transportation, Bagwell
Fence Company, Inc., and the Lane Construction
Corporation, Defendants,

of which Lane Construction Corporation is the
Respondent.

Appellate Case No. 2022-001563

ORDER

This appeal arises out of an order of the circuit court granting a motion to set aside entry of default pursuant to Rule 55(c) of the South Carolina Rules of Civil Procedure. The appeal is dismissed as interlocutory. *See Ateyeh v. United of Omaha Life Ins. Co.*, 293 S.C. 436, 361 S.E.2d 340 (Ct. App. 1987) (holding an appeal from an order setting aside entry of default prior to final judgment is not immediately appealable); *Jefferson by Johnson v. Gene's Used Cars, Inc.*, 295 S.C. 317, 368 S.E.2d 456 (1988) (noting the Court of Appeals reached a correct result in *Ateyeh* when analyzed pursuant to S.C. Code Ann. §14-3-330). The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.



, J.

FOR THE COURT

Columbia, South Carolina

cc:

David R. Price, Jr., Esquire
Ronnie Lanier Crosby, Esquire

FILED
Nov 04 2022

Chelci Suzanne Avant, Esquire
John Elliott Parker, Jr., Esquire
Elizabeth Ann Martineau, Esquire