



The South Carolina Court of Appeals

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V. CLAIRE ALLEN
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December 09, 2022

The Honorable Robert J. Harte
PO Box 583
Aiken SC 29802

REMITTITUR

Re: The State v. James C. Whaley
Lower Court Case No. 2020CP0201640
Appellate Case No. 2022-001550

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: James Carl Whaley
Alan McCrory Wilson, Esquire
Deborah R.J. Shupe, Esquire

The South Carolina Court of Appeals

The State, Respondent,

v.

James Carl Whaley, Appellant.

Appellate Case No. 2022-001550

ORDER

This appeal arises out of orders of the circuit court granting a continuance, denying Appellant's motion for summary judgment, and granting a court appointed evaluator access to reports and records. Because the underlying orders are not immediately appealable, we dismiss this appeal. *See Townsend v. Townsend*, 323 S.C. 309, 474 S.E.2d 424 (1996) (holding an order granting or denying a continuance is not directly appealable); *Ballenger v. Bowen*, 313 S.C. 476, 477–78, 443 S.E.2d 379, 380 (1994) (holding the denial of a motion for summary judgment is not immediately appealable); *Hamm v. S.C. Pub. Serv. Comm'n*, 312 S.C. 238, 241, 439 S.E.2d 852, 853 (1994) (holding discovery orders are interlocutory and not immediately appealable). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.


_____, J.
FOR THE COURT

Columbia, South Carolina

cc:

James Carl Whaley

Alan McCrory Wilson, Esquire

Deborah R.J. Shupe, Esquire

FILED
Nov 22 2022
