



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 24, 2023

Mrs. Mary Agnes Hood Craig, Esquire
172 Meeting St.
PO Box 1508
Charleston SC 29402-1508

Ms. Jean Marie Jennings, Esquire
172 Meeting Street
Charleston SC 29401

Ms. Deborah Harrison Sheffield, Esquire
117 Brook Valley Rd.
Columbia SC 29223

John Carroll Moylan, III, Esquire
PO Box 12247
Columbia SC 29211-2247

Ms. Mary Lucille Dinkins, Esquire
807 Gervais Street
Suite 301
Columbia SC 29201-3163

Mr. Jack G Gresh, Esquire
1012 Ewall Street
Suite A
Mount Pleasant SC 29464

Mrs. Lauren Spears Gresh, Esquire
111 Coleman Boulevard
Suite 301
Mount Pleasant SC 29464

Mr. James Hunter May, Esquire
PO Box 12247
Columbia SC 29211-2247

Mrs. Rachael Lewis Anna, Esquire
200 East Broad Street
Suite 400
Greenville SC 29601

Ms. Christine Kent Toporek, Esquire
205 King Street
Suite 201
Charleston SC 29401

Christina Woodward Strong, Esquire
2 Research Way
Princeton NJ 08540

Mrs. Kelly McPherson Jolley, Esquire
810 Bellwood Road
Columbia SC 29205

Ms. Ariaail Burnside Kirk, Esquire
810 Bellwood Rd
Columbia SC 29205


Mr. Robert L. Widener, Esquire
PO Box 11390
Columbia SC 29211

Re: Michelle Holliman v. We Are Sharing Hope SC
Appellate Case No. 2021-000487

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

A handwritten signature in blue ink that reads "Jerry A. Kitch". The signature is written in a cursive style with a large, stylized initial "J".

CLERK

cc: The Honorable Debra R. McCaslin

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Michelle Cha Holliman, individually and as personal
representative of the Estate of Allen B. Holliman,
Respondent,

v.

We Are Sharing Hope SC, Medical University of South
Carolina, United Network for Organ Sharing, Jacqueline
Honig, M.D., and Darla Welker, Defendants,

of which We Are Sharing Hope SC and United Network
for Organ Sharing are the Appellants.

Appellate Case No. 2021-000487

Appeal From Charleston County
Debra R. McCaslin, Circuit Court Judge

Unpublished Opinion No. 2023-UP-205
Submitted May 17, 2023 – Filed May 24, 2023

APPEAL DISMISSED

Mary Agnes Hood Craig, of Hood Law Firm, LLC, of
Charleston; Jean Marie Jennings, of Charleston; and
Deborah Harrison Sheffield, of Columbia, all for
Appellant We Are Sharing Hope SC.

Jack G Gresh, of Dodds Hennessy & Stith, LLP, of Mount Pleasant; Lauren Spears Gresh, of Hall Booth Smith, PC, of Mount Pleasant; and Robert L. Widener of Burr and Forman, LLP, of Columbia, all for Appellant United Network for Organ Sharing.

John Carroll Moylan, III, Mary Lucille Dinkins, and James Hunter May, all of Wyche, PA, of Columbia; and Rachael Lewis Anna, of Wyche, PA, of Greenville, all for Respondent.

PER CURIAM: We Are Sharing Hope SC (WASH) and United Network for Organ Sharing appeal the circuit court's order denying their collective motions for a protective order and granting Michelle Cha Holliman's motion to compel WASH to produce documents withheld on a claim of peer review privilege. This order is not immediately appealable under section 44-7-394 of the South Carolina Code (2018) because WASH is not "a hospital or affected person." Accordingly, the appeal is dismissed pursuant to Rule 220(b), SCACR, and the following authorities: *Grosshuesch v. Cramer*, 377 S.C. 12, 30, 659 S.E.2d 112, 122 (2008) ("[D]iscovery orders, in general, are interlocutory and are not immediately appealable because they do not, within the meaning of the appealability statute, involve the merits of the action or affect a substantial right."); § 44-7-394(C) ("If the court orders a hospital or affected person to produce documents to a third party under this section, the hospital or affected person shall have the right to immediately appeal that order"); § 44-7-394(B) ("For purposes of this section an 'affected person' means a *person*" (emphasis added)).

APPEAL DISMISSED.¹

WILLIAMS, C.J., and VINSON and VERDIN, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.