

The South Carolina Court of Appeals

John Trenton Pendarvis, Respondent,

v.

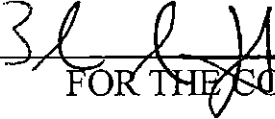
L.C. Knight, in his official capacity as Dorchester County Sheriff, Mark Keel, in his official capacity as Chief of the South Carolina State Law Enforcement Division; Hugh E. Weathers, in his official capacity as the South Carolina Commissioner of Agriculture; and John Doe(s),
Defendants,

Of whom Mark Keel, in his official capacity as Chief of the South Carolina State Law Enforcement Division, is the Appellant.

Appellate Case No. 2023-000757

ORDER

This appeal arises out of an order of the circuit court granting Respondent's motion to compel discovery and determine the sufficiency of Appellant's responses to requests for admission. Respondent's motion to dismiss the appeal is granted because the underlying order is not immediately appealable. *See Grosshuesch v. Cramer*, 377 S.C. 12, 30, 659 S.E.2d 112, 122 (2008) ("[T]he fact remains that discovery 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."); *Hamm v. S.C. Pub. Serv. Comm'n*, 312 S.C. 238, 241, 439 S.E.2d 852, 853 (1994) ("Discovery orders ... are interlocutory and are not immediately appealable."); *Tucker v. Honda of S.C. Mfg., Inc.*, 354 S.C. 574, 577, 582 S.E.2d 405, 406 (2003) (noting a party must refuse to comply with a discovery order and be held in contempt before the decision becomes appealable). The remittitur will be sent pursuant to Rule 221(b) of the South Carolina Appellate Court Rules.


FOR THE COURT

Columbia, South Carolina

cc:

Andrew F. Lindemann, Esquire
Patrick James McLaughlin, Esquire
C. Bradley Hutto, Esquire

FILED
Jul 10 2023