

The South Carolina Court of Appeals

Dr. Scott F. Duncan, M.D., Appellant,

v.

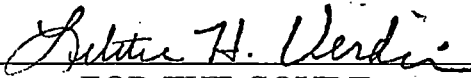
OrthoSC, LLC, a South Carolina limited liability company; Dr. Gene M. Massey, M.D.; and HCA Healthcare, Inc., a Delaware corporation, Defendants,

Of which OrthoSC, LLC, a South Carolina limited liability company, and Dr. Gene M. Massey, M.D. are the Respondents.

Appellate Case No. 2023-001587

ORDER

After careful consideration of the parties' memoranda on appealability, this appeal is dismissed. *See Huntley v. Young*, 319 S.C. 559, 560, 462 S.E.2d 860, 861 (1995) (providing the denial of a motion to dismiss under Rule 12(b)(6) is not immediately appealable); *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."); *Ex parte Whetstone*, 289 S.C. 580, 580, 347 S.E.2d 881, 881 (1986) ("[A]n order directing a non-party to submit to discovery is not immediately appealable."). The remittitur will be sent as required by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

FILED
Jan 02 2024

cc:

Daniel Francis Blanchard, III, Esquire

James Atkinson Bruorton, IV, Esquire

Mary Harriet Moore, Esquire

Charles Epps Ipock, Esquire

Jonathan David Klett, Esquire

Stafford J McQuillin, III, Esquire

Sarah P. Spruill, Esquire