

The South Carolina Court of Appeals

Ramona D. Byers, as Personal Representative of the
Estate of Mario Byers, Respondent,

v.

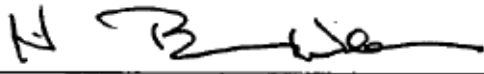
Greenville County and South Carolina Department of
Corrections, Defendants,

of which South Carolina Department of Corrections is
the Appellant.

Appellate Case No. 2024-000347

ORDER

This appeal arises out of an order of the circuit court denying Appellant's motion to dismiss, and granting Respondent's motion to compel discovery. Because the underlying order is not immediately appealable, we dismiss this appeal. See *McLendon v. S.C. Dep't of Highways & Pub. Transp.*, 313 S.C. 525, 526, 443 S.E.2d 539, 540 (1994) ("The denial of . . . a motion [to dismiss] is not immediately appealable under section 14-3-330 of the South Carolina Code (2017)."); *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.

 S.J.

FOR THE COURT

Columbia, South Carolina

FILED
Mar 15 2024

cc:

Stephanie Holmes Burton, Esquire

James Andrew Bradshaw, Esquire

Samuel Barton Tooker, Esquire

Kyle Jason White, Esquire

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Mar 15 2024