

The South Carolina Court of Appeals

Ronald A. Zack, as Personal Representative of the Estate
of Allan L. Zack, Respondent,

v.

Greenville County and South Carolina Department of
Corrections, Defendants,

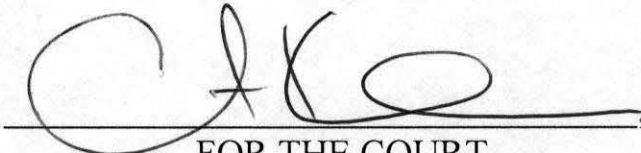
of which South Carolina Department of Corrections is
the Appellant.

Appellate Case No. 2024-000905

ORDER

This appeal arises out of an order of the circuit court denying Appellant's motions to dismiss, bifurcate, change venue, and protection; and granting Respondent's motion to compel discovery. Because the underlying order is not immediately appealable, this appeal is dismissed.¹ See S.C. Code Ann. § 14-3-330 (2017); *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)."); *Senter v. Piggly Wiggly Carolina Co.*, 341 S.C. 74, 79, 533 S.E.2d 575, 578 (2000) (holding an order denying bifurcation is not immediately appealable); *Godley v. Uniroyal Inc.*, 278 S.C. 571, 572, 300 S.E.2d 78, 78 (1983) ("It is generally held that an order granting or refusing a change of venue is interlocutory and therefore 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.

¹ Based on the disposition herein, we decline to consider Appellant's motion to consolidate.


_____, J.
FOR THE COURT

Columbia, South Carolina

cc:
Kyle Jason White, Esquire
Charles Daniel Pruitt, Esquire
David Allan DeMasters, Esquire

FILED
Jun 07 2024