

The South Carolina Court of Appeals

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

v.

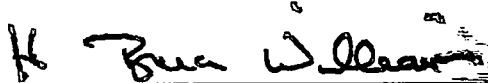
Greenville County and South Carolina Department of
Corrections, Defendants,

of which South Carolina Department of Corrections is
the Appellant.

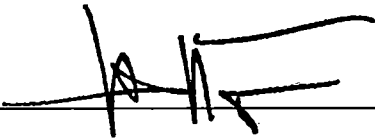
Appellate Case No. 2024-000905

ORDER

On June 7, 2024, we dismissed this appeal as interlocutory. Appellant filed a petition for rehearing, arguing the order on appeal is immediately appealable because its "determination of a novel question of law is a substantial matter underpinning [Appellant]'s defenses." After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. *See McLendon v. S.C. Dep't of Highways & Pub. Transp.*, 313 S.C. 525, 526 n.2, 443 S.E.2d 539, 540 n.2 (1994) ("[T]he denial of a motion to dismiss does not establish the law of the case and the issue raised by the motion can be raised again at a later stage of the proceedings. Therefore, the denial of a motion to dismiss is not directly appealable."). Accordingly, the petition for rehearing is denied.


_____ C.J.


_____ J.



J.

Columbia, South Carolina

FILED
Jul 31 2024

cc:

Kyle Jason White, Esquire

Charles Daniel Pruitt, Esquire

David Allan DeMasters, Esquire