

The South Carolina Court of Appeals

Robert Allen Andrews, Respondent,

v.

City of Sumter and Sumter Police Department,
Appellants.

Appellate Case No. 2025-000630

ORDER

Appellants appeal a circuit court order denying their motions for summary judgment and to withdraw/amend admissions under Rule 36(b) of the South Carolina Rules of Civil Procedure and granting Respondent's motion to deem the requests submitted to Appellant City of Sumter admitted. Appellants also appeal a circuit court order denying their motion to alter or amend the prior order. Respondent moved to dismiss the appeal, arguing the orders on appeal were interlocutory and not immediately appealable. Appellants filed a return, arguing the orders are interlocutory, but immediately appealable under section 14-3-330 of the South Carolina Code (2017). After careful consideration, we grant Respondent's motion to dismiss the appeal. *See Ballenger v. Bowen*, 313 S.C. 476, 476-77, 443 S.E.2d 379, 379 (1994) (holding "the denial of summary judgment is not directly appealable"); *Grosshuesch v. Cramer*, 377 S.C. 12, 30, 659 S.E.2d 112, 122 (2008) (holding "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"). However, we deny Respondent's motion for sanctions. Remittitur will be sent in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.



FOR THE COURT

Columbia, South Carolina

cc:

Stephen J. Wukela, Esquire

Patrick James McLaughlin, Esquire

David Cornwell Holler, Esquire

Frederick Newman Hanna, Jr., Esquire

Alexander Wellington Atkinson, Esquire

FILED
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