

The South Carolina Court of Appeals

Sherman Green, Respondent,

v.


City of Columbia and George Simpson, Defendants,

of which George Simpson is the Appellant.

Appellate Case No. 2025-000902

ORDER

On May 14, 2025, the court dismissed the appeal, which stemmed from an order denying Appellant's motion for summary judgment, as interlocutory and not immediately appealable. Appellant filed a petition for rehearing, arguing the order denying summary judgment was immediately appealable because the order operated as a final decision on his assertion of a qualified immunity defense. The court reinstated the appeal. Respondent filed a motion for clarification as to whether the reinstatement was a final ruling on the appealability issue or whether the issue may be raised by motion or in the appellate briefs. Alternatively, Respondent contends that if the reinstatement was a final order, that the court rehear the reinstatement. After careful consideration, we clarify nothing prevents the parties from arguing the issue of appealability in their appellate briefs.



FOR THE COURT

Columbia, South Carolina

cc:

Mary Daniel LaFave, Esquire

Brian R. Shealey, Jr., Esquire

FILED
Aug 14 2025

Luke Adcock Shealey, Esquire
Christopher Stephen Truluck, Esquire
William Michael Hemlepp, Jr., Esquire
Jacqueline Marie Pavlicek, Esquire
John S. Nichols, Esquire