

The South Carolina Court of Appeals

Stephanie Lehman, Respondent,

v.

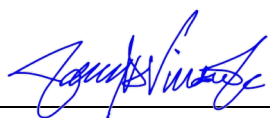
Berkeley County School District and Anne-Magill Payne,
individually, and as an agent of Berkeley County School
District, Defendants,

of which Berkeley County School District is the
Appellant.

Appellate Case No. 2026-000034

ORDER

Appellant appeals from a circuit court order denying Appellant's motion that sought, among other matters, a non-jury trial. The court requested memoranda from the parties regarding the appealability of the order. On March 25, 2026, the court issued an order allowing the appeal to proceed but did not finally determine whether the underlying order was subject to immediate review. Further, the order specifically stated it did not prevent Respondent from raising the question of appealability as an issue in the appellate brief should Respondent so choose. On May 1, 2026, prior to filing her initial brief, Respondent filed a motion to dismiss the appeal as interlocutory. Appellant filed a return in opposition and Respondent filed a reply. After careful consideration, we deny Respondent's motion to dismiss. The court notes, nothing in this order prevents Respondent from raising the question of appealability as an issue in the appellate brief should Respondent so choose. Within fifteen days of the date of this order, Respondent shall file her initial brief and designation of matter.



FOR THE COURT

Columbia, South Carolina

FILED
Jul 22 2026

cc:

Emmanuel Joseph Ferguson, Sr., Esquire

Bob J. Conley, Esquire

E. Brandon Gaskins, Esquire