The South Carolina Court of Appeals

Shirley Castillo and Charles Cooper,
Appellants/Respondents,

v.

Canterbury Park at Lake Carolina Association, Inc.,
a/k/a, Lake Carolina Masters Association, Inc., and
Richland County, Defendants,

of which Canterbury Park at Lake Carolina Association,
Inc., a/k/a, Lake Carolina Masters Association, Inc. is the
Respondent,

and

Richland County is the Appellant.

Appellate Case No. 2026-001670

ORDER

Appellants Shirley Castillo and Charles Cooper initiated this appeal from an order of the circuit court granting Respondent Canterbury Park at Lake Carolina Association's motion for summary judgment. Specifically, the circuit court found Appellant Richland County, and not Canterbury, owned the sidewalk where Ms. Castillo's accident allegedly occurred. Ms. Castillo and Mr. Cooper filed a motion to alter or amend pursuant to Rule 59, SCRCP, which was denied on June 30, 2026. Ms. Castillo and Mr. Cooper filed a notice of appeal on July 29, 2026.

Richland County also filed a motion to alter or amend. The circuit court granted Richland County's motion on August 5, 2026; rescinded its order granting summary judgment; and denied Canterbury's motion for summary judgment. Richland County filed a notice of appeal on October 9, 2026, which we consolidated with the appeal filed by Ms. Castillo and Mr. Cooper.

After careful consideration, we find the order appealed by Ms. Castillo and Mr. Cooper has been rescinded and the order appealed by Richland County is not immediately appealable. Accordingly, the appeal is dismissed. *See Ballenger v. Bowen*, 313 S.C. 476, 477–78, 443 S.E.2d 379, 380 (1994) (holding the denial of a motion for summary judgment is not immediately appealable). The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

_____, J.
FOR THE COURT

Columbia, South Carolina

FILED
Oct 14 2026

cc:
Morgan Yarborough Drapeau, Esquire
Robert Fredrick Goings, Sr., Esquire
Christopher M. Paschal, Esquire
Andrew David Balcerzak, Esquire
John Martin Grantland, Esquire
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