

# The South Carolina Court of Appeals

Stow Away Storage, LLC, Respondent,

v.

George W. Sisson, 4.0 LLC, The Sisson Foundation  
Limited Partnership, Sweetgrass Hardware, Inc. and  
Timarand, Inc., Defendants,

Of whom George W. Sisson, 4.0 LLC, The Sisson  
Foundation Limited Partnership, and Sweetgrass  
Hardware, Inc. are the Appellants.

Appellate Case No. 2014-000155

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## ORDER

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Respondent has filed a motion to remand because the trial court did not expressly determine there was no just reason for delay or expressly direct an entry of judgment, pursuant to Rule 54(b), SCRCPP. Initially, despite being interlocutory, the underlying order is immediately appealable. *See* S.C. Code Ann. § 14-3-330(4) (Supp. 2013) (noting the appellate court has appellate jurisdiction over "[a]n interlocutory order or decree in a court of common pleas granting, continuing, modifying, or refusing an injunction . . ."); *c.f. Williams v. Nw. Sec. Life Ins. Co.*, 307 S.C. 462, 463-64, 415 S.E.2d 809, 810 (1992) (finding an order immediately appealable pursuant to subsection 14-4-330(4) when it in effect refused an injunction). Thus, because the "[l]ack of Rule 54(b) certification . . . does not preclude immediate appeal of an order which is directly appealable under [section 14-3-330]," Respondent's motion is denied.

  
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FOR THE COURT

3/28/14  
**FILED**

Columbia, South Carolina

cc:

George Hamlin O'Kelley, III, Esquire

G. Dana Sinkler, Esquire

Maria Kiehling Brees, Esquire