

Court of Appeals Order Dated August 9, 2013

The South Carolina Court of Appeals

Virgil Hoff, Respondent,

v.

Mead Westvaco, Self-Insured, Appellant.

Appellate Case No. 2013-000315

ORDER

This is an appeal from the circuit court's order reversing the Workers' Compensation Commission and remanding to the commission. Respondent has filed a motion to dismiss, contending the circuit court's order is not immediately appealable. After careful consideration of the parties' filings, the motion to dismiss is granted because the circuit court's order is not immediately appealable. *See* S.C. Code Ann. § 1-23-390 (Supp. 2012) (providing "[a]n aggrieved party may obtain a review of a final judgment of the circuit court"); *Bone*, ___ S.C. ___, 744 S.E.2d 552 (2013) (holding the circuit court order remanding the case to the commission was not a final judgment under section 1-23-390 and thus was not immediately appealable); *Long v. Sealed Air Corp.*, 391 S.C. 483, 485, 706 S.E.2d 34, 35 (Ct. App. 2011) (holding the circuit court's order remanding the case to the commission was not immediately appealable because the commission had to conduct further proceedings before a final judgment could be reached).

Because this appeal is dismissed, Respondent's motion for an extension of time to file its brief is moot.


FOR THE COURT

Columbia, South Carolina

FILED
2/9/13

cc:

Malcolm M. Crosland, Jr.

Kirsten Leslie Barr