

The South Carolina Court of Appeals

Angela Dawn Simmons, Individually and as General
Guardian for Jerry Dale Simmons, Respondent,

v.


Spartanburg Regional Healthcare System, d/b/a
Spartanburg Regional Medical Center, Foothills
Anesthesia Consultants, P.C. and Adam D. Evec, D.O.,
Defendants,

Of whom Foothills Anesthesia Consultants, P.C. and
Adam D. Evec, D.O. are the Appellants.

Appellate Case No. 2015-001049

ORDER

This Court has reviewed Appellants' notice of appeal filed May 14, 2015, and Respondent's motion to dismiss this appeal. Our review of the face of the notice indicates there is no appealable order. First, Appellants indicate they have not yet received a written order. Second, we question how a trial court's ruling on a motion to consolidate cases for trial is immediately appealable pursuant to section 14-3-330 of the South Carolina Code (1976 & Supp. 2014). We note Appellants have requested ten days to file a return, and Respondent has requested sanctions for the frivolous filing of this appeal. The Court intends to act on the motion to dismiss before 5:00 p.m. tomorrow—May 20, 2015. If Appellants wish to file a return addressing appealability, they must do so before noon tomorrow. The court will allow Appellants ten days in which to file a return as to Respondent's request for sanctions.

 , C.J.
FOR THE COURT

FILED

May 19, 2015

Columbia, South Carolina

cc:

Ashby W. Davis, Esquire

David Lee Williford, II, Esquire

Pope D. Johnson, III, Esquire

The Honorable Roger L. Couch