

The South Carolina Court of Appeals

Lawrence E. Morrow and Evelyn M.
Morrow,

Appellants/Respondents,

v.

Fundamental Long-Term Care
Holdings, LLC; Fundamental Clinical
Consulting, LLC; Fundamental
Administrative Services, LLC; THI of
Baltimore, Inc.; THI of South Carolina
LLC; THI of Baltimore Management,
LLC; THI of South Carolina at
Magnolia Place at Spartanburg, LLC
d/b/a Magnolia Place at Spartanburg,

Respondents/Appellants.

The Honorable J. Derham Cole
Spartanburg County
Trial Court Case No. 2007-CP-42-04601

ORDER

Appellants appeal from a trial court's order granting bifurcation of the litigation. Respondents filed a motion to dismiss, arguing the order was not immediately appealable. Appellants filed a return, arguing the order was an appealable final order that deprived the Appellants of a mode of trial to which they are entitled to as a matter of law. After careful consideration, the appeal is dismissed because the order granting bifurcation is not immediately appealable. See Flagstar Corp. v. Royal Surplus Lines, 341 S.C. 68, 73, 533 S.E.2d 331, 333 (2000) (finding an order granting bifurcation of issues was not immediately appealable because "trial of all issues in the case in a single proceeding [was] not a mode of trial to which the parties

[were] entitled as a matter of right"); see also Senter v. Piggly Wiggly Carolina Co., Inc., 341 S.C. 74, 78-79, 533 S.E.2d 575, 577-78 (2000) (finding an order denying bifurcation of the issues of liability and damages in a personal injury case was not immediately appealable because it did not deprive the party of a mode of trial to which it was entitled as a matter of right). Accordingly, Appellants' appeal and Respondents' cross-appeal are dismissed.

IT IS SO ORDERED.

W B W

Columbia, South Carolina

cc: Gary W. Poliakoff, Esquire
Raymond P. Mullman, Esquire
Lori D. Proctor, Esquire
William L. Howard, Sr., Esquire
D. Jay Davis, Jr., Esquire
Russell G. Hines, Esquire

FILED
Carter 3/5/18



The South Carolina Court of Appeals

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March 5, 2012

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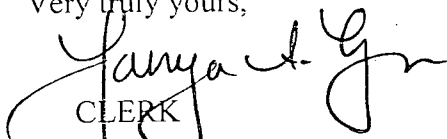
Re: Morrow, Lawrence v. Fundamental
Case Tracking #: 2011204166

Dear Counsel:

Enclosed is a copy of an Order of the Court regarding the above case.

All parties are advised the remittitur will be sent in accordance with the South Carolina Appellate Court Rules.

Very truly yours,


CLERK

TAG/ec

cc: Lori D. Proctor, Esquire
The Honorable M. Hope Blackey