

# The South Carolina Court of Appeals

Anthony and Barbara Grazia, individually and on behalf  
of all other similarly situated Plaintiffs, Respondents,

v.

South Carolina State Plastering, LLC, Appellant.

South Carolina State Plastering, Appellant,

v.

Del Webb Communities, Inc., Pulte Homes and Kephart  
Architects, Inc., Third-Party Defendants,

Appellate Case No. 2012-212212

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## ORDER

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Appellant has filed a Notice of Appeal from an "Order Making Preliminary Finding that Plaintiffs' Proposed Class Meets the Requirements of Rule 23(a), SCRCPP; Setting Parameters for Putative Class; Dismissing Plaintiffs' Unfair Trade Practices Claim Without Prejudice; Imposing a Stay of Proceedings; and Setting Forth Procedures for Compliance with the Right to Cure Construction Dwelling Defect Act" and an order denying reconsideration and clarification. Respondents have filed a motion to dismiss contending the underlying orders are not immediately appealable and Appellant has filed a "Motion to Determine Appealability." After careful consideration, Respondents' motion to dismiss is granted because these orders are not immediately appealable. Because this appeal is dismissed, this Court need not act on Appellant's "Motion to Determine Appealability."

*Joseph M. Curran AT*  
FOR THE COURT

Columbia, South Carolina

cc:

Everett Augustus Kendall, II

Christy Elizabeth Mahon

Phillip Ward Segui, Jr.

John T. Chakeris

W. Jefferson Leath, Jr.

Michael S. Seekings

**FILED**  
8-31-12 JLT