

# The South Carolina Court of Appeals

Michael Stehney, Jr., Respondent

v.

Ronald E. Ferguson, Susan M. Ferguson and Ronald J. Ferguson, Defendants,

Of Whom Ronald J. Ferguson is the Appellant.

Ronald E. Ferguson and Susan M. Ferguson, Plaintiffs,

v.

Christopher Todd Usher, Addison Corporation and Addison Homes, LLC, Defendants.

Appellate Case No. 2015-001820

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## ORDER

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Christopher Todd Usher, Addison Homes, LLC, and Michael Stehney, Jr., have filed motions to dismiss this appeal, asserting the underlying order is an order pertaining to discovery that is not immediately appealable. Appellant has filed returns opposing the motions. Because the underlying order is an interlocutory order that is not appealable, the motion to dismiss is granted. *See Ex parte Wilson*, 367 S.C. 7, 13, 625 S.E.2d 205, 208 (2005) ("[A]n order denying or compelling pretrial discovery is not directly appealable since it is an intermediate or interlocutory decision."); *id.* ("[A]n order directing a nonparty to submit to discovery is not immediately appealable."); *id.* ("Similarly, an order quashing a subpoena duces tecum issued to a nonparty prior to commencement of enforcement of a judgment, is interlocutory and not immediately appealable."). The remittitur shall be sent as provided by Rule 221(b), SCACR.

*Jasper W. Curator AS*  
FOR THE COURT

Columbia, South Carolina

cc: Ronald J. Ferguson  
Chace Damon Campbell, Esquire  
Nathaniel Curtis Farmer, Esquire  
Brent Morris Boyd, Esquire  
Edward Zachary Horton, Esquire

**FILED**  
12/4/15