

The South Carolina Court of Appeals

Bonnie N. Charlton, Ronald L. Charlton, and Bayside
Property, Inc., Respondents,

v.

South Bay Properties, LLC, Stantee Consulting Services,
Inc. f/k/a Trico Engineering Consultans, Inc., Milone &
MacBroom, Inc., John Steven Goodwin, Louise C.
Goodwin, Thomas I. Puckett, Brenda C. Puckett, Robert
Nahama, Jeanne E. Nahama, Thomas Holland, Sharon
Louise Holland, Joyce K. Sobel, Robert W.
Waruszewskiu, Richard N. Taylor, Robert K. Spillers
(a/k/a Robert Spillers), Patrick A. DiAngelo, Deborah A.
DiAngelo, Gary E. Owens, and Joyce M. Owens, Fount
L. Shults, Lynda M. Shults, Dennis Ridgeway, Teresa
Lynn Ridgeway and Georgetown County Forfeited Land
Commission, Defendatns,

Of Whom John Steven Goodwin, Louise C. Goodwin,
Gary E. Owens and Joyce M. Owens are the Appellants.

Appellate Case No. 2016-002379

ORDER

First, Appellants' motion for leave to file a surreply to Respondents' motion to dismiss is denied. This court notes the South Carolina Appellate Court Rules do not contemplate surreplies. *See* Rule 240, SCACR (providing the procedure for filing motions, returns, and replies).

Second, after careful consideration, Respondents' motion to dismiss is granted. Under current appealability law, Appellants have not served and filed an appeal from an immediately appealable order. *See Baldwin Construction Co., v. Graham,*

357 S.C. 227, 593 S.E.2d 146 (2004) (stating the denial of a motion to amend an answer is not immediately appealable even if the proposed answer would, if allowed, change the mode of trial); *Tatnall v. Gardner*, 350 S.C. 135, 563 S.E.2d 377 (Ct. App. 2002) (stating an order denying a motion to amend an answer to assert third party claims is not immediately appealable); *see also Laffitte v. Bridgestone Corp.*, 381 S.C. 460, 674 S.E.2d 154 (2009) (stating discovery orders are generally not immediately appealable). Accordingly this appeal is dismissed. The remittitur will be sent as required by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

cc:
K. Douglas Thornton, Esquire
John M. Leiter, Esquire
Charles T. Smith, Esquire

FILED
February 9, 2017