

The South Carolina Court of Appeals

Amy Potts, Respondent,

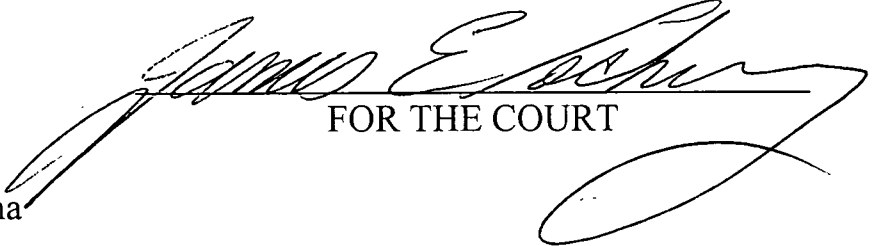
v.

McCarty Enterprises, LLC, John Miles McCarty, Audrey
S. McCarty, a/k/a Audrey J. McCarty and Jane Doe,
Appellants.

Appellate Case No. 2017-000198

ORDER

Appellants have served and filed a notice of appeal from an order granting a motion to strike an answer and granting a motion for entry of default. Respondent has filed a motion to dismiss. First, Appellants' motion to file the return to the motion to dismiss out of time is granted. Second, after careful consideration, Respondent's motion to dismiss is denied at this time. *See Balloon Plantation, Inc. v. Head Balloons, Inc.*, 303 S.C. 152, 399 S.E.2d 439 (Ct. App. 1990) (allowing the immediate appeal of an order that strikes a counterclaim in addition to granting a motion for entry of default). Nothing prevents the parties from arguing the issue of appealability in their briefs.



FOR THE COURT

Columbia, South Carolina

cc:
Candy M. Kern-Fuller, Esquire
Frank S. Potts, Esquire
Michael Evan Lacke, Esquire

FILED

March 23, 2017