



The South Carolina Court of Appeals

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August 04, 2017

The Honorable Jana E. Shealy
1205 Pendleton Street
Columbia SC 29201

REMITTITUR

Re: Doraine Martin v. SCDC
Lower Court Case No. 2017ALJ300038IJ
Appellate Case No. 2017-001191

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: John Paul Simkovich, Esquire
Preston F. McDaniel, Esquire

The South Carolina Court of Appeals

Doraine E. Martin, Respondent,

v.

South Carolina Department of Corrections and State
Accident Fund, Appellants.

Appellate Case No. 2017-001191

ORDER

Appellants have filed an appeal from the Administrative Law Court's orders, which entertain Respondent's motion to enforce a subpoena and to compel the production of documents and deposition testimony in a case pending before the South Carolina Workers' Compensation Commission. Respondent has filed a motion to dismiss, arguing the underlying orders are not immediately appealable. Appellants did not file a return.

This court is compelled to dismiss this appeal because section 1-23-610(A)(1) of the South Carolina Code (Supp. 2016) provides that judicial review may only be sought from a *final* decision of the Administrative Law Court. *See Charlotte-Mecklenburg Hosp. Auth. v. S.C. Dep't of Health & Envtl. Control*, 387 S.C. 265, 266, 692 S.E.2d 894 (2010) (dismissing an appeal from an interlocutory order pursuant to § 1-23-610). It must be noted, however, that section 1-23-600(A) of the South Carolina Code (Supp. 2016) expressly excludes cases arising under the Workers' Compensation Commission from the oversight of the Administrative Law Court. Respondent's motion to dismiss is granted, and the remittitur will be sent as provided in Rule 221, SCACR.


FOR THE COURT

FILED

July 19, 2017

Columbia, South Carolina

cc:

John Paul Simkovich, Esquire

Preston F. McDaniel, Esquire

Jana E. Shealy