

The South Carolina Court of Appeals

Samola Family Trust/The Omega Group, Donald Enoch
Muhammad, Cooper, Samuel Daniel III, and Others,
Appellants,

v.

Dale Edward Van Slambrook, South Carolina
Community Bank/Optus Bank, Dominik Mjartan, CEO,
Charles Webb, Esq., Respondents.

Appellate Case No. 2019-001653

ORDER

Appellants have filed an appeal from the master in equity's Form 4 Order that denied Appellants' August 30, 2019 requests for relief "without prejudice and with leave to refile." Because the Form 4 Order denied Appellants' motions without prejudice and with leave to refile, it is not a final order and is not immediately appealable. *See Doe v. Howe*, 362 S.C. 212, 216, 607 S.E.2d 354, 356 (Ct. App. 2004) (providing that generally only final judgments are appealable); *Good v. Hartford Acc. & Indem. Co.*, 201 S.C. 32, 41–42, 21 S.E.2d 209, 212 (1942) (providing a final judgment is one that ends the action and leaves the court with nothing to do but enforce the judgment); *Ex parte Wilson*, 367 S.C. 7, 12, 625 S.E.2d 205, 208 (2005) (providing an order reserving an issue, or leaving open the possibility of further action by the trial court before the rights of the parties are resolved, is interlocutory); *Tillman v. Tillman*, 420 S.C. 246, 801 S.E.2d 757 (Ct. App. 2017) (holding an order granting a motion to dismiss Appellant's counterclaims and denying Appellant's oral motion to amend his pleadings, but granting Appellant leave to formally move to amend his pleadings, is not immediately appealable).¹ Accordingly, this appeal is dismissed, and the remittitur will be sent as provided in Rule 221, SCACR.

¹ Further, we note Appellants did not appeal the order of foreclosure.

Stephen P. McNeill

FOR THE COURT

Columbia, South Carolina

cc:

Samuel Daniel Cooper, III
Donald Enoch Muhammad
Jeffrey T. Spell, Esquire
Charles Joseph Webb, Esquire

FILED

October 2, 2019