

# The South Carolina Court of Appeals

Cary E. Fechter, MD, Respondent,

v.

Leon Martin Ortner, The Ortner Law Firm, LLC, Gerald Rosenthal, and Rosenthal, Levy, Simon, and Ryles, Defendants,

Of Which Leon Martin Ortner and The Ortner Law Firm, LLC are the Appellants.

Appellate Case No. 2019-001230

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## ORDER

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Appellants have served and filed a notice of appeal from the circuit court's order denying Appellants' motion to dismiss and Appellants' motion to reconsider, alter or amend. Because the underlying orders are not immediately appealable, this appeal is dismissed. *See* S.C. Code Ann. § 14-3-330 (2017); *Huntley v. Young*, 319 S.C. 559, 560, 462 S.E.2d 860, 861 (1995) (stating generally the denial of a motion to dismiss is not immediately appealable); *Allison v. W.L. Gore & Assocs.*, 394 S.C. 185, 188, 714 S.E.2d 547, 549 (2011) (providing an order denying a motion to dismiss for lack of subject matter jurisdiction is not directly appealable because, among other things, it does not affect the merits). The remittitur will be sent as provided in Rule 221, SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

M. Dawes Cooke, Jr., Esquire  
Justin Paul Novak, Esquire  
Melvin Dean Bannister, Esquire

**FILED**

October 25, 2019