

# The South Carolina Court of Appeals

Fairfield County, Respondent,

v.

South Carolina Electric & Gas Company, Appellant.

Appellate Case No. 2021-000338

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## ORDER

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Appellant has served and filed a notice of appeal from a circuit court order denying its motion to dismiss an amended complaint. Respondent has filed a motion to dismiss the appeal, and Appellant has filed a motion to file the return out of time. First, Appellant's motion to file the return to the motion to dismiss out of time is granted. The return is accepted as filed. Second, after careful consideration of all the parties' filings, Respondent's motion to dismiss is granted because the underlying order is not immediately appealable. *See Deskins v. Boltin*, 319 S.C. 356, 461 S.E.2d 395 (1995); *Woodard v. Westvaco Corp.*, 319 S.C. 240, 460 S.E.2d 392 (1995). The remittitur will be sent as required by Rule 221(b), SCACR.



FOR THE COURT

Columbia, South Carolina

cc:

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Brady Ryan Thomas, Esquire  
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**FILED**  
**May 04 2021**

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