

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Marquette Johnson, as Mother and Natural Guardian of
D'Andre G., an infant under the age of 14 years,
Appellant/Respondent,

v.

Anu Chaudhry, M.D., McLeod Regional Medical Center,
and Florence Women's Health, Defendants,

Of Whom Anu Chaudhry, M.D., and Florence Women's
Health are Respondents/Appellants.

Appellate Case No. 2011-190146

Appeal From Florence County
Michael G. Nettles, Circuit Court Judge

Unpublished Opinion No. 2013-UP-176
Heard April 2, 2013 – Filed May 1, 2013

APPEALS DISMISSED

Kevin Hayne Sitnik, The South Carolina Law Firm, of
Irmo, and Robert V. Phillips, McGowan, Hood & Felder,
LLC, of Rock Hill, for Appellant/Respondent.

Hugh W. Buyck and G. Wade Cooper, Buyck & Sanders,
LLC, of Mount Pleasant, and Deborah Harrison
Sheffield, of Columbia, for Respondents/Appellants.

PER CURIAM: Marquette Johnson appeals the circuit court's denial of her request for an extension of a scheduling order's deadlines. She also appeals a discovery sanction order allowing her to present only one expert witness at trial on issues of liability. These decisions are not immediately appealable. *See* S.C. Code Ann. § 14-3-330(2)(a) (1977) (providing appellate jurisdiction to review "[a]n order affecting a substantial right made in an action when such order . . . in effect determines the action and prevents a judgment from which an appeal might be taken or discontinues the action"); *Grosshuesch v. Cramer*, 377 S.C. 12, 30, 659 S.E.2d 112, 122 (2008) (dismissing appeal of order in which circuit court limited dissemination of information obtained in discovery and declined to impose sanctions; "discovery orders, in general, are interlocutory and are not immediately appealable because they do not, within the meaning of the appealability statute, involve the merits of the action or affect a substantial right"). Therefore, we dismiss Johnson's appeal.

Anu Chaudhry and Florence Women's Health appeal the circuit court's orders (1) granting Johnson's motion to reconsider an order granting Chaudhry and Florence Women's Health summary judgment, and (2) denying their motion to reconsider the order granting Johnson's motion. Chaudhry and Florence Women's Health claim that by making these rulings, the circuit court "effectively denied" their summary judgment motion. Such decisions are not appealable. *Bank of N.Y. v. Sumter Cnty.*, 387 S.C. 147, 154, 691 S.E.2d 473, 477 (2010) ("[I]t is well-settled that an order denying summary judgment is never reviewable on appeal."). Therefore, we dismiss Chaudhry and Florence Women's Health's cross-appeal.

APPEALS DISMISSED.

FEW, C.J., and GEATHERS and LOCKEMY, JJ., concur.