

**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**

Joseph Brown, Respondent,

v.

Roger Reed, Jr., individually and d/b/a Triple R
Construction, Appellant.

Appellate Case No. 2011-191610

Appeal From Sumter County
R. Ferrell Cothran, Jr., Circuit Court Judge

Unpublished Opinion No. 2013-UP-357
Submitted August 1, 2013 – Filed September 11, 2013

APPEAL DISMISSED

William E. DuRant, Jr., of Schwartz McLeod DuRant &
Jordan, of Sumter, for Appellant.

Joseph Brown, pro se, of Sumter.

PER CURIAM: Dismissed pursuant to Rule 220(b), SCACR, and the following authorities: S.C. Code Ann. § 14-3-330 (1976 & Supp. 2012) (providing this court has appellate jurisdiction to review final judgments and interlocutory orders (1) involving the merits or (2) affecting a substantial right when the order "in effect

determines the action and prevents a judgment from which an appeal might be taken or discontinues the action"); *Edwards v. SunCom*, 369 S.C. 91, 94, 631 S.E.2d 529, 530 (2006) ("An order which involves the merits [under section 14-3-330(1) of the South Carolina Code (1976)] is one that 'must finally determine some substantial matter forming the whole or a part of some cause of action or defense.'" (quoting *Mid-State Distribs. v. Century Imps., Inc.*, 310 S.C. 330, 334, 426 S.E.2d 777, 780 (1993))); *Peterkin v. Brigman*, 319 S.C. 367, 368, 461 S.E.2d 809, 810 (1995) (stating that for an order to be appealable under section 14-3-330(2) of the South Carolina Code (1976), the order must involve a substantial right and prevent a judgment from which an appeal may be taken); *Thornton v. S.C. Elec. & Gas Corp.*, 391 S.C. 297, 304, 705 S.E.2d 475, 479 (Ct. App. 2011) (noting an order affects a substantial right, as the term is used in section 14-3-330(2) of the South Carolina Code (1976), "if the order removes a material issue from the case, thereby preventing the issue from being litigated on the merits, and preventing the party from seeking to correct any errors in the order during or after trial").

APPEAL DISMISSED.¹

HUFF, GEATHERS, and LOCKEMY, JJ., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.