An unpublished opinion of the North Carolina Court of Appeals does not constitute controlling legal authority. Citation is disfavored, but may be permitted in accordance with the provisions of Rule 30(e)(3) of the North Carolina Rules of Appellate Procedure.

IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA18-480

Filed: 6 November 2018

Mecklenburg County, No. 17-CVD-5297

ROBERT McCAMMITT, Plaintiff,

v.

GENG CHEN a/k/a JASON GENG CHEN, Defendant.

Appeal by plaintiff from judgment entered 24 January 2018 by Judge Paige B. McThenia in Mecklenburg County District Court. Heard in the Court of Appeals 18 October 2018.

Hull & Chandler, P.A., by R. Michael Chandler, for plaintiff-appellant.

Willson Jones Carter & Baxley, P.A., by Ashlee B. Poplin, for defendant-appellee.

HUNTER, JR., ROBERT N., Judge.

Robert McCammitt ("Plaintiff") appeals from an order granting Geng Chen's ("Defendant") request to extend the time to request a trial *de novo* of a small claim. Defendant argues this appeal is interlocutory, and does not affect a substantial right. We agree, and dismiss.

"A final judgment is one which disposes of the cause as to all the parties, leaving nothing to be judicially determined between them in the trial court." *Veazey v. City of Durham*, 231 N.C. 357, 361-62, 57 S.E.2d 377, 381 (1950) (citations omitted). "An appeal may be taken from every judicial order or determination of a judge of a superior or district court . . . which affects a substantial right claimed in any action or proceeding . . . ." N.C. Gen. Stat. § 1-277 (2017). The substantial "right must be one which will clearly be lost or irremediably adversely affected if the order is not reviewable before final judgment." *Blackwelder v. Dept. of Human Resources*, 60 N.C. App. 331, 335, 299 S.E.2d 777, 780 (1983). "[I]t is the appellant's burden to present appropriate grounds for this Court's acceptance of an interlocutory appeal and our Court's responsibility to review those grounds." *Jeffreys v. Raleigh Oaks Joint Venture*, 115 N.C. App. 377, 379, 444 S.E.2d 252, 253 (1994).

Plaintiff failed to address any grounds of jurisdiction in their brief to this Court and failed to file a reply brief responding to Defendant's argument for dismissal. Because the order is not final and Plaintiff did not identify any substantial right affected in the pendency of the parties' action, Plaintiff has failed to show their interests will be "irremediably adversely affected if the order is not review[ed]." *Blackwelder*, 60 N.C. App. at 335, 299 S.E.2d at 780. We dismiss Plaintiff's appeal.

DISMISSED.

Judges DAVIS and MURPHY concur.

Report per Rule 30(e).