

SOLOMON JEROME SMITH JR. v.  
BILLY A. PUTERBAUGH

5-4322

419 S. W. 2d 594

Opinion delivered October 23, 1967

APPEAL & ERROR—RULING ON DEMURRER—DECISIONS REVIEWABLE.—  
An order overruling a demurrer to a counterclaim is not a  
final appealable order.

Appeal from Dallas Circuit Court, *G. B. Colvin Jr.*,  
Judge; dismissed.

*G. E. Smuggs*, for appellant.

*L. Weems Trussell*, for appellee.

CONLEY BYRD, Justice. Appellant Solomon Jerome Smith Jr.'s appeal from an order of the trial court overruling his demurer to a counterclaim filed against him by appellee Billy A. Puterbaugh, in the nature of an action for malicious abuse of process, is dismissed for lack of an appealable order. *Coffelt v. Gordon*, 238 Ark. 974, 385 S. W. 2d 939 (1965).