

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

File No. 2015 00 1752

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APPEAL FROM THE CHARLESTON COUNTY

COURT OF COMMON PLEAS

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J.C. Nicholson, Jr., Circuit Court Judge

Stephanie P. McDonald, Circuit Court Judge at Trial

Case No. 2012-CP-3421

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MAMIE F. NICHOLS,

APPELLANT,

VERSUS

AL THADDEUS THOMPSON,

TITUS SHEROD THOMPSON and

ASIA RACHAL THOMPSON

RESPONDENTS.

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**AFFIDAVIT OF RESPONDENTS FOR ORDER OF DISMISSAL**

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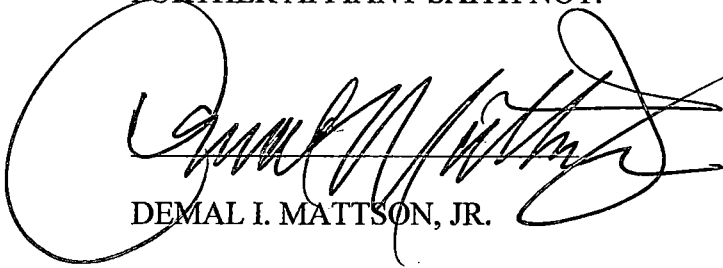
PERSONALLY appeared before me DEMAL I. MATTSON, JR., the attorney for the respondents in the above referenced matter alleges and says unto this Honorable Court:

1. He is the Attorney for the Respondents in this matter.
2. The Order of Judge Nichols dated 07 17 15 was forwarded to the attorneys of record by

the Clerk of the Court of Common Pleas for Charleston County as evidenced by the Notice of Entry of Judgment/Order Pursuant to Rule 77 SCRPC.

3. No transcript was ordered by the Appellant pursuant to Rule 207 (a)(1) which provides  
“where a transcript of the proceedings must be prepared by the court reporter appellants shall, within the time provided for ordering the transcript, make satisfactory arrangements . . . in writing with the court reporter for furnishing the transcript . . .the transcript must be ordered within ten (10) days after the service of the Notice of Appeal.”
4. The ordering of a transcript was unnecessary in this Appeal because each party ordered a copy of the transcript for the preparation of their briefs on the motion of the appellant in the circuit court before Judge J. C. Nicholson, Jr. to be referenced in the briefs. It was unnecessary to order a copy of the transcript because of this and the appellant was required to file her brief within thirty days after serving the Notice of Appeal (Rule 208 (a)(1) SCACR.
5. The time between July 27, 2015 when the parties received the Notice of Entry of Judgment to the date that the attorney for the respondents received the initial brief of the appellant on Wednesday, October 21, 2015, ninety (90) days had expired.
6. There were no motions to the Affiant for extensions and the brief is sixty (60) days late.
7. The Affiant who is the attorney for the respondents is informed and believes he is entitled to an Order pursuant to Rule 208 (a)(4) for this court to issue its Order dismissing the appeal.

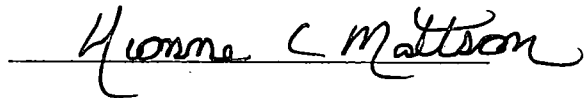
FURTHER AFFIANT SAITH NOT.

A large, stylized handwritten signature in black ink, appearing to read "Demal I. Mattson, Jr.", is written over a horizontal line. The signature is highly cursive and loops around the line.

DEMAL I. MATTSON, JR.

SWORN TO BEFORE ME THIS

3<sup>RD</sup> DAY OF NOVEMBER, 2015.

A handwritten signature in black ink, appearing to read "Honna C. Mattson", is written over a horizontal line. The signature is cursive and flows smoothly across the line.

NOTARY PUBLIC FOR S.C.

MY COMMISSION EXPIRES: 03 03 2018

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RECEIVED

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ASIA RACHAL THOMPSON

RESPONDENTS.

**CERTIFICATE OF SERVICE BY MAIL**

I certify that, on this date, I served a copy of the following:

MOTION TO DISMISS OF RESPONDENTS WITH SUPPORTING DOCUMENTS  
and AFFIDAVIT OF ATTORNEY DEMAL I. MATTSON, JR., ATTORNEY FOR  
RESPONDENTS

EXHIBIT #7

by mailing it to:

**Precious Felder, Esquire  
Attorney at Law  
1800 Peachtree St. NW  
Suite 809  
Atlanta, GA 30309**

depositing it in the U.S. Mail, in an envelope, with sufficient postage affixed, thereto.

DATED THIS 3 DAY OF NOVEMBER, 2015.

[See Rule 5(b)(1), SCRCPP]



Demal J. Mattson, Jr.

Attorney for the Respondents

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Charleston, SC 29407

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SC Bar No.: 03693

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