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MAR 16 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

File No. 2015 00 1752

APPEAL FROM THE CHARLESTON COUNTY

COURT OF COMMON PLEAS

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

Stephanie P. McDonald, Circuit Court Judge at Trial

Case No. 2012-CP-3421

Court of Appeals No. 2015 00 1752

MAMIE F. NICHOLS,

APPELLANT,

VERSUS

ALBERT NAPOLEON THOMPSON, JR.

AL THADDEUS THOMPSON,

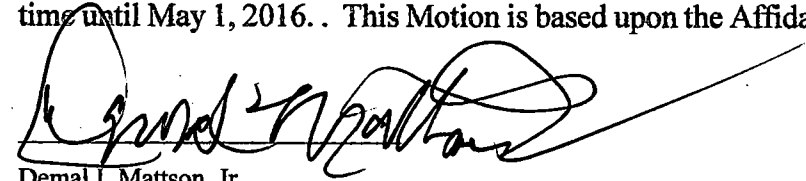
TITUS SHEROD THOMPSON and

ASIA RACHAL THOMPSON

RESPONDENTS.

MOTION FOR EXTENSION OF TIME BY RESPONDENTS

PLEASE TAKE NOTICE the attorney for the respondents hereby requests an extension of time until May 1, 2016. . This Motion is based upon the Affidavit and Enclosures attached thereto.



Demal I. Mattson, Jr.
Attorney for the Respondents
804 St. Dennis Drive
Charleston, SC 29407
Federal Bar No: 03336
SC Bar No: 03693
Email: ymattson@aol.com or
dmattson@aol.com
(843)881-2334 843 442 3839
(843)881-2992 FAX 843; 442 3839 cell

Dated this 12 day of March, 2016.

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APPEAL FROM THE CHARLESTON COUNTY

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Stephanie P. McDonald, Circuit Court Judge at Trial

Case No. 2012-CP-10-3421

Court of Appeals No. 2015 00 1752

MAMIE F. NICHOLS,

APPELLANT,

VERSUS

ALBERT NAPOLEON THOMPSON, JR.

AL THADDEUS THOMPSON,

TITUS SHEROD THOMPSON and

ASIA RACHAL THOMPSON

RESPONDENTS.

**AFFIDAVIT IN SUPPORT OF RESPONDENTS' REQUEST FOR
EXTENSION OF TIME**

PERSONALLY appeared before me DEMAL I. MATTSON, JR., the attorney for the

respondents in the above referenced matter, who upon being duly sworn deposes and says unto this Honorable Court:

1. I am the Attorney for the Respondents in this matter and make this Declaration in support of my Motion for an Extension of Time due to matters of health which have incapacitated me totally since on or about December 23, 2015.
2. I was admitted to the South Carolina Bar in 1967 and I have practiced law in the State of S.C. since that time.
3. I undertook the representation of the Respondents in this matter and unexpectedly started to feel extremely weak and light-headed making it necessary for me to hold onto the wall to travel from my bedroom to the bathroom. This was very unusual for me and I had never experienced anything like it in my life. I went to doctors on several occasions during which time they ran EKG's, chest x-rays, total blood work, all of which came back negative.
4. During Thanksgiving and Christmas I knew something was seriously wrong and getting worse because of the extreme fatigue, dizziness, feelings of blacking out, and shortness of breath. I went to Medical University of South Carolina on about four occasions and additional physicians did more testing again with negative results. At that point I reached a stage where I could not walk from the patient parking lot to the doctor's office or emergency room. I had to be transported by wheel chair.
5. My wife and I knew something was seriously wrong and we were considering making an appointment and going to Duke University. At that point a team of doctors, Dr. Anna Morgan, Internal Medical Specialist, and Dr. Newabi, an oncologist/hematologist, admitted me into the hospital ICU. These doctors finally called in an infectious disease

doctor, Dr. West, to assist the team . At that time all of the testing was done again with MRI and CT type scans of virtually my entire body as well as a bone marrow sample. The bone marrow sample told them my immune system was completely compromised and my blood levels, red, white, and platelets, were demolished, but still no reason why. I was advised not to be around the public, in places with a lot of people such as churches, stores, movie theatres, or the workplace because of my condition.

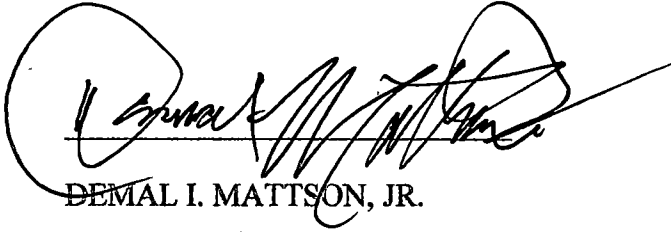
6. When I was not in the hospital I was at home in the bed sleeping 22 of 24 hours of the day and running high temperatures usually at night. Unfortunately, from Thanksgiving through the present time my ability to concentrate, practice law, and do legal research has been diminished. Attempts to perform legal research and do any physical activity other than walking from one end of the house to the other results in no energy, dizziness, inability to concentrate, and shortness of breath.
7. Even with the assistance of the infectious disease doctor, Dr. West, the doctors were still baffled. My wife then turned to my previous surgeon, Dr. Normal Khoury, requesting his opinion about all the testing and his opinion due to previous issues involving the colon. The team had, in fact, done a scan of the lower abdomen, but it had not triggered an alert. Dr. Khoury listened to my wife's concerns, was immediately alerted and concerned listening to her recall of the situation; called an immediate telephone conference with the other doctors on the team, and within hours admitted me to the hospital in ICU again for a more in-depth view of the lower abdomen and colon. Much to everyone's relief they found a hidden abscess in an advanced stage in my colon which was leaking poison into my system and had been doing so for quite some time. At that point the team knew I had absolutely no immune system, my blood consisting of white/red/platelets were all depleted.

Another colon surgeon was called in to do an emergency temporary repair to tie off the poisonous abscess until the team felt I could physically withstand an actual surgery to remove the abscess and repair the colon.

8. Since that time starting about 2nd week in February doctors began giving me in-hospital infusions of gamma globulins (antibodies) every three weeks and as time passed the infusions continue to be done in Dr. Nawabi's office, which said infusions take approximately five to six hours. At my last visit my immune system started showing improvement.
9. I require colon surgery to repair the colon and remove the abscess, but they are waiting until my immune system reaches full strength before undergoing surgery. I am scheduled to have three more infusions with the next scheduled for March 27, 2016. It is anticipated this infusion should raise my immune system to the level where the surgery can be safely performed.
10. I am still very weak; do not have the mental capacity to concentrate for more than a few minutes at a time; anticipate if I have the surgery at the end of March and it is successful I hope to be back to normal strength and mental capacity to begin working on the brief approximately mid to end of April, 2016.
11. I am writing this Affidavit for a Continuance because I have no alternative.
12. I will be sending a statement from my family doctor, Dr. Anna Morgan, as to my health and general condition.
13. Thank you for your consideration in this matter.

RESPECTFULLY SUBMITTED.

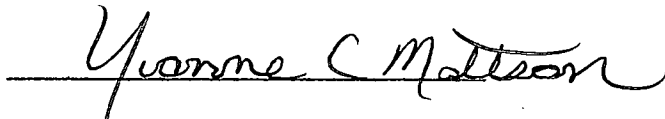
FURTHER AFFIANT SAITH NOT.



DEMAL I. MATTSON, JR.

SWORN TO BEFORE ME THIS

11 DAY OF MARCH, 2016..



NOTARY PUBLIC FOR S.C.

MY COMMISSION EXPIRES: 03 03 2018

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AL THADDEUS THOMPSON,

TITUS SHEROD THOMPSON and

ASIA RACHAL THOMPSON

RESPONDENTS.

CERTIFICATE OF SERVICE BY MAIL

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

NOTICE OF MOTION FOR EXTENSION OF TIME;
SUPPORTING AFFIDAVIT; AND
CERTIFICATE OF SERVICE BY MAIL

by mailing it to:

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

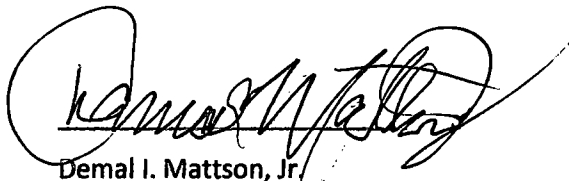
**Ayesha Tonette Washington, Esquire
P. O. Box 30026
Charleston, SC 29417**

**V. Claire Allen, Deputy Clerk
SC Court of Appeals
P O Box 11629
Columbia, SC 29211**

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

THIS 12th DAY OF MARCH, 2016.

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



**Demal I. Mattson, Jr.
Attorney for the Respondents
804 St. Dennis Drive
Charleston, SC 29407
Federal Bar No.: 03336
SC Bar No.: 03693
Email: ymattson@aol.com or dmattson52@aol.com
(843)881-2334; (843)881-2992 fax; 843 442 3839 cell**

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**DEMAL I. MATTSON, JR.
ATTORNEY AT LAW
804 ST. DENNIS DRIVE
CHARLESTON, SC 29407
843 442 3839, FAX 843 881 2992**

ymattson@aol.com
dmattson52@aol.com

March 12, 2016

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

Ayesha Tonette Washington, Esquire
P. O. Box 30026
Charleston, SC 29417

Re: MOTION TO DISMISS APPEAL – MAMIE NICHOLS V AL THOMPSON ET AL
2012 CP 3421; SUPREME COURT FILE # 2015-00-1752

Dear Ms. Felder:

Please find enclosed for service upon you a copy of my Motion for an Extension of Time due to my health, my Supporting Affidavit. The originals are being sent to the Court of Appeals.

I will provide you with a copy of my physician's letter as soon as she returns to her office on Monday.

Very truly yours


Demal I. Mattson, Jr.

DIMjr:ym
Enclosure

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SC Court of Appeals

**DEMAL I. MATTSON, JR.
ATTORNEY AT LAW
804 ST. DENNIS DRIVE
CHARLESTON, SC 29407**

843 881 2334, FAX 843 881 2992, CELL 843 442 3839

ymattson@aol.com

dmattson52@aol.com

March 12, 2016

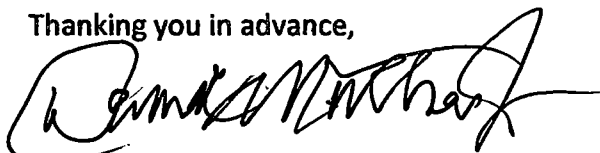
V. Claire Allen, Deputy Clerk
S.C. Court of Appeals
P O Box 11629
Columbia, SC 29211

RE: NICHOLS V. THOMPSON ET AL - CASE # 2012 CP 10 3421
APPEALS COURT # 2015 00 1752

Dear Ms. Allen:

Pursuant to our telephone conversation please find enclosed my Notice of Motion for an Extension of Time, my Supporting Affidavit and Certificate of Service by Mail. Please file these with the Court. I will obtain the letter from my physician on Monday and forward the same to everyone.

Thanking you in advance,

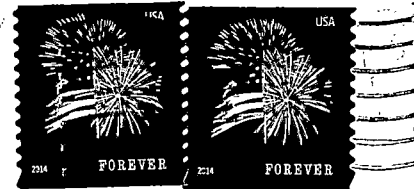
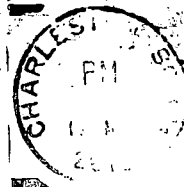


Demal I. Mattson, Jr.

DIMjr:ym

Enclosures

DEMAL I. MATTSON, JR.
ATTORNEY AT LAW
804 ST. DENNIS DRIVE
CHARLESTON, SC 29407



V. Claire Allen, Deputy Clerk
S.C. Court of Appeals
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