

89652

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
(In the Supreme Court)

Case No. 2018-001842

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2018-CP-10-1163

RECEIVED
APR 25 2019
SC Court of Appeals

Young Clement Rivers, LLP
Law Firm, Attorneys Joseph J. Tierney Jr.,
Russell G. Hines, and Stephen L. Brown;
Counsels for Respondents Dr. George H.
Khoury and Bon Secours St. Francis,
West Ashley
843-577-4000

Respondent

vs

Thelma R. Garrick, Pro Se
803-534-9912

Appellant

MOTION TO BARR

Thelma R. Garrick
Thelma R. Garrick, Pro Se Appellant
195 Crescent Oaks Ct.
Orangeburg, South Carolina 29115
803-534-9912
/tg

STATE OF SOUTH CAROLINA)	IN THE S.C. COURT OF APPEALS
COUNTY OF CHARLESTON)	COLUMBIA, SOUTH CAROLINA
Case No. 2018-CP-10-1163)	CASE NO. <u>2018-001842</u>
Thelma R. Garrick, Pro SE)	
APPELLANT,)	MOTION TO BARR BRIEF AND
vs)	DESIGNATION OF MATTER
Dr. George H. Khoury and)	
Bon Secours St. Francis West)	
Ashley, Respondents)	
<u>RESPONDENTS</u>)	

RECEIVED
APR 25 2019
SC Court of Appeals


TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

According to the Time for Serving and Filing Initial Briefs the Respondents have not followed the time schedule. (See attachment letter from their attorneys to the court; as well as the Appellant’s acknowledgment.) To this date the Appellant has not received any information from the Court or a copy of Respondents Brief and Designation of Matter,

Appellant understands under rule 208(b) that if Respondents, “is not dissatisfied with the statement of the issues of the case, or of the standard of review by appellant and does not include his own statement of the case, he shall be bound by the matters stated or alleged in appellant’s statement of the case.”

Not having knowledge of intent, Appellant requests that the Respondents Brief and Designation of Matter be barred from the case.

Yours truly,


Thelma R. Garrick, Appellant Pro Se
195 Crescent Oaks Court
Orangeburg, South Carolina 29115
803-534-9912

Orangeburg, South Carolina

Dated: April 22, 2019

Certificate of Mailing
I hereby certify that a copy of the foregoing pleading was mailed to all Counsel of record in this proceeding this 23rd, day of April, 2019


Notary Apr 24 / 22

/tg

Attachments

Rough copy

April 10, 2019

Ms. Jenny Abbott Kitchings, Clerk of Court
The South Carolina Court of Appeals
P. O. Box 11629
Columbia, South Carolina 29211

Reference: Thelma R. Garrick vs. Dr. George H. Khoury,
Bon Secours St. Francis West Ashley
Appellate Case No. 2018-001842
Case No.: 2018-CP-10-1163

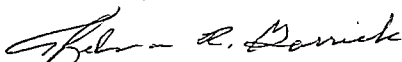
Dear Ms. Kitchings:

Referring to the letter to the South Carolina Court of Appeals dated February 28, 2019 from YCRLAW Firm, Mr. Russell G. Hines, in which an informal request was made for an extension for their Initial Brief and Designation of Matter for the Respondents that was due on March 4, 2019. The extension of time requested was until April 3, 2019.

To this date April 10, 2019 Appellant has not heard from the Court if the request for extension of time was accepted and if the extension was indeed approved until April 3, 2019. Nor has she received a copy of their Initial Brief and Designation of Matter from the Respondents attorneys that was due on the requested date of extension, April 3, 2019.

Appellant understands that she has only ten days to reply to the brief of respondent (Rule 208). Therefore, I would appreciate receiving an answer from the S.C. Court of Appeals in reference to this matter. Thank you very much for your cooperation.

Yours truly,



Thelma R. Garrick
Appellant Pro Se (803-534-9912)

/tg

cc: Mr. Russell G. Hines, Partner
YCRLAW Firm
225 Calhoun St., Suite 400
P. O. Box 993
Charleston, South Carolina 29402
843-577-4000

March 5, 2019

Young Clement Rivers, LLP
25 Calhoun Street, Suite 400
P. O. Box 993
Charleston, South Carolina 29401

Attention: Mr. Russell G. Hines, Partner

Regarding: Thelma R. Garrick, Appellant vs. Respondents,
Dr. George H. Khoury,
Bon Secours St. Francis West Ashley

Reference: Appellate Case No. 2018-001842

Case No.: 2018-CP-10-1163

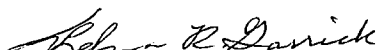
YCR File: 3810-20180252/ 15499-20180314

Dear Mr. Hines:

I acknowledge receipt of your letter dated February 28, 2019 to Ms. Jenny Abbott Kitchings, Clerk of Court of the South Carolina Court of Appeals; for the Notice of Appearance on behalf of Respondents to add Attorneys Stephen L. Brown and Russell G. Hines to this case in addition to present counsel, Mr. Joseph J. Tierney, Jr.

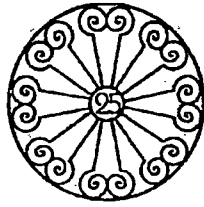
Also your request for a 30 day extension of the deadline of March 4, 2019 to April 3, 2019 for the Respondents' Initial Brief and Designation of Matter. I look forward to hearing the decision of the Court.

Yours truly,


Thelma R. Garrick
Appellant, Pro Se
195 Crescent Oaks Court
Orangeburg, S. C. 29115
803-534-9912

/tg

cc: Ms. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P. O. Box 11629
Columbia, South Carolina 29211



YCR LAW

Russell G. Hines
Partner

Direct Dial: (843) 720-5488
Direct Fax: (843) 579-1327
E-mail: RHines@ycrlaw.com

February 28, 2019

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Thelma R. Garrick v. Dr. George H. Khoury, Bon Secours St. Francis West
Ashley
Appellate Case No. 2018-001842
Case No.: 2018-CP-10-1163
YCR File: 3810-20180252 / 15499-20180314

Dear Ms. Kitchings:

Enclosed for filing in the above-referenced matter, please find the original and one copy of a Notice of Appearance and a Proof of Service regarding the same. I would appreciate it if you would file the original and return a court-stamped copy to me using the pre-stamped envelope provided.

Additionally, and on behalf of Dr. George H. Khoury and Bon Secours St. Francis West Ashley, and pursuant to Rule 263(b), SCACR, I hereby respectfully request a 30-day extension of time to file/serve the Initial Brief of Respondents and the Respondents' Designation of Matter to be Included in the Record on Appeal in the above-referenced matter. Our firm's check in the amount of \$50 is enclosed to cover the cost of this request.

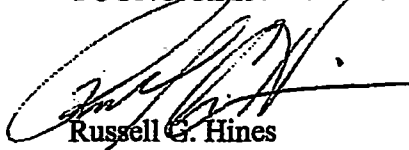
The present deadline is Monday, March 4, 2019, and I would ask that the Court hold this deadline in abeyance until it acts upon this request. This request is made in light of work-related and other time commitments, and I believe it to be consistent with the interests of justice and not unduly prejudicial to the Appellant. By my calculations, with the requested extension, the Respondents' initial brief and designation of matter will be due on or before April 3, 2019.

Of course, if you have any questions or concerns or if a formal motion is required for the Court to consider the requested extension, please just let me know.

With best wishes and kindest regards, I am

Sincerely,

YOUNG CLEMENT RIVERS, LLP

A handwritten signature in black ink, appearing to read "Russell G. Hines", written over a horizontal line.

Russell G. Hines
Partner

RGH/amj
Enclosures

cc: Thelma R. Garrick

STATE OF SOUTH CAROLINA) IN THE S.C. COURT OF APPEALS
COUNTY OF CHARLESTON) CASE NO. 2018-001842

Thelma R. Garrick, Appellant) MOTION AND ORDER INFORMATION
FORM AND COVER SHEET

vs

Dr. George H. Khoury, Bon Secours)
St. Francis, West Ashley)

Respondents)

RECEIVED

APR 25 2019

SC Court of Appeals

Name, Sc Bar No. and address

Thelma R. Garrick, PRO SE
195 Crescent Oaks Court
Orangeburg, South Carolina 29115
Telephone: 803-534-9912

Name, SC Bar No. and Address of Respondents
Repondents Attorney

Young Clement Rivers, LLP
Post Office Box 993
Charleston, S.C. 29402-0993
843-577-4000
Fax: 843-720-5406
e-mail:

Written Motion attached.

I hereby move for relief or action/by the Court as set forth in the attached proposed order.

Thelma R. Garrick
Signature of Pro Se Attorney for
Appellant

Dated: April 23, 2019

Paid Amount \$ 50⁰⁰

SCCA/233 (11-03)

/tg

RECORD ON APPEAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
(In the Supreme Court)

Case No. 2018-001842

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Diane S. Goodstein, Circuit Court Judge

Case No. 2018-CP-10-1163

RECEIVED

APR 25 2019

SC Court of Appeals

Young Clement Rivers, LLP

Respondent

Law Firm, Attorneys Joseph J. Tierney, Jr.,
Russell G. Hines, and Stephen L. Brown;
Counsels for Respondents Dr. George H.
Khoury and Bon Secours St. Francis,
West Ashley
843-577-4000

vs

Thelma R. Garrick, Pro Se
803-534-9912

Appellant

PROOF OF SERVICE

I certify that I have served the Motion to Barr Respondents Brief and Designation of Matter due to delay in Respondents attorneys filing and/or statement according to rule 208 "except a statement of the issues, of the case, or of the standard of review need not be made unless the Respondent is dissatisfied with the statement of the issues, of the case, or of the standard of review by Appellant." Having received no acknowledgment from the Court or the Attorneys for Respondents, This Motion has been filed with Ms. Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals, P.O. Box 11629, Columbia, South Carolina 29211, and the Counsel for the Respondent. Young Clement

Rivers, LLP, Mr. Russell G. Hines, 25 Calhoun Street, Suite 400, P. O. Box 993,
Charleston, South Carolina 29402.

Thelma R. Garrick
Thelma R. Garrick, PRO SE
195 Crescent Oaks Ct.
Orangeburg, South Carolina 29115
803-534-9912

April 22, 2019
/tg

April 23, 2019

Ms. V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RECEIVED
APR 25 2019
SC Court of Appeals

Reference: Motion to Barr

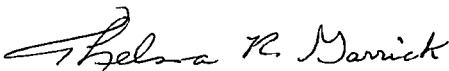
Case No.: 2018-001842
Thelma R. Garrick, Appellant
Dr. George H. Khoury and Bon Secours
St. Francis, West Ashley

Dear Ms. Allen:

Enclosed you will find a Motion to Barr the Brief and Designation of Matter for the Respondents due to time frame. Please have this document recorded for me. Your cooperation is appreciated.

A self-addressed, stamped return envelope is enclosed for the return stamped copy.
Thank you.

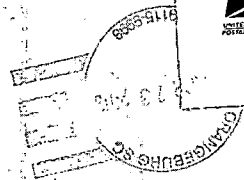
Yours truly,


Thelma R. Garrick, Pro Se
803-534-9912



cc: Ms. Jenny Abbott Kitchings, Clerk of Court
Mr. Russell G. Hines, YCRLAW Firm, counsel for Respondents

Attachments Pages 1 of 10

*Shelton Larrick
195 Crescent Oaks Ct
Orangeburg, S.C. 29115*



U.S. POSTAGE PAID
FROM US ENVY
ORANGEBURG, SC
29115
APR 23, 19
AMOUNT
\$1.30
R2303S103768-26



1000 29201

*Ms. V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
1220 Senate Street
Columbia, S.C. 29201*

RECEIVED
APR 25 2019
SC Court of Appeals