

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Charleston County
Court of Common Pleas

RECEIVED

SFP 16 2019

Diane S. Goodstein, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2018-001842
Circuit Court Case No. 2018-CP-10-1163

Thelma R. Garrick,

Appellant,

v.

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

Respondents.

SUPPLEMENTAL RECORD ON APPEAL

Thelma R. Garrick
195 Crescent Oaks Ct.
Orangeburg, SC 29115

Appellant, pro se

YOUNG CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
Joseph J. Tierney, Jr. (SC Bar No. 13917)
Russell G. Hines (SC Bar No. 72100)
25 Calhoun Street, Suite 400
Charleston, South Carolina 29401
P.O. Box 993 (29402)
(843) 720-5488

Attorneys for Respondents

INDEX

Plaintiff's Motion to Extend Time, filed July 2, 2018 1

2018-CP-10-1163

MOTION TO EXTEND TIME

June 29, 2018

Honorable Julie J. Armstrong
Court of Common Pleas
Charleston County Judicial Center
100 Broad Street – Suite 106
Charleston, South Carolina 29401-9401

BY _____

JULIE J. ARMSTRONG
CLERK OF COURT

2018 JUL -2 PM 3:47

FILED

Regarding: Notice of Motion Scheduling, #285 – MOTIONS ROSTER – JUDGE GOODSTEIN

Date of Hearing: July 12, 2018 at 10 AM

Reference: Thelma R. Garrick vs
Dr. George H. Khoury and Bon Secours St. Francis
West Ashley

Case No.: 2018-CP-10-1163

YCR File: 3810-20180252

Dear Ms. Armstrong:

Attached you will find form #SCCA 233 for a Motion to extend time of hearing.

I appreciate your consideration.

The reason for this action or request is as follows. This case has become much more complicated. I have proof on tape, in Dr. Khoury's own words, that I did not know of the implants or surgery he performed. The simple fusion to relieve the pressure on the left sciatica nerve was changed to a massive surgery of experimentation that has altered my entire life: to a life of unmitigated pain. Dr. Khoury and the hospital did this with greed, malice of thought, intent to harm, without my knowledge and without my permission. Dr. Khoury has only his word, without evidence that I signed willingly and knowingly. The release I signed for the nurse was after being drugged on the way to the

operating room at 7:05 AM on August 20, 2015. She held my hand and guided my signature and I insisted that I put the time on even after she told me that I did not have to put the time or date. I have asked for a copy of the contract that he and I would have had to sign with Medtronic in order to do this type surgery to no avail.

I have proof that the first knowledge of the implant in the lumbar spine was six months after the surgery. Dr. Khoury never told me about any other implants or surgery to my spine. I learned from Dr. Khoury's records to Medicare for billing purposes that he had indeed severed my spine. No mention in their records of any named implants or that it was an experimental surgery. Then from Duke Health in North Carolina I found out about the cage surrounding this area. In January of 2018 I learned from the Medical Records of two Medtronic Representatives that were in the operating room, and they trained Dr. Khoury and operating staff how to use their new Navigation System (Robotic Arm) by doing most of the operation implants. (Medical Battery!) Then Ms. Garnet of Medtronic finally informed me that they had used the "Infuse" medication on my spine. During and immediately after surgery.

With the pain level accelerating I made an appointment with a Neurosurgeon for a fourth opinion. This appointment was with the Brain and Spine Clinic of Lexington. I went back yesterday for the results from the two CT scans and MRI with and without contrast.

The neurosurgeon showed one part of the MRI (lumbar spine) where the Medtronic Distribution Port was implanted. It was very evident that the rod securing this port has broken into indicating to me that this experimental device is defective.

The spine was so damaged with the implementation of this port that it bent the

spine causing damage to other vertebrae, that the spine would have to be lifted and spacers inserted, everything removed to repair spine. There are no guarantees, and the surgery would take 6-7 hours. The risks are much worse than implanting this thing.

This neurosurgeon told my niece and I that I had broken the rod on the Distribution Port. He made it known that he is a strong supporter of the Medtronic Company having worked for them seven or more years. He instructed the nurse to send my information over to a Medtronic representative. He then said very proudly that he spent five hours in court defending the "Infuse" bone growth medication that has been in litigation in five States. (And has caused over 8,000 people to be permanently disabled so far. Since he and Dr. Khoury admit to using the medicine all of the time it will not be known about in SC area until people are notified that this can be the cause of their pain.) The reason they severed my spine was to test this medication, and also to test the cage placed around the area.

Who cares who broke the rod, the implant has to be defective. The only possibility I could have done so is the time I was restless with pain one night and turned over in the bed, felt something shift in my back and heard a loud pop causing knife like stabbing.

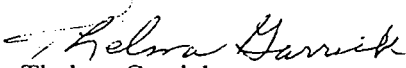
However, Dr. Khoury called my house wanting me to come in and talk to him (just before my filing). In that heated conversation he indicated that he could remove three screws and relieve some of my pain. I mentioned this to the neurosurgeon and he showed us the three screws just below where the rod is broken. I believe Dr. Khoury broke the rod right after my operation twisting my body trying to test the device (see medical records). This now makes sense to me. This port had to be heated making it

pliable to insert. It is not titanium as this doctor yesterday and Dr. Khoury tries to make me believe. You cannot bend titanium. Dr. Khoury told me on March 7, 2016 that my body was rejecting the material he put in me. (I had a fusion on the right side with titanium four years earlier and was not allergic to the material.) This material had to be more pliable to insert massive dosages of medicine that would trickle down to the other screws over time, and thus would possibly be easier to break. (I also told this doctor that if I had the operation that the port was mine, this was not well received.)

The fact is, – the distribution port is defective and needs to go back to the engineers.

After all I learned yesterday I ask the Court to extend this hearing for at least three months for me to do more research. I apologize to the Court for any inconvenience, and thank you for the extension.

Yours truly,


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

cc: Mr. Joseph J. Tierney, Jr., Attorney
Young Clement Rivers, LLP
P. O. Box 993
Charleston, South Carolina 29402-0993
843-720-5406

\$2500 enclosed


CERTIFICATE OF COUNSEL


The undersigned counsel for Respondents certifies that, in accordance with Rule 210(c), SCACR, this **Supplemental Record on Appeal** contains material properly designated for inclusion in the Record on Appeal and not any other material. The undersigned also certifies that this **Supplemental Record on Appeal** complies with the Supreme Court of South Carolina's Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings issued April 15, 2014.

RECEIVED
SEP 16 2019
SC Court of Appeals

Respectfully submitted,

YOUNG CLEMENT RIVERS, LLP

By:



Stephen L. Brown (SC Bar No. 66468)

Joseph J. Tierney, Jr. (SC Bar No. 13917)

Russell G. Hines (SC Bar No. 72100)

25 Calhoun Street, Suite 400

Charleston, South Carolina 29401

P.O. Box 993 (29402)

(843) 720-5488

Attorneys for Respondents

Charleston, South Carolina

Dated: 9/13/19