

May 25, 2021

**RECEIVED**  
JUN 01 2021  
SC Court of Appeals

Ms. Jenny A. Kitchings, Clerk of Court  
The South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

Dear Ms. Kitchings:

Reference: Appellate Case No. 2018-001842  
Circuit Court Case No. 2018-CP-10-1163  
Circuit Court Judge Diane Shaffer Goodstein

Thelma R. Garrick, Pro Se Appellant  
vs  
Dr. George H. Khoury and Bon Respondents  
Secours Roper St. Francis W. Ashley

By this time I am sure you have received my Rebuttal that the Court of Appeals received on May 21, 2021 (and hopefully recorded it). Appellant regrets this action was necessary but due to your actions to the Appellants lawsuit, and seemingly the one in total control of the outcome by your letter of May 12, 2021 I submit the following to you. Again the information I have received, you have not even brought this case before the Judges. Appellant has no reason to believe otherwise and I believe bringing this to your attention is not in contempt of Court.

Your actions toward Appellant have been to make sure she has doted her I's and crossed her T's instead of looking at the merit of the case, the authenticity, creditability and the honesty and evidence with which it was presented. It is a premeditated crime that was committed; I hope your actions on this case was based on its merit and not based on personality because she dared to present her own case.

You have not truly grasped the significance of this case. It is not only this neurosurgeon and hospital in Charleston but also many others. (Appellant gave the court information on five other states with large lawsuits with thousands of people harmed by these implants that had never been tested or approved. The documents forwarded to the Court proves elderly people all over are being victimized through deals made by doctors and hospitals, without patient's knowledge or permission. The reason for their continued pain they are told, "well, you know you are old".)

The many documents given to this Court proves the lengths they will go for greed, money. This case is not unique or sits alone as I have proven in my documentation.

Elderly people are being victimized through the deals or contracts made between Medtronic and the neurosurgeons and hospitals without the patients knowledge or permission. In Appellant's case Dr. Khoury lied about her needing any surgery. The reason for the Medtronic's actions was because it was cheaper to use this method instead of going the normal or legal route to test their devices that had never been tested or approved.

Money, greed, seemed to be the mantra of neurosurgeons and hospitals as they went on board, signing contracts. Dr. Khoury's documents sent to the Court was for the years 2013, 14, 15, and 16. Unfortunately for appellant Dr. Khoury was still under contract when I became a victim August 20, 2015. (Evidence forwarded to the Court.)

Appellant filed Pro se after talking to many attorneys who all said Appellant had a case but it was not feasible for them to take the case but continued to encourage her to find an attorney.

Appellant feels her case has been treated with amusement with the attitude that for thinking she was qualified she needed to be put down. No respect was given but by a few. Appellant also had a higher calling to file the case. If this case is not looked at with the seriousness it deserves many more elderly people will suffer greatly by those given the authority to continue with their illegal activity.

Never the less there are still three issues that need to be addressed. Appellant needs the following information:

1. Ms. Kitchings, when Appellant called you on the status of the case, I was told the case was in the stage of sending information to a Panel. (Chosen by whom?) Appellant would like the names of this Panel and their qualifications. (I still have not received all of the information that was given to the Panel.)
2. Does the Clerk of Court have the power to decide a case? What are your qualifications? I now realize that every case coming to you is evidently is left in your power? (Appellant has already asked for minutes of the meeting between you and the three Judges, and what they had concurred with you on? Also copies of the discussions with the Respondent's attorney.
3. Appellant still needs the Video of the surgery performed by Medtronic Technicians on August 20, 2015. (Attorneys already asked but request ignored and never answered. Appellant needs this video.) Appellant also needs the copy of the signed contracts as well as the signed agreements giving the hospital the approval for a surgery that altered my entire spine.

Appellant will be getting other information on the Ethics Committee, Judiciary committee, and duties of the Clerk of Court Department to better understand.

I would like to reiterate, under the circumstances the Appellant deserves to go before the Honorable Judges to satisfy herself that her Case has been treated with the utmost judiciary respect and studied her documents to make the best decision the Honorable Judges could make, not the Clerk of Court's decision that they concurred with. Appellant will be available to answer any questions they may have.

It has always been understood that if any case is discussed all attorneys (whether pro se or not) will be in attendance. This has not been done. Appellant needs minutes of any meetings; with anyone discussing this case. (I have seen this in action in another case and it was grossly unfair and the incorrect verdict anticipated because of one opinion.)

Also, Appellant would like to point out that she has read the biographies of all three attorneys assigned to her case. She noticed that each have worked either in the Supreme Court and/or the Court of Appeals in Columbia. With Mr. Hines working for the Court of Appeals- Appellant is not accusing anyone of an infraction. However, when there is information like this, the decision should be looked at very carefully before they make their decision on the case. Yet you told me in your letter of May 12<sup>th</sup> you made the decision on my case, with three Judges concurring with your assessment? Please explain why my case did not go to Court? (I found out Mr. Hewitt is not a Judge?)

Appellant is a very detailed person, as the hundreds of documents have attested. Appellant wants to know why the Judges did not even look at the Case and why you as the Clerk of Court could make such a decision that Judges are supposed to make. So many questions on the whys? It will be beneficial to all of us to have the answers and them be correct. Appellant at the beginning did not really expect justice, but the case is a very important one to the Senior citizens of our country. Not even being presented to the Honorable Judges for them to make their own decision is unthinkable.

Appellant heard a Judge talking to students at a College; he said, "After studying the cases you make the best possible decision you can make". I thought this was very well said. But how can you make a decision on a person's assessment without hearing the case?

Why has Appellant not heard from the Respondents Attorneys? Appellant has very little correspondence with them throughout this case, just ignored. Why has the Clerk of Court done their job for dismissal for them? That was truly the only way they could win this case, it had to be on how they said I filed instead of the correct way Appellant filed. Why has it taken almost four years for the Court to make its decision when you knew the outcome if the Court continued to accept how the Clerks offices, both lower and Court of Appeals incorrectly filed MY case? This cannot be legal. (I realize that a new title for Medical Malpractice had to be set up because you have never had another case like this one but that is not another reason to dismiss.)

Also to your allegations that Appellant did not advise Dr. Khoury and the hospital of my intention is false. Appellant went in person to the Administration office (directly from the records office) and confronted them with the fact that I had every intention to sue because of what they had done to me without my knowledge or permission. The first time the Director was at the printing machine making copies and the rest of his staff was standing around talking. He told his Assistant to tell me the Director was not there and immediately left the room. The redness of his face indicated that I had upset him. I even told his Assistant that I knew that he was the director. The second visit to try again to speak to him Appellant learned Mr. Jackson had replaced him. I again reiterated to his assistant that I was going to sue. The hospital's Calm Department called me and wanted to know what she could do for me and forwarded papers (in my possession) to complete and return. (When I left the Director's office I went back to the records department to ask for the signed release for the operation that I had forgotten. Appellant was already blocked from the computer. However, one employee knew how to get Appellant a copy, and did so. -See attached form SCCA 401 (5/02). Again, without a dismissal the Attorneys for the Respondents cannot win this case.)

I also informed Dr. Khoury's nurse when she called to try and make me an appointment to come in to talk to Dr. Khoury but I informed her too of my intentions and told her it was too late that I was going to file a lawsuit. They all knew what I planned to do because I told them. Evidence of what Appellant had informed Dr. Khoury and the hospital was made clear to them dated May 5, 2018 and stamped in the Lower Court.

Appellant sent many Rebuttals to documents received and the Court did not drop the case. However, the Attorney, Clerk and Judge made bad choices when Appellant did not show up for Court on July 12 th. I trust this will put "she did not file intent to rest". Thank you.

Expert Witness. Appellant was not able to get an "expert witness", they did not want anything to do with the case. However, Appellant gave the Court three Expert Witnesses signed affidavits, who are reputable well known neurosurgeons. With one being for Medtronic as he worked for them for seven years as per his own words in front of my witness. If you wish to see how appellant's new lifestyle is read how he wants to correct my surgery; of course, Appellant would not live through such an operation. Especially when 14 people tried to have one implant; Medtronic Pain Distribution Port, removed. And 14 people died. (Think about not only one implant in Appellant's spine but three, all now defective). Advised by expert witnesses not to have surgery to try and remove unless death is eminent.

Pictures from MRI's depicting Appellant's spine has been sent to the Court. Appellant is in possession of all MRI's for the Honorable Judges perusal: the one showing she did not need surgery. The MRI used to try to persuade Appellant that she did not see or hear what

See page 4 of 6

STATE OF SOUTH CAROLINA, )  
 )  
COUNTY OF Charleston )

IN THE COURT OF COMMON PLEAS

SUMMONS

*Thelma R. Garrick* Plaintiff, )  
 )  
vs. )  
 )  
*Dr. George H Khoury* )  
*Bon Secours St. Francis,* Defendant. )  
*West Ashley*

FILE NO. *2018-CP-101163*

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

*Charleston* South Carolina

*Thelma R. Garrick*  
Plaintiff/Attorney for Plaintiff

Dated:

*March 5, 2018*

Address:

~~*2445 Henry Fackelberg Drive*~~  
~~*Charleston, S.C. 29414*~~  
*195 Crescent Oaks Ct.*  
*Orangeburg, S.C. 29115*  
*803-534-9912*

*(Note: They never responded, only attorneys)*

FILED  
2018 MAR -5 PM 12:29  
JULIE A. WYATT  
CLERK OF COURT  
BY \_\_\_\_\_

Dr. Khoury had told her in March. (Proof sent to Court.) He insisted she have this pain port removed because my body was rejecting it. However the cover-up in the April visit was entirely different than what he told her in March, even using a different MRI. Dr. Khoury learned he did not know his patient at all, that she has an excellent memory.

The inhumane pain Appellant went through brings nightmares and fear of falling and getting back in the hands of Dr. Khoury.

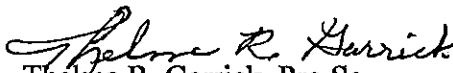
After the surgery records indicate that Appellant was doing well but that was far from the case. Appellant has a CT Scan that was taken because of uncontrolled pain. The pain was so severe no medication helped, Appellant called out to the One I knew would help and she went immediately into shock or a coma for four or five days. My son, Major Todd Garrick, can testify (as others) to the pain I was in. When Appellant apologized for screaming he informed me he had seen that kind of pain when soldiers were wounded and had no pain meds, and he knew when I left them. He only worried that I would not come back with a normal mind. (Appellant has three different sets of hospital records with differences and falsified information. This is not an easy case.)

Please do the right thing so Appellant can try to forget everything that occurred that day of the operation and after because every time she has to go back and forth to the Court everything I endured and continues to endure comes back and nightmares begin again.

If with all of the information, hundreds of documents, the Court has received and is still trying to dismiss the case on technicalities that are not true instead of the merit of the case as Appellant has explained above, then the Court has an obligation to settle this case in an unbiased verdict. (Without my knowledge or permission this case should be a criminal case.)

I look forward to our discussion in Court before the Honorable Judges to clear up all misunderstandings. Thank you.

Yours truly,

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

/tg

Copies have been forwarded by U.S. mail to the following:

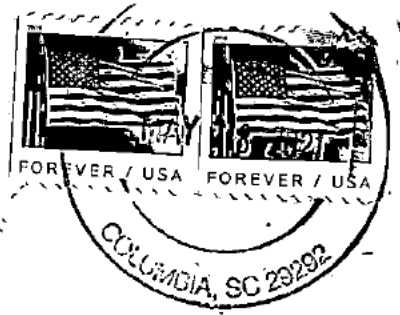
Ms. V. Claire Allen, Deputy Clerk of the Court of Appeals

YOUNG CLEMENT RIVERS, LLP  
Mr. Stephen L. Brown, Esquire  
Mr. Russell G. Hines, Esquire  
P. O. Box 993  
Charleston, South Carolina 29402

Roger Townsend LLG  
Mr. Joseph J. Tierney, Jr., Esquire  
177 Meeting Street, Suite 320  
Charleston, South Carolina 29401

/tg

*Helena Garrick*  
195 Crescent Oaks Ct  
Orangeburg, SC 29115



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