

THE STATE OF SOUTH CAROLINA

No. 2022-000339

In The Court of Appeals (as Transferred from the Supreme Court of South Carolina)

APPEAL FROM Richland COUNTY Court of Common Pleas

D. Craig Brown, Circuit Court Judge, Case No. 2019-CP-40- 01374

RECEIVED

City of Columbia, SC,

Respondent,

AUG 12 2022

v.

Marie Assa'ad-Faltas, MD, MPH,

Appellant.

SC Court of Appeals

APPELLANT'S TIMELY COMPLIANCE with the Clerk of the South Carolina ["SC"] Court of Appeals' ["CoA"] 20 July 2022 "Letter Setting Time to Order Transcript"

Appellant Marie Assa'ad-Faltas, MD, MPH ("Dr. Assa'ad-Faltas" or "Dr. Faltas") *pro se* reports to this Court that the transcript of Dr. Faltas' appearances in the underlying case in Columbia's Municipal Court "CMC" on 17 November 2009; 3 March, 23 July, 1 September, and 6 October 2010; and 12 March and 10 and 25 April 2013; are on hand as made by CMC from its audio recordings of the proceedings.

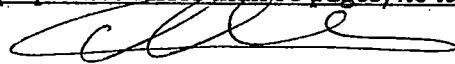
Dr. Faltas' 2 October 2009 jury-trial request at CMC was apparently not recorded by CMC. Dr. Faltas' March 2018 appearance before then-CMC Judge Susan Porter was recorded by CMC **but** CMC then refused to provide the recording or a transcript thereof as evidenced by Dana Turner's attached letter.

The transcript of the 4 February 2019 proceedings before Dentsville Magistrate Newsom ("DMN") was made by CMC from an audio recording made by DMN. Dr. Faltas herself transcribed one of her two 2018 appearances before DMN in the underlying matter from the formal DMN-made audio recording.

In Richland County's Circuit Court of Common Pleas ("RCCCCP"), the 13 December 2013 hearing transcript before SC Circuit Judge Lee is on hand; **but** the transcript of the 4 January 2018 hearing before SC Circuit Judge Jocelyn Newman needs to be ordered. For that, Dr. Faltas needs this Court's *express* permission for her to contact the relevant court reporter and *express* funding authorization. SC Circuit Judge Brown, from whose decisions this appeal is taken, held hearings in this case on 28 January 2022 and 31 March 2022, the latter recorded by the judge only by WebEx. On 20 July 2020, Dr. Faltas timely sent the attached e-mail and transcript order form but did not receive a response. The 28 January 2022 hearing was transcribed by Ms. Karen Ambroziak. As that hearing is relevant to this case and to at least one of Dr. Faltas' PCR cases in which Attorney Timothy Griffith is forced counsel for Applicant, a funding request was granted and the attached transcript order was sent to Ms. Ambroziak by 14 July 2022.


Since then, Attorney Griffith refused to share that transcript, or Ms. Ambroziak's response to the request for it, with Dr. Faltas despite her several calls and e-mails seeking update from Mr. Griffith. **As Dr. Faltas remains powerless to make Mr. Griffith respond, this Court is asked to require Mr. Griffith and/or Ms. Ambroziak to respond directly to this Court about the fate of the 28 January 2022 transcript ALREADY ordered (expedited if less than 50 pages) no later than 14 July 2022.**

Sincerely submitted on 11 August 2022


s/ Marie Assa'ad-Faltas, MD, MPH, Defendant/Appellant *pro se*
Post Office Box 9115, Columbia, South Carolina 29090
Phone (803) 783-4536; e-mail Marie.Faltas@hotmail.com

Certificate of Service Satisfying the Substance of Form 7 and of all Relevant Rules, SCACR

On 12 August 2022, I served Mr. Marshall James, Counsel for the City of Columbia and sole opposing counsel in this case, with a true and complete copy of this document by personally hand-delivering it to the location of the City of Columbia's Legal Department's office on Washington and Main Streets, Columbia, SC 29201, and there and then hand-delivering it to a person long known to me to be approved and entrusted to deliver it to Mr. Marshall, all God so willing.


s/ Marie Assa'ad-Faltas, MD, MPH, Defendant/Appellant, here server *pro se*
P.O. Box 9115, Columbia, SC 29209
Phone: (803) 783-4536 Cell: (330) 232-4164
e-mail: Marie.Faltas@hotmail.com and MarieAssaadFaltas@GMail.com



CITY OF COLUMBIA
SOUTH CAROLINA

MUNICIPAL COURT / P.O. BOX 644 / COLUMBIA, S.C. 29202 / 803 / 545-3150 FAX 803 / 733-8433

May 1, 2018

RECEIVED

AUG 12 2022

SC Court of Appeals

Ms. Marie Assa'ad Faltas
P. O. Box 9115
Columbia, SC 29290

Re: Requests to City of Columbia Municipal Court dated April 5, 2018

Dear Ms. Faltas:

In response to the Request to Columbia Municipal Court dated April 5, 2018, please be advised as follows:

The City of Columbia Municipal Court is under no legal obligation to produce a copy of the audio recording of a hearing before Judge Susan Porter and therefore, chooses not to do so.

If any orders from a hearing on March 2, 2018 before Judge Susan Porter were reduced to writing, copies were provided to the lawyers involved in the matter. You may obtain a copy of the order, if any exists, from Christopher S. Truluck, your standby counsel.

The City of Columbia Municipal Court is under no obligation to provide you with copies, if they exist, of "every order Attorney Carl L. Solomon, then sitting as a CMC judge, ordered entered into the record as signed or marked "not signed" in the morning of 24 April 2013". All pending cases before this court are resolved.

With respect to the "two bankers boxes" of evidence, this court has advised you in the past that the bankers boxes, if they exist, are not within the dominion and control of the Municipal Court and therefore, the Municipal Court cannot and will not provide you with access to them.

Sincerely,

Dana D. Turner
Chief Administrative Judge

cc: Jessica Mangum, Assistant City Attorney
Christopher S. Truluck, Defense Standby Counsel

RECEIVED


AUG 12 2022

Transcript Request Form

SC Court of Appeals

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to any party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name Timothy L. Griffith Esq	Phone Number 803 499-2012	Email Address tlgriffith@tlgriffith.com	
Mailing Address 2338 Mount Vernon Dr	Sumter	State SC	Zip Code 29154
Transcript Information			
Docket Number 2019-CP-40-01374	Case Caption (i.e. State v. John Doe or Smith v. Smith) City of Columbia v. Marie Assa'ad-Faltas, MD, MPH		
Date(s) of Proceeding 28 January 2022	Circuit X Family <input type="checkbox"/>	County Richland	
Presiding Judge D. Craig Brown	Expedited Yes <input type="checkbox"/> <input checked="" type="checkbox"/> <i>only if transcript is shorter than 50 pages</i>		
Court Reporter(s) kambroziak@sccourts.org	Opposing Counsel Marshall Schumpert James		

Requestor's Signature: 
(Typed name will serve as signature)

Date: 7/12/22

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

Transcript Request Form

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter and to South Carolina Court Administration at transcripts@sccourts.org. Click [here](#) for instructions on how to find the court reporter's email and mailing addresses. Once the court reporter receives your request, it will be processed pursuant to Rule 207 and 607 of the SCACR. Rule 607(h) governs the fees for transcripts, which are not provided for free or at reduced rates to **any** party. Please send by mail a money order or certified bank check to the court reporter in order to obtain the transcript. Some court reporters may accept personal checks. Please check with the court reporter to see if this option is available. Once your request is received, you will receive a copy of this form with the bottom portion completed. Please promptly submit your payment in order for the transcript to be provided. If you need to cancel the transcript request for any reason, you are responsible for paying for the pages of the transcript that have already been completed at the time of the cancellation.

Requestor's Information			
Full Name <u>Marie Assa'ad-Faltas, MD, MPH</u>	Phone Number <u>803-783-4536</u>	Email Address <u>Marie_Faltas@hotmail.com</u>	
Mailing Address <u>Post Office Box 9115</u>	City <u>Columbia</u>	State <u>SC</u>	Zip Code <u>29290</u>
Transcript Information			
Docket Numb <u>2019-CP-40-01374</u>	Case Caption (i.e. State v. John Doe or Smith v. Smith) <u>City of Columbia v. Marie Assa'ad Faltas</u>		
Date(s) of Proceeding <u>31 March 2022</u>	Circuit X Family <input type="checkbox"/>	County <u>Richland (WebEx)</u>	
Presiding Judge <u>D. Craig Brown</u>	Expedited Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Court Reporter(s) <u>transcripts@sccourts.org</u>	Opposing Counsel Marshall Schumpert James <u>marshall.james@columbiasc.gov</u>		

Requestor's Signature: Marie Assa'ad-Faltas, MD, MPH
(Typed name will serve as signature)

Date: 20 July 2022

Note: If you are ordering a transcript pursuant to Rule 207(a)(1), SCACR, you must contemporaneously furnish all parties, the Office of Court Administration, and the clerk of the appellate court with copies of all correspondence with the court reporter.

For Court Reporter Use Only			
Full Name _____	Date Received _____	Email Address _____	
Notice of Estimate to Requestor Party Date: _____ Number of Pages: _____ Estimated Amount _____			
Mailing Address for Payment _____	City _____	State _____	Zip Code _____

I have been "required" to order this transcript by South Carolina's ("SC") Court of Appeals ("CoA") in SC Appellate Case 2022-000339 according to their attached letter.

Marie Faltas <Marie_Faltas@hotmail.com>

Wed 2022-07-20 4:19 PM

To: transcripts@sccourts.org <transcripts@sccourts.org>

Cc: Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>; James, Marshall S <Marshall.James@columbiasc.gov>; Saxon, Jessica <jsaxon@sccid.sc.gov>; Robert Michael Dudek <rdudek@sccid.sc.gov>; Young, Herverly <hyoung@sccid.sc.gov>; hryan@sccid.sc.gov <hryan@sccid.sc.gov>; Timothy L. Griffith <tlgriffith@tlgriffith.com>; dzelenka@scag.gov <DZelenka@scag.gov>

 2 attachments (157 KB)

2022-07-20 Letter Setting Time to Order Transcript in SC Appellate Case 2022-000339.pdf; 2022-07-20 TRANSCRIPT REQUEST WebEx Judge Brown 31 March 2022.pdf;

Repeating the subject line: I have been "required" to order this transcript by South Carolina's ("SC") Court of Appeals ("CoA") in SC Appellate Case 2022-000339 according to their attached letter.

Therefore, this transcript order does NOT violate the letter or the spirit of SC's Supreme Court's ("S Ct") 10 June 2022 ORDER.

Thanks for your attention and God bless./Marie Assa'ad-Faltas, MD, MPH

Phone: (803) 783 - 4536