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DEC 05 2022

SC Court of Appeals

Marie Assa'ad-Faltas, MD, MPH
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5 December 2022

The Honorable Patricia Ann Alexander Howard,
Clerk of South Carolina's ("SC") Supreme Court
1231 Gervais Street, Columbia, SC 29201

The Honorable Jenny Abbot Kitchings,
Clerk of SC's Court of Appeals ("SC CoA")
1220 Senate Street, Columbia, SC 29201

(originals hand-delivered with copies hand-delivered to opposing counsel)

**Re: Issues of *physical* access to your courts by myself as a disabled person
and of whatever I manage to get to your courts appearing on the public record.
(PLEASE specifically file in SC Appellate Cases 2021-000815 and 2022-000339)**

Your Honors:

Tennessee v. Lane, 541 U.S. 509 (2004), held, *inter alia*, that due process requires state courts to provide reasonable accommodations for the disabled to access the courts. My bewilderment at your recent acts/omissions in my cases are, **not personal** criticisms of you, but my sincere effort to sensitize you to the real world of the disabled.

In 2022-000339, after I was granted leave to file appellate documents by e-mail. I sent what I believe to be a legitimate motion to clarify that I may also serve by e-mail the same documents I file by e-mail. **(Please see attached copies of e-mails.) But my motion still does not appear on C-Track.** If every time I send something by email, I have to write and hand-deliver in person an inquiry into why it is not on C-Track, **every purpose of economy** of effort, time, and expenses, sought to be realized by filing by e-mail is **defeated**. So, I *politely* ask Ms. Kitchings to have my 22 November 2022 MOTION in 2022-000339 retrieved and uploaded to C-Track for consideration of it **or to write to me, with copy on C-Track in case mail gets misdirected**, why that cannot be done.

As to 2021-000815, during the *quasi*-trial of which I made the Court aware of *some* of the disabilities from which I was suffering then, and during the sentence resulting from which I was struck with atrial fibrillation ("A-Fib"), I tried several times to have Mr. Zelenka confirm my calculation that my suspended sentence has, by now, been fully served. When he did not respond, I called a member of the State Bureau of Protective Services who, though not an officer or employee of SC's judicial branch, had been tasked with delivering to my home orders and letters in that case. I was surprised to learn that even if I were to bring that inquiry in writing, I cannot park in either of the two handicapped parking spaces Ms. Howard had *specifically* instructed me to use. Instead, now I have to find a parking space God knows where, walk from there to the bottom of the stairs of SC's SCt building, wait there in the elements until God knows when someone comes out to take my papers. Worse yet, I had never received notice of this new edict. **Self-evidently, that is THE OPPOSITE OF accommodation.** So, I *politely* ask Ms. Howard to write to me in unambiguous terms what the current procedure is and why it is so and has to be so given that SC's Supreme Court *continues* to receive, and respond to, e-mails even from incarcerated murder convicts *and their relatives*.

Thanks for your consideration and God bless.  [s/] Marie Assa'ad-Faltas, MD, MPH

Enc.: copies of my 22 and 30 November 2022 attempted submission via ctappfilings@sccourts.org.

c.c.: Mr. James (CoC legal department) and Mr. Zelenka (SCAG) today, and others as necessary in the future, all God so willing.

One-page submission with certificate of service for filing, if you please, in SC Appellate Case 2022-000339, God so willing.

Marie Faltas <Marie_Faltas@hotmail.com>

Tue 2022-11-22 12:58 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Cc: James, Marshall S

<Marshall.James@columbiasc.gov>; Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>

 1 attachments (376 KB)

2022-11-22 Appellant's Motion to Clarify or, in the alternative, Renewed Motion to serve by email .pdf;

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

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Fw: One-page submission with certificate of service for filing, if you please, in SC Appellate Case 2022-000339, God so willing.

Marie Faltas <marie_faltas@hotmail.com>

Wed 2022-11-30 10:50 AM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>; James, Marshall S <Marshall.James@columbiasc.gov>; Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>

 3 attachments (799 KB)

2022-11-22 Appellant's Motion to Clarify or, in the alternative, Renewed Motion to serve by email .pdf; 2022-11-17 am 11-30 SC C-Track 2022-000339_ Case View ORDER granting e-mail filing (landscape 2pp).pdf; 2022-11-17 Order Concerning Motion to Relieve Counsel.pdf;

The 22 November 2022 e-mail to ctappfilings@sccourts.org is being forwarded **as is** with the 22 November 2022 Motion to Clarify attached again (along with the 17 November 2022 ORDER sought to be clarified) **in case the original e-mail somehow did not get through or was erroneously ignored**. Although this is NOT a new motion or submission, opposing counsel is copied on this email.

From: Marie Faltas

Sent: Tuesday, November 22, 2022 12:58 PM

To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Cc: James, Marshall S <Marshall.James@columbiasc.gov>; Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>

Subject: One-page submission with certificate of service for filing, if you please, in SC Appellate Case 2022-000339, God so willing.

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

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South Carolina Appellate Case Management System

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

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Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Information: 2022-000339

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Crim. Appeal from Summary Ct.
Short Title:	City of Columbia v. Marie Assa'ad-Faltas View Full Title	Case Status:	Awaiting Transcript
Consolidated:			
Filed Date:	03/15/2022	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Richland (2019CP4001374)		

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- Party Information




























Appellate Role	Party Name	Former	Attorney(s)
Appellant	Marie Assa-ad Faltas	N	Self Represented
Respondent	City of Columbia	N	Marshall Schumpert James

Views

Display:

Event Information

Filed Date	Event Information	Doc
11/17/2022	Non-Dispositional Decision - Order	
11/15/2022	Correspondence - Outgoing (Letter Holding in Abeyance Until Resolution of Motions)	
11/10/2022	Correspondence - Incoming (Supplement to Appellant's Emergency Motion for Relief Pending Appeal with Suggestion to Refer this Motion to SC Chief Justice Beatty)	
10/31/2022	Motion -Appellant's Emergency Motion for Perpetuation Pending Appeal	
10/31/2022	Motion - Appellant's Emergency Motion for Leave to File, Receive and Serve, by e-mail Under the Updated Rules, SCACR, and Other Relevant Court Orders	
10/24/2022	Correspondence - Incoming (Appellant's Provisional Designation of Matter)	

10/24/2022	Correspondence - Incoming (Appellant's Amended Provisional Initial Brief)	
10/21/2022	Motion - for Provisional Initial Brief to be Accepted as Timely and to be Allowed to be Amended Later and to Defer the Designation of Matter Until All Transcripts are Received	
10/13/2022	Motion - Extension of Time (1st) (Transcript)	
10/12/2022	Correspondence - Outgoing (Brief Overdue)	
08/12/2022	Transcript Documents - Transcript Ordered	
07/20/2022	Correspondence - Outgoing (Letter Setting Time to Order Transcript)	
07/19/2022	Deficiency - Correction (Copy of counsel's March 15 email to respondent's counsel)	
07/18/2022	Correspondence - Incoming (Proof of Service from Appellant)	
07/15/2022	Deficiency - Deficiency Letter Sent (Service of Notice)	
07/15/2022	Correspondence - Outgoing (Letter to Daniel Addison Concerning Service of Notice)	
07/11/2022	Deficiency - Correction (Proof of Service)	
07/07/2022	Correspondence - Outgoing (Deficiency Letter, and Letter Declining to Act on Motion to Appoint Counsel)	
06/13/2022	Deficiency - Deficiency Letter Sent	
06/10/2022	Motion - Appoint Counsel (Motion to Require SC's Commission on Indigent Defense to Undertake Appellant's Representation or to Allow Appellant to Prosecute this Appeal Pro Se)	
06/01/2022	Correspondence - Outgoing (Letter to Appellant Concerning Representation)	
05/31/2022	Correspondence - Incoming (E-Mail Response from Timothy Griffith)	
05/26/2022	Correspondence - Outgoing (Letter to Counsel Concerning Representation)	
05/25/2022	Correspondence - Incoming (Notice of Appearance)	
05/12/2022	Correspondence - Outgoing (Response to Correspondence from Dr. Faltas)	
05/11/2022	Correspondence - Incoming (Appellant's Timely Motion for en banc Partial Rehearing of SC COA Chief Judge Williams 25 April 2022 Order to the extent it requires Dr. Assa'ad-Faltas to find counsel on her own as such Order effectively ends this appeal)	
04/25/2022	Non-Dispositional Decision - Order Granting Motion to Relieve Counsel	
04/07/2022	Correspondence - Outgoing (Letter Regarding Timelines)	
04/05/2022	Correspondence - Incoming (Copy of Trial Court Order Relieving Counsel)	
04/04/2022	Correspondence - Incoming (Letter from Dan Addison Requesting Additional Time to Cure Deficiencies)	
04/01/2022	Motion - Relieve / Withdraw / Substitute as Counsel	
03/25/2022	Correspondence - Outgoing (Notice of Appeal Initial Letter)	
03/25/2022	Deficiency - Deficiency Letter Sent	
03/23/2022	Transfer - To Court of Appeals	
03/23/2022	Non-Dispositional Decision - Transfer order	
03/15/2022	Notice of Appeal (Civil) - Initial	