

BEFORE THE SUPREME COURT ("S Ct") OF SOUTH CAROLINA ("SC")

Appellate Cases Nos. 2023-00-----, 2023-00-----, 2023-00-----, and 2023-00-----.

AND STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE CIRCUIT COURT OF COMMON PLEAS
On Applications for Post-Conviction Relief (PCR) Nos. 2019-CP-40-00112,
2019-CP-40-02217, 2019-CP-40-02218, and 2019-CP-40-02219.

Marie Assa'ad-Faltas, MD, MPH

v.

State of South Carolina, and City of Columbia, SC

Applicant/Appellant's Advisement to the Court of
Matters related to her Contemporaneously-filed
Timely NOTICES of Appeal in the above cases.

Marie Assa'ad-Faltas, MD, MPH ("Dr. Assa'ad-Faltas" or "Dr. Faltas"), having commenced the above-numbered PCR cases *pro se* in Richland County Circuit Court of Common Pleas ("RCCCCP"), having *separately* won *pro se* PCR case 2017-CP-40-6832, which win, thank God, withstood the State's appeal in SC Appellate Case 2019-000708, and having *repeatedly* otherwise advised SC Circuit Judge D. Craig Brown ("JDCB") that Dr. Assa'ad-Faltas would rather withdraw her PCRs than have a harmful lawyer imposed on her; but having had Timothy Lee Griffith ("Griffith") imposed on Dr. Assa'ad-Faltas anyway, now advises the Court that Griffith *claims* to have filed and served motions for reconsideration **but refuses to identify when and if they were sent to JDCB per Rule 59, SCRPC**, as evidenced by the attached e-mail chain which began after Dr. Assa'ad-Faltas' phone inquiry from Griffith and ends, *as of the printing of this Advisement to the Court*, with Dr. Assa'ad-Faltas' unanswered inquiry.

Dr. Assa'ad-Faltas reasonably believes Griffith to be engaged in a ploy to forfeit Dr. Assa'ad-Faltas' issues (by failing to timely raise them in a proper Rule 59 motion) and right to appeal altogether by pretending the time is stayed by a Rule 59 motion when none was sent to JDCB. Dr. Assa'ad-Faltas further advises the Court that she consents to the unsealing of her medical exhibits sealed by JDCB in the above-identified PCR cases and that Dr. Assa'ad-Faltas needs to file her own Rule 59 motion but cannot even seek permission to do so from JDCB and this Court had indicated such permission must come anyway from this Court, not from a lower court. Dr. Assa'ad-Faltas cites *Ohio v. Reiner*, 532 U.S. 17 (2001), for an innocent's Fifth Amendment right to not testify in "ambiguous situations," and *Tennessee v. Lane*, 541 U.S. 509 (2004), for state courts' duties to reasonably accommodate the disabled. Dr. Assa'ad-Faltas' request to appear by WebEx was eminently reasonable and available to JDCB, who had conducted six prior hearings involving Dr. Assa'ad-Faltas by WebEx, of which at least three involved the above-captioned PCR cases and there was no reason to deny her that accommodation in November 2022, specially when she was in the "ambiguous situation" of *possibly* getting her suspended sentence activated and the anxiety about that could have *fatally* aggravated the atrial-fibrillation ("A-fib") which struck her while serving the active part of that sentence in ASGDC.

Certificate of Submission AND Certificate of Service AND of Copies

Submitted **and served by hand-delivery to SC Attorney General's ("SCAG") office at 1000 Assembly Street Columbia, SC 29201, and by hand-delivery to Richland County's Clerk of Court at 1701 Main Street Columbia, SC 29201, and courtesy-copied** to: Griffith at tgriffith@tgriffith.com, and to SCCOID at hyoung@sccid.sc.gov and hryan@sccid.sc.gov, and relevant others, all on 3 March 2023, and all God so willing.

RECEIVED

MAR 06 2023

2023 MAR 06 PM 3:50
RICHLAND COUNTY
CLERK OF COURT

S/Marie-Thérèse Assa'ad-Faltas, MD, MPH, Applicant-Appellant
P.O. Box 9115, Columbia, SC 29290 e-mail: Marie.Faltas@hotmail.com
Phone: (803) 783-4536 Cell: (330) 232-4164

SC SUPREME COURT