

The Supreme Court of South Carolina

Marie Assa'ad-Faltas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000394

Lower Court Case No. 2019CP4000112

and,

Marie Assa'ad-Faltas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000397

Lower Court Case No. 2019CP4002217

and,

Marie Assa'ad-Faltas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000398

Lower Court Case No. 2019CP4002218

and,

Marie Assa'ad-Faltas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2023-000399

Lower Court Case No. 20193CP4002219

ORDER

Petitioner is a prolific frivolous filer. *City of Columbia v. Faltas*, 420 S.C. 28, 800 S.E.2d 782 (2017). In an attempt to curb her abusive filings and actions, which are highly disruptive to the orderly and effective administration of justice, this Court has found it necessary to impose, through a series of orders, restrictions on Petitioner's ability to represent herself before the courts of this State.

By order filed June 10, 2022, this Court held Petitioner in criminal contempt for violations of these filing restrictions and sentenced her to jail. As an additional element of Petitioner's criminal sentence, this Court prohibited Petitioner "from filing *any* document in *any* form in *any* court of the Unified Judicial System of South Carolina" except in certain limited instances, including: (1) by and through counsel, so long as the filing is signed by the attorney in compliance with Rule 11, SCRCP, and all other applicable rules; (2) an initial post-conviction relief (PCR) application on the form prescribed by this Court in Rule 71.1.(b), SCRCP; and (3) any documents she is required to file in a criminal proceeding in which she is a defendant not represented by counsel. *In re Faltas*, S.C. Sup. Ct. Order dated June 10, 2022 (emphasis added).

Petitioner has submitted for filing in this Court a *pro se* notice of appeal in each of the four PCR cases captioned above. In each of these four cases, the action below has proceeded beyond the filing of the initial PCR application. As the documents Petitioner seeks to file do not constitute initial PCR applications pursuant to Rule 71.1(b), SCRCP, and have been submitted by Petitioner in a *pro se* capacity in a

court of the Unified Judicial System,¹ these documents do not fall within any of the narrow exceptions to Petitioner's filing restrictions as set forth above. Thus, the notices of appeal in the above-captioned matters are hereby stricken and dismissed with prejudice.² See *In re Faltas*, S.C. Sup. Ct. Order dated June 10, 2022 (providing that Petitioner's filings which do not comply with the filing restrictions imposed by this Court "shall be promptly dismissed with prejudice").

In enforcing our previously-implemented limitations on Petitioner's ability to file documents in the courts of this State, we hereby reaffirm the restrictions in all of our prior orders to the extent they have not been supplanted by more stringent limitations in subsequent orders. Further, as Petitioner continues to repeatedly violate the filing restrictions set forth in orders of this Court, this Court will no longer entertain and respond to each of her violations. Rather, should Petitioner attempt to file with this Court any further documents in violation of the filing restrictions that have been imposed upon her, the Clerk of this Court is hereby directed to reject the filing and notify the Court of Petitioner's conduct to determine whether further restrictions or sanctions should be imposed.



A.C.J.


J.

¹ See S.C. Const., art. V, § 1 (providing "[t]he judicial power shall be vested in a unified judicial system, which shall include a Supreme Court").

² We note that the filing of these notices of appeal was improper and premature. In each case, Petitioner is represented by counsel, and counsel has filed a timely motion to alter or amend or for a new trial under Rule 59 of the South Carolina Rules of Civil Procedure, which has stayed the time for appeal. See *State v. Stuckey*, 333 S.C. 56, 58, 508 S.E.2d 564, 564 (1998) ("Since there is no right to hybrid representation, substantive documents filed *pro se* by a person represented by counsel are not accepted unless submitted by counsel."); *Hudson v. Hudson*, 290 S.C. 215, 349 S.E.2d 341 (1986); Rule 203(b)(1), SCACR (observing that when a timely motion to alter or amend the judgment under Rule 59, SCRCP, has been filed "the time for appeal for all parties shall be stayed and shall run from receipt of written notice of entry of the order granting or denying such motion").


_____ J.

_____ J.

Beatty, C.J., not participating.

Columbia, South Carolina
March 17, 2023

cc: Dr. Marie Assa'ad-Faltas
Timothy Lee Griffith, Esquire
Megan Harrigan Jameson, Esquire
The Honorable D. Craig Brown