

The Supreme Court of South Carolina

Marie Assa'ad-Faltas, Petitioner,

v.

State of South Carolina, Respondent.

Appellate Case No. 2021-001344
Lower Court Case No. 2017CP4006831

and,

Petition of Marie Assa'ad-Faltas, Petitioner.

Appellate Case No. 2020-001424

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S.C. SUPREME COURT

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 control her abusive filings and actions which are disruptive to the orderly and effective administration of justice, this Court has found it necessary to impose restrictions on her ability to represent herself before the courts of this State. The restrictive orders which are currently in effect are an order dated December 23, 2009,¹ an order dated September 27, 2017,² an order dated September 20, 2019 clarifying how the September 27, 2017 applies in post-conviction relief (PCR) actions filed by petitioner,³ and an order dated June 22,

¹ This order was filed in Appellate Case Numbers 2009-147975 and 2009-148266.

² This order was filed in Appellate Case Number 2013-000862.

³ This order was filed in Appellate Case Number 2019-000036.

2022, finding petitioner in criminal contempt for multiple violations of the order of September 27, 2017.⁴

Appellate Case Number 2021-001344.

In this case, the circuit court granted petitioner post-conviction relief, and the State filed a notice of appeal. The case was assigned Appellate Case Number 2019-000708, and the case was transferred to the South Carolina Court of Appeals.

After the Court of Appeals denied petitioner's motion to relieve counsel and proceed *pro se*, petitioner petitioned this Court to:

- (1) Review the Court of Appeals' denial of her motion.
- (2) Grant her a "direct hearing or appointment of counsel to argue against precedent on the issues of unappealability and City's non-sovereignty."
- (3) Allow her to speak "for herself or from an advocate on her behalf, why grants and [Courts of Appeals'] reversals of PCR denials should be unappealable"⁵ and why lawyers who formerly worked for the

⁴ This order was filed in Appellate Case Number 2021-000815.

⁵ This position is completely frivolous. South Carolina Code Ann. § 17-27-100 (2014) states: "A final judgment entered under this chapter may be reviewed by a writ of certiorari as provided by the South Carolina Appellate Court Rules." Rule 243(a) of the South Carolina Appellate Court Rules (SCACR), states: "A final decision entered under the Post-Conviction Relief Act shall be reviewed by the Supreme Court upon petition of *either party* for a writ of certiorari, according to the procedure set forth in this Rule." (Emphasis added). Since the State of South Carolina is a party to a post-conviction relief case, it has a right to seek appellate review from a final decision in a PCR case.

Further, when the Court of Appeals reverses an order denying post-conviction relief, the State may seek review from this Court. Rule 242(a), SCACR ("The Supreme Court, or any two (2) justices thereof, may in its discretion, *on motion of any party to the case* or on its own motion, issue a writ of certiorari to review a final decision of the Court of Appeals.") (Emphasis added); *but see Ellison v. State*, 382 S.C. 189, 192, 676 S.E.2d 671, 672 (2009) (holding this Court will not

South Carolina Attorney General's Office "who worked on those very cases as adversaries should not sit as *quasi*-judges (staff counsel) to decide them."

- (4) Lift the restrictions on her ability to represent herself *pro se* in appellate cases.

By order dated December 10, 2021, the Court of Appeals denied the petition for a writ of certiorari filed by the State, and the remittitur was sent to the circuit court on December 31, 2021. Except for the request to lift the restrictions on her ability to represent herself in appellate cases, this action by the Court of Appeals renders moot all other relief sought by the petitioner, and those requests for relief are hereby dismissed as moot.

As to the request to lift the restrictions on her ability to proceed *pro se*, this request is denied for two reasons. First, this *pro se* request is improper under the order of September 17, 2017.

Second, in light of the filings made by petitioner in this case and her long and continuing history of making frivolous and abusive filings as reflected in the contempt order of June 22, 2022, it would be inappropriate for this Court to lift any of the current restrictions.

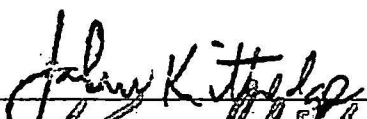
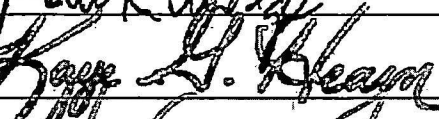
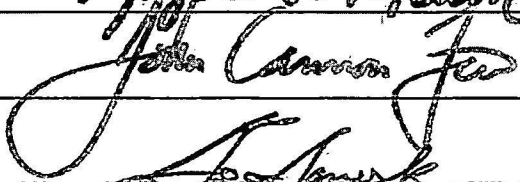

Appellate Case Number Appellate Case No. 2020-001424.

In this case, petitioner attempted to file a petition to lift the filing restrictions imposed on her by this Court. After the Clerk of this Court refused to accept this petition for filing, petitioner filed a motion to require the Clerk to accept the petition for filing.

We find that this petition to lift the filing restrictions is a request for relief under Rule 245, SCACR, relating to the original jurisdiction of this Court. Therefore, this *pro se* petition was properly refused for filing under this Court's order dated

entertain a petition for a writ of certiorari to the Court of Appeals when the Court of Appeals denies a petition for a writ of certiorari in a PCR matter).

December 23, 2009.⁶ Further, even if this petition was properly before this Court, we would deny the petition.


_____ A.C.J.

_____ J.

_____ J.

_____ J.
Beatty, C.J., not participating.

Columbia, South Carolina
August 31, 2022

cc: Jessica M Saxon, Esquire
Michael D. Davidson, Esquire
The Honorable Jenny Abbott Kitchings
Marie Assa'ad-Faltas

⁶ That order states, in relevant part, "we hereby direct the Clerk of this Court to refuse to accept further filings from petitioner in which she seeks an extraordinary writ or to invoke this Court's original jurisdiction unless they are signed and filed by an attorney."

The Supreme Court of South Carolina

City of Columbia, Respondent,

v.

Marie Assa'ad Faltas, Appellant.

Appellate Case No. 2021-000047

Lower Court Case No. 2010CP4007063

and,

City of Columbia, Respondent,

v.

Marie Assa'ad Faltas, Appellant.

Appellate Case No. 2021-000048

Lower Court Case No. 2010CP4008650

and,

City of Columbia, Respondent,

v.

Marie Assa'ad Faltas, Appellant.

Appellate Case No. 2021-000049

Lower Court Case No. 2011CP4002111

EXHIBIT

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ORDER

These appeals are related to municipal court convictions which occurred in October 2010, December 2010, and March 2011. On November 1, 2011, the circuit court dismissed the direct appeals regarding these convictions.

Although a *pro se* notice of appeal was served from the dismissal order of the circuit court, the Clerk of this Court refused to accept this notice of appeal for filing. This rejection occurred on December 2, 2011.¹ Since the notice of appeal was not submitted by an attorney and approved by this Court, these documents were properly rejected for filing under this Court's order dated April 8, 2011.

Because no *proper* notice of appeal was served and filed within the time prescribed by Rule 203 of the South Carolina Appellate Court Rules (SCACR), the order of dismissal by the circuit court was the final judgment regarding the appeal, and that order is the law of this case. *Cf. State v. Smith*, 413 S.C. 194, 775 S.E.2d 696 (2015) (unappealed ruling of the South Carolina Court of Appeals is the law of the case); *Atl. Coast Builders & Contractors, L.L.C. v. Lewis*, 398 S.C. 323, 329, 730 S.E.2d 282, 285 (2012) ("[A]n unappealed ruling, right or wrong, is the law of the case.").

On July 12, 2013, more than 18 months after the appeals were dismissed and ended, appellant filed a motion in the circuit court seeking to have counsel appointed for the purpose of "reopening" the circuit court appeals or for the purpose of filing applications for post-conviction relief (PCR) regarding the municipal court convictions. The circuit court did not rule on the tardy motion at the time, apparently because the matter was final, for the time for appeal had long since run and the one-year statute of limitations for post-conviction matters had passed.

On September 27, 2017, this Court issued an order addressing appellant's history of abusing the court system.² To be sure, this Court had issued prior orders in an

¹ The documents relating to this rejection are filed in Appellate Case Number 2011-203946.

² 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 control her abusive filings and actions which are disruptive to the orderly and effective administration of justice, this Court has found it necessary to impose restrictions on her ability to represent herself before the courts of this State. On September 27, 2017, this Court issued an

effort to manage appellant's abusive litigation tactics. The September 2017 order continued restrictions on appellant, but that order relaxed some restrictions to ensure appellant had meaningful access to the courts of this state. Appellant believed the September 2017 order allowed her to revive and relitigate previously entered final judgments, such as the appeals related to these municipal court convictions. As discussed below, appellant's reading of and reliance on the September 2017 order is incorrect.

Relying on the September 2017 order, appellant filed on October 2, 2017 a *pro se* motion in the circuit court to convert her July 12, 2013 motion to appoint counsel into a motion seeking relief under Rule 60(b) of the South Carolina Rules of Civil Procedure (SCRCP). By order filed on November 8, 2017, the circuit court properly denied "all of the pending motions and related petitions." While the circuit court manifestly understood the underlying appeals from the municipal court convictions had been ended many years earlier, the denial of appellant's motions, including appellant's motion for reconsideration, has resulted in additional waste of judicial resources. This is so because appellant filed in January 2021 a notice of appeal from the denial of her motions, all filed long after the underlying matters had been concluded by final judgment.

While appellant's attempted service of the purported service of the notice of appeal in January 2021 was improper, we need only go so far as to recognize that these matters were previously dismissed with finality. The July 12, 2013 motion to reopen the appeals was untimely. It necessarily follows that appellant's effort to convert the July 2013 motion to a Rule 60 motion³ in 2017 must be viewed in the same light. An untimely motion cannot be renamed and become a timely motion.



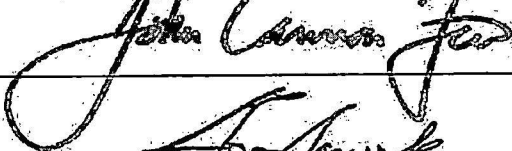
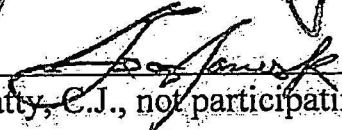
Appellant's reliance on the September 2017 order as a basis to revive her already-final challenges to the municipal court convictions is rejected. As noted, the September 2017 order relaxed some of the previously imposed restrictions on appellant. To prevent appellant from applying the September 2017 order retroactively—the very thing she seeks to do here—the Court expressly provided:

order revising the restrictions placed on appellant's ability to appear or make filings as a *pro se* litigant.

³ While we finally end these appeals for the reasons stated, we note that appellant's "Rule 60" motion is meritless in any event.

“Neither this order nor the prior orders or opinions of this Court shall have any impact on actions previously taken in connection with Respondent.”

Accordingly, these appellate cases are dismissed, and the remittitur will be sent as provided by Rule 221, SCACR. In light of this dismissal, all of the pending motions filed by appellant are denied as moot.

	A.C.J.
	J.
	J.
	J.
Beatty, C.J., not participating.	

Columbia, South Carolina
August 31, 2022

cc: Marie Assa'ad Faltas
Amy Leigh Rushing, Esquire
Michael D. Davidson, Esquire
Timothy Lee Griffith, Esquire
Yasmeen Ebbini Klein, Esquire

22 February 2022

To the Clerk of the Supreme Court

Please provide a copy of the voice recordings of the 22 February 2022 hearing in *State v. [Name]*.

Very respectfully,
[Signature]

1000 [Address]
Columbia, SC 29201
Phone: 803-453-4533

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EXHIBIT

No. 34

STATE OF SOUTH CAROLINA }
COUNTY OF RICHLAND }

Before the Supreme Court
of South Carolina

ORIGINAL

In the Matter of: }
Marie Assa'ad Faltas, }
Respondent. }

TRANSCRIPT OF RECORD
CORRECTED ORIGINAL

Appellate Case No.
2021-000815

A Hearing was held in the Courtroom of the Supreme Court of South Carolina beginning at 1:30 p.m., on Tuesday, February 22, 2022 to confirm the desire of the Respondent to proceed *pro se* in an upcoming Rule to Show Cause Contempt Action to be held on March 22, 2022.

The Court consisted of Justice John W. Kittredge; Justice Kaye G. Hearn; Justice John C. Few; Justice George C. James, Jr.; and Former Court of Appeals Chief Judge James E. Lockemy.

The Office of the Attorney General was represented by Donald J. Zelenka, Esquire.

The Respondent appeared, *pro se*.

Ms. K.A. Snelling, CVR-M
Court Reporter for Office of Commission Counsel

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MS. K.A. SNELLING, CVR-M
Supreme Court, State of South Carolina
Office of Commission Counsel
1220 Senate Street, Suite 111, Columbia, South Carolina 29201

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Dr. Marie Assa'ad Faltas

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INDEX TO EXHIBITS

There were no Exhibits Submitted during this Hearing

MS. K.A. SNELLING, CVR-M
Supreme Court, State of South Carolina
Office of Commission Counsel
1220 Senate Street, Suite 111, Columbia, South Carolina 29201

1 (Whereupon, the Hearing commenced at 1:35 p.m.
2 on the 22nd day of February, 2022)

3 CLERK OF COURT: All rise.

4 JUSTICE KITTREDGE: Please be seated. Thank you.
5 Good afternoon, we're on the record in the South Carolina
6 Supreme Court, this is In the Matter of Dr. Marie Faltas,
7 who is present. Chief Justice Beatty is not sitting, and
8 in his stead we're pleased to have Judge Lockemy with us.
9 Thank you, sir, for sitting with us here.

10 The proceeding today arises from a Rule to Show
11 Cause Contempt Action against Dr. Marie Faltas. Dr.
12 Faltas is present, as is Mr. Zelenka from the Attorney
13 General's Office on behalf of the movant. The limited
14 purpose of today's hearing is to confirm what appears to
15 be Dr. Faltas' desire and decision to proceed *pro se* in
16 this contempt proceeding.

17 And Dr. Faltas, we thank you, ma'am, for being here
18 today. We understand from your submissions that you wish
19 to represent yourself, and we understand that and respect
20 that. The law requires that a Court ensure that an
21 accused is properly informed of her rights before waiving
22 the right to legal counsel and granting a request to
23 proceed *pro se*, in other words, self-representation.

24 Dr. Faltas, you're going to be asked questions from
25 the Court, primarily, if not exclusively, from Justice

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Supreme Court, State of South Carolina
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1 Few. And it's necessary for us to ensure that
2 whatever decision you choose to make, you do so freely
3 and voluntarily of your own free will.

4 I will tell those in the Courtroom if you wish to
5 remove your mask, you're free to do so at this time.

6 DR. FALTAS: Judge --

7 JUSTICE KITTREDGE: It's also necessary that I place
8 you under oath before we begin the questions about your
9 decision for legal representation or your desire to
10 proceed pro se. So at this time, Dr. Faltas, I'd ask if
11 you'd raise your right hand please, ma'am?

12 DR. FALTAS: No, sir, I do not swear for religious
13 reasons. And I also handed to the Clerk a motion for
14 this hearing, and it includes documented that both my
15 knees are fractured. So I need at least permission to
16 address the Court from a seated position, unless this is
17 going to be a torture Star Chamber.

18 JUSTICE KITTREDGE: No, ma'am, you can remain seated
19 the whole time, there's no reason for you to stand. And
20 we will certainly review the motion that you have filed
21 with the Court.

22 Do you affirm that the statements and testimony you
23 give to the Court today will be truthful?

24 DR. FALTAS: Yes, sir.

25 JUSTICE KITTREDGE: Thank you, ma'am. That is

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1 sufficient for the oath, so now the oath has been
2 administered. At this time I'll turn it over to Justice
3 Few.

4 Justice Few?

5 DR. FALTAS - EXAMINATION BY JUSTICE FEW:

6 Q: Dr. Faltas, as you know, you have the right to
7 be represented by an attorney. As you also know, you
8 have the right to represent yourself. As Justice
9 Kittredge mentioned, you have fairly clearly indicated
10 that you wish to represent yourself in this contempt
11 proceeding. To represent yourself however you must make
12 a valid waiver of your right to have an attorney
13 represent you.

14 Now I'm going to talk to you about some of the
15 things that we need to talk about today, and I want you
16 to be cooperative with me. Because if representing
17 yourself is what you want, then the purpose of this
18 hearing is to enable you to do that. I'm aware that you
19 are very familiar with all of these things that we're
20 going to talk about because you've been through these
21 hearings before.

22 But I'm going to talk to you about some of the
23 things that I and the other members of this Court, first,
24 must ask you in order to know after you've heard
25 everything that I'm going to talk to you about do you

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1 still want to represent yourself? And second, if you
2 want to represent yourself we need to know that you are
3 making a valid waiver to your right to counsel.

4 So there are several subjects that are important to
5 your waiver of your right to counsel, and I'm going to
6 discuss those with you now. Your educational background
7 is important to this question. I am aware that you are
8 highly educated. In fact, you have multiple degrees
9 including a Master's in Public Health from the University
10 of North Carolina. You have a graduate degree in
11 medicine from a university in Cairo. You have, in fact,
12 practiced medicine professionally, and you actually
13 taught preventative medicine at the University of South
14 Carolina School of Medicine. This educational background
15 indicates that you are a highly intelligent woman. And I
16 will note that you have listed that you are self-employed
17 as a consultant in medical legal issues. And you have
18 told the Court before that you speak four languages.

19 Your understanding of legal principles and
20 procedures is important to this question. We are aware
21 that you have been involved in extensive litigation over
22 many years at all levels of Court here in South Carolina,
23 both federal and state. From my review of those cases
24 over the years, and from my review of the motions and the
25 returns and the other documents that you have filed in

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1 this case it is my impression that you have a broad
2 and deep understanding of legal principles and
3 procedures.

4 Your mental health is important to this question.
5 In one of the cases that you have currently on appeal
6 here at this Court you were interrogated by Judge Marion
7 Hanna about whether you had ever been evaluated for
8 mental illness. You told Judge Hanna on March the 28th,
9 2011 that you had been evaluated for mental health issues
10 and you have no mental health issues.

11 Now Dr. Faltas, so far is there anything that I have
12 said that you disagree with?

13 A: Yes, sir. You said that I have been through
14 these hearings, in the plural, before.

15 Q: Excuse me?

16 JUSTICE KITTREDGE: Just one second. I want to make
17 sure the Court Reporter can hear because we're on the
18 record. Can you hear?

19 JUDGE LOCKEMY: Probably need to move that
20 microphone up.

21 JUSTICE KITTREDGE: Which microphone is yours, Madam
22 Court Reporter?

23 COURT REPORTER: The silver one, if she could --

24 JUSTICE KITTREDGE: All right, let's try to move
25 both of them closer. And if you need assistance in doing

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1 that we'll certainly accommodate you, Dr. Faltas.

2 JUSTICE FEW: Let's move the other one up too.

3 JUSTICE KITTREDGE: Madam Clerk, let's see if we can
4 move the other one closer to Dr. Faltas? (Microphones
5 moved closer to Dr. Faltas).

6 Q: Okay. Now I didn't hear what you said, so
7 could you repeat?

8 A: You're asking me if there is something that
9 needs correction. And I said yes, there are things that
10 need correction.

11 Q: Tell me what it is?

12 A: Okay. First you said I have been through those
13 hearings, in the plural, before. I have not. I have
14 been through only one hearing where Judge then South
15 Carolina Circuit Judge Barber gave me the Faretta
16 inquiry. And I consider it a travesty, that he admitted
17 that he agrees that I have a constitutional right to
18 represent myself, but he said something to the effect
19 that his hands are tied because of what you all ordered.

20 I think judges take oath to the Constitution, not to
21 the South Carolina Supreme Court. And I am indignant at
22 what has been done to me. I think it is no better than
23 Jim Crow when you have had at least 400 lawyers who
24 either were suspended definitely, publicly reprimanded,
25 indefinitely suspended, disbarred, debarred. And all 400

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1 of them, including one who had consumed drugs or
2 alcohol and killed somebody, and you did not take their
3 rights to speak for themselves.

4 I consider it a violation of my human rights, basic
5 human rights, forget about Faretta and all that stuff,
6 it's a basic human right to speak for oneself. And I
7 consider what you're doing to me Jim Crow revisited on
8 lawful immigrants. And because my conscience requires me
9 to tell the truth, that is part of the truth, so I've
10 been only to one hearing where the Faretta --

11 Q: So I used the plural when I described the
12 Faretta Hearings that you had been through before, and
13 you've corrected me that you've only been through Faretta
14 one time?

15 A: Yes, sir.

16 Q: Okay.

17 A: The other thing is you said Marion Hanna
18 questioned me. Marion Hanna is obsessed, obsessed with
19 trying to get people to get mentally examined. And
20 that's why I made the motion for your Court to take
21 possession of her two so-called novels which are easily
22 the worst ever written in English language. Because that
23 is morbid.

24 And that is really another travesty that your Office
25 of Disciplinary Counsel did something to her, but it was

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1 -- you are supposed to protect the public from women
2 like her. Just as you're supposed to protect the public
3 from incompetent and ineffective and selfish and
4 treasonous lawyers. And I do not think you're rising to
5 this duty.

6 And you are wanting me to suppress my conscience, I
7 will not do that. I will not suppress my conscience.
8 Now the reason I told Marion Hanna that I, and that was
9 --

10 Q: Ma'am, the reason I brought up Judge Hanna was
11 simply to --

12 A: She's not a judge, I'm sorry.

13 Q: -- simply to point out the context in which you
14 made the statement that you had been evaluated and you
15 didn't have any mental health issues.

16 A: The reason --

17 Q: Let me follow up on that if you don't mind?
18 I'm going to ask you three questions right here, these
19 are yes or no questions. Depending on your answers an
20 explanation might be warranted. But I would like if you
21 don't mind, would you give me a yes or no answer to these
22 questions. And then we'll see whether an explanation is
23 necessary.

24 A: Yes, sir.

25 Q: Have you taken any alcohol, medication, or

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1 drugs in the last 24 hours?

2 A: Sir, I take, every day I need to take a
3 replacement thyroid hormone.

4 Q: So medication. And it's by prescription?

5 A: Yes, sir.

6 Q: And when you take that medication have you
7 taken it consistent with the prescription that was given
8 to you by the doctor who prescribed it?

9 A: I have had that condition for 42 years now.
10 And it is just, it's almost equivalent of insulin for
11 diabetics.

12 Q: But let me repeat my question, and I want to
13 remind you this is a yes or no question. When you've
14 taken this medication that you just referred to over the
15 last few weeks, have you taken it according to the
16 prescription that the doctor gave you?

17 A: Yes, sir, every day.

18 Q: Okay. Now how about alcohol or any illegal
19 drugs?

20 A: (Moves head from side to side).

21 Q: I understand. You're shaking your head no.

22 A: No, no.

23 Q: Okay. So are you under the influence today of
24 any drugs or medication or alcohol?

25 A: No, sir.

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1 Q: Have you been evaluated for your mental
2 health since that incident that I referred to where you
3 told -- you mentioned that you'd been evaluated before,
4 have you been evaluated since?

5 A: Yes, sir.

6 Q: Did those evaluations as far as you know reveal
7 any mental health concerns?

8 A: At different times I was very depressed.

9 Q: Depressed?

10 A: Depressed, yes. And the depression happens
11 even classically in people who have been wrongly
12 incarcerated. And once they are released there is a
13 euphoria of the release, but after that when you look
14 back on how much of your life is lost you do get
15 depressed. To the day, to the day, on 22 February, 2010
16 I started the five-day jury trial before Judge Clifton
17 Newman.

18 Q: Ma'am, let's stay focused, okay? And we'll try
19 to get through this as simply and easily as we can. I'm
20 asking, my question for you is since March of 2011 have
21 you been evaluated for your mental health?

22 A: I have been depressed since then.

23 Q: Okay. But --

24 A: But it doesn't affect my ability to understand
25 things. And most importantly, sir, one of the cures for

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1 depression is creativity. And one of the things, and
2 I tell the joke which is true, that I got admitted to
3 medical school in Egypt at age 17 is because I proved I
4 was superbly qualified to be an engineer. So one of the
5 things that cure my depression are the engineering
6 inventions that I work on on my own and that this farce
7 is taking me away from.

8 Q: So I think what you said a second ago is that
9 the depression that you just mentioned is not affecting
10 your ability to understand. Are there any other mental
11 issues right now that are affecting your ability to
12 understand?

13 A: I don't think they affect my ability. But I'm
14 very afraid of you all, I really am.

15 Q: But you do have the ability to understand?

16 A: Absolutely.

17 Q: Okay. Now what I'm going to do, it's also
18 important to a valid waiver of counsel that you be aware
19 of the dangers of representing yourself, and that you
20 understand how and in what way a lawyer can help you on
21 many of these issues.

22 On February 17th of this year in a document that you
23 called Respondent's Emergency Response to this Court's
24 February 22nd order, which is the order -- I'm sorry,
25 February 15th order, which is the order setting this

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MS. K.A. SNELLING, CVR-M
Supreme Court, State of South Carolina
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1220 Senate Street, Suite 111, Columbia, South Carolina 29201

1 hearing, you wrote "Dr. Assa'ad Faltas reiterates
2 that she heard the dangers of self-representation
3 previously recited and understands what the judges mean
4 by them."

5 I have no doubt that you understand the dangers of
6 representing yourself, but I'm still going to go over
7 some of them now. And at the end I'm going to ask you if
8 you understand all those dangers. There are
9 jurisdictional issues at stake here, and you have raised
10 some of these jurisdictional issues already. A lawyer
11 could help you to better understand those jurisdictional
12 issues.

13 You have raised recusal issues, there may be other
14 issues that you want to raise regarding recusal. And a
15 lawyer could help you to better understand those issues.

16 In every proceeding, certainly this one, there are
17 going to be procedural issues, and you have already
18 raised a few of the procedural issues. A lawyer could
19 help you to better understand those procedural issues.

20 We have to operate in this Courtroom by rules of
21 Court, they bind us, they bind Mr. Zelenka, and they will
22 bind you. A lawyer could help you better to understand
23 those rules of court and what conduct is permitted and
24 what conduct is not permitted according to those rules.

25 In every proceeding such as the one we're going to

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1 have there are going to be evidentiary issues. A
2 lawyer could help you to better understand those
3 evidentiary issues.

4 There are substantive issues regarding contempt, and
5 those relate particularly to what the state would have to
6 prove and what this Court would have to find in order for
7 you to be found in contempt of court. There may be
8 defenses that you could assert to the contempt charge. A
9 lawyer could help you to understand better all of the
10 substantive issues, including whether or not there are
11 any defenses to the charge of contempt.

12 There are constitutional issues that might be at
13 stake. In fact, you have already raised constitutional
14 issues and you've done it here today. And I just want to
15 make sure you understand that there are many times when
16 even the judges on this Court don't understand the
17 constitutional issues, so a lawyer could certainly help
18 you to better understand those constitutional issues.

19 And if you are found guilty of contempt, there
20 could, there are going to be punishment issues. And as
21 you are aware, if the Court finds you guilty of Contempt
22 of Court the Court may choose to fine you, may choose to
23 place other restrictions on you, and even imprison you
24 for a term of up to six months. A lawyer could help you
25 to understand the potential consequences of a finding of

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1 contempt and help you to mitigate or perhaps even
2 eliminate those consequences.

3 Now is there anything that I just explained to you
4 in the way of the dangers of self-representation that you
5 do not understand?

6 A: What I do not understand is whether you're
7 talking about a hypothetical, rarified, romanticized
8 lawyer who maybe graduated top of her class from Yale, or
9 the average lawyer that is likely to be imposed on me,
10 who works against me, who sometimes some lawyers have
11 been described, at least one by U.S. District Judge
12 Gergel as exhibiting stunning ignorance of the law. So I
13 do not understand whether you mean that all lawyers have
14 the same ability or you agree that there is a range of,
15 number one, competence, and number two, devotion to the
16 client?

17 Q: As far as I know to answer your question, as
18 far as I know there's really been no discussion about who
19 the lawyer would be if you chose to be represented by a
20 lawyer. And as you point out, there is a spectrum of
21 quality of lawyering. We would certainly hope that we
22 would find someone who could do what I just talked to you
23 about, which is to help you to better understand all of
24 the issues that I discussed which are what I was
25 referring to generally as the dangers of self-

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1 representation.

2 Now setting the quality of the lawyer aside, do you
3 understand all of the dangers of self-representation that
4 I just went over with you?

5 A: I even understand some that you have not
6 mentioned.

7 Q: So I understand your answer to be yes, and I
8 understand more than what you were telling me?

9 A: Yes.

10 Q: Okay, good. Now do you have any questions for
11 me about your right to counsel or your right to represent
12 yourself?

13 A: I wanted to tell you that I also understand
14 that the judges' perception that the lawyer is better or
15 smarter or whatever than the *pro se* person is itself an
16 advantage -- a disadvantage and a risk of self-
17 representation. And to that extent, the same brilliant
18 legal argument could come from a lawyer and you would say
19 oh, that's brilliant, that's new, that gives us food for
20 thought. But it would come from me and you would say
21 it's frivolous and say no more than that.

22 And I've had a natural experiment. Do you know what
23 a natural experiment is?

24 Q: Well ma'am, I'm going to want us to -- we're
25 almost done, and you're doing great. But I want to make

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1 sure we stay focused. Do you have any other
2 questions that you want to ask me?

3 A: Yes. Do you promise to be as receptive to my
4 *pro se* advocacy as you would be to a lawyer considering
5 that my objective record so far is better than a lawyer?
6 For one thing, for one thing I *pro se*, thank God, won a
7 PCR case which withstood the state's --

8 Q: So let me answer your question. It's really
9 not my role to make promises here. But I will remind
10 you, as I'm sure you know, that it is our duty to do what
11 you just said. It's actually part of the oath that we
12 all take as judges to listen fairly to every person who
13 comes in here to raise a position. So that's my answer
14 to your question. Are there any other questions that you
15 have?

16 A: Yes. In this proceeding you are my accusers.
17 Do I have the right to confront you? And I have a
18 suspicion that you want to impose a lawyer on me because
19 you want that lawyer to force me to give up that choice.

20 Q: My answer to your question is that that is one
21 of the procedural and constitutional issues that could be
22 raised at the trial of these contempt charges, and a
23 lawyer could help you to better understand those
24 procedural issues. Are there any other questions that
25 you have?

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1 A: I'm sorry, sir, you have not answered my
2 question.

3 Q: Ma'am, you might not be satisfied with my
4 answer, but I gave you my answer. Now I'm going to ask
5 you again, are there any other questions that you have?

6 A: Yes. If you could please look at the motion
7 that I just served?

8 Q: As Justice Kittredge indicated at the beginning
9 of the hearing, we will look at the motion. Yes, ma'am.
10 Are there any other questions?

11 A: Will I be allowed to require discovery from Mr.
12 Zelenka, and will you promise to ensure that he responds
13 to discovery within the limited time that I have? I mean
14 what I'm trying to --

15 Q: I can answer that question by telling you again
16 that's one of the procedural issues that could be raised.
17 And it is our duty to rule according to the law, and so
18 we will follow that duty. So are there any other
19 questions?

20 A: No, thank you. And thank you for being
21 pleasant today.

22 Q: All right, ma'am.

23 A: I really was afraid that if I smiled you'd say
24 you're taking the procedure as a joke, you're in
25 contempt. If I didn't smile you would say she has a

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1 hostile look on her face, she's in contempt. Because
2 this is exactly, exactly what Marion Hanna did to me.
3 And for 12 years you all failed your duty to protect the
4 public from that. So I was afraid of you. But I want to
5 thank you for being pleasant.

6 Q: So having heard everything that I had to say to
7 you, do you want this Court to appoint a lawyer for you
8 or do you want to represent yourself?

9 A: I God willing want to represent myself more
10 than ever. However, having reviewed Faretta, the Court
11 does have the right to appoint standby counsel over my
12 objection. So if you want to appoint standby counsel you
13 could do that, it would be over my objection. But I just
14 was, you know, wanting you to have your heart at ease
15 about having done everything possible.

16 Q: So to be clear, in response to what you just
17 said, you would object to standby counsel?

18 A: But Faretta says the Court has the right to do
19 standby counsel over --

20 Q: But let me make sure I have this, you object to
21 it though, right?

22 A: Yes.

23 Q: Okay. Now I want to ask you one more question.
24 Has any person or any other circumstance put pressure on
25 you or forced you in any way to make the decision to

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1 represent yourself, or in your mind can you tell me
2 that you are doing this freely and voluntarily?

3 A: Freely and voluntarily.

4 JUSTICE FEW: Okay. Thank you, ma'am.

5 DR. FALTAS: Thank you.

6 JUSTICE KITTREDGE: Thank you, Justice Few.

7 And Dr. Faltas, thank you, ma'am.

8 DR. FALTAS: Thank you.

9 JUSTICE KITTREDGE: I will on behalf of the entire
10 Court echo what Justice Few said about our duty to treat
11 all litigants, represented and unrepresented fairly,
12 equally, and in accordance with the law, both
13 procedurally and substantively.

14 Are there any questions from other members of the
15 Court? (No response). Hearing none, that concludes this
16 matter. Thank you all for being here today. We'll issue
17 an order in accordance with our ruling.

18 (Whereupon, the hearing concluded at 2:01 p.m. on
19 the 22nd day of February, 2022)

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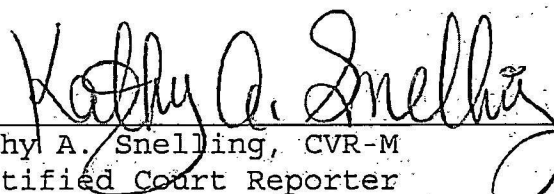
CERTIFICATE OF REPORTER

I, the undersigned K.A. Snelling, Official Court Reporter for the Office of Commission Counsel and Notary Public for the State of South Carolina, do hereby certify:

That the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and any evidence introduced in the captioned matter on the 22nd day of February, 2022.

I do further certify that I am neither related to nor counsel for, nor interest to any party hereto.

IN WITNESS WHEREOF, I have hereunto affixed my hand this 23rd day of February, 2022.



Kathy A. Snelling, CVR-M
Certified Court Reporter

Notary Public for South Carolina

My Commission Expires: May 16, 2028

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EXHIBIT
No. 34-a

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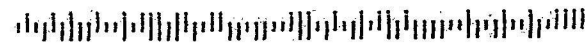
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MARIE ASSA'AD FALTAS
PO BOX 9115
COLUMBIA SC 29290

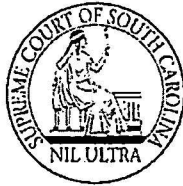
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No. 34-b

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September 20, 2022

Dr. Marie Assa'ad Faltas
PO Box 9115
Columbia SC 29290

Re: In the Matter of Marie Assa'ad Faltas (Contempt)
Appellate Case No. 2021-000815

Dear Dr. Faltas:

Your letter of February 22, 2022, asks this Court for a voice recording of the February 22, 2022, hearing. This is to advise that we do not have a voice recording of this hearing. The only voice recording was made by the court reporter and you have a copy of that transcript.

Very truly yours,

Patricia A. Howard

CLERK

cc: Donald J. Zelenka, Esquire

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The Supreme Court of South Carolina

S.C. SUPREME COURT, In the Matter of Marie Assa'ad Faltas, Respondent.

Appellate Case No. 2021-000815

ORDER

EXHIBIT

No. 35

This matter came before the Court for a *Faretta*¹ hearing on February 22, 2022, after Respondent repeatedly expressed in her various writings her desire to proceed *pro se* and waive counsel in this contempt matter for which a Rule to Show Cause hearing is scheduled before this Court on March 22, 2022. The *Faretta* hearing proceeded on the record with the Court fully advising Petitioner of her right to counsel and the dangers and disadvantages of self-representation. Respondent remained persistent that she wished to proceed *pro se* in this matter.


The Court is firmly convinced that Respondent is fully aware of her rights, as well of the dangers of self-representation. The Court is further firmly convinced that Respondent's decision to proceed *pro se* was made intelligently and voluntarily.

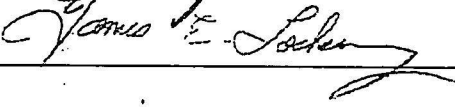
Further, Respondent advised the Court she would object to the appointment of stand-by counsel. The Court respects Respondent's decision in this regard. Accordingly, we grant Petitioner's request to proceed *pro se* in this matter and decline to appoint stand-by counsel at this time.

IT IS SO ORDERED.

John K. Kittledge A.C.J.
Kaye L. Beam J.
John Cannon, Jr. J.

¹ *Faretta v. California*, 422 U.S. 806 (1975).



J.


A.J.

Columbia, South Carolina
February 25, 2022

cc:
Marie Assaad Faltas
Donald J. Zelenka

The Supreme Court of South Carolina

In the Matter of Marie Assa'ad Faltas, Respondent.

Appellate Case No. 2021-000815

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S.C. SUPREME COURT

ORDER

Immediately before the February 22, 2022 *Faretta*¹ hearing in this matter, Respondent filed three emergency motions: (1) Motion to Dismiss OR for Directed Verdict Due to Impossibility of *Subjective* Intent to Willfully Defy; (2) Motion for Discovery on Evidence, *if any*, of *Subjective* Intent to Willfully Defy; and (3) Motion for Accommodation of Respondent's *Physical* Disabilities in the Hearing of 22 February 2022.

Along with her motions, Respondent provided: (1) a copy of the Clerk of this Court's February 16, 2022 letter refusing to accept Respondent's filing entitled "Motion for this Court to be True to Its Own Representations To Respondent and to the Public in City of Columbia v. Marie Assa'ad-Faltas"; (2) an email exchange between the Court's former Clerk and Respondent; (3) a copy of Judge Craig Brown's July 8, 2021 order regarding three matters before the circuit court;² (4) what appears to be a police incident report dated December 8, 2009; (5) a copy of a November 9, 2010 motion to relieve counsel and challenge indigency filed by Respondent's former counsel, April Sampson; (6) email exchanges between Respondent and Sampson; (7) affidavits of Respondent's former counsel Orin G. Briggs; and (8) medical reports regarding MRIs of Respondent's knees.

We dispose of the motions as follows:

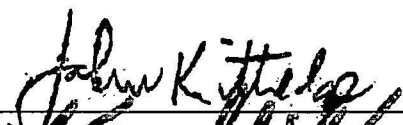

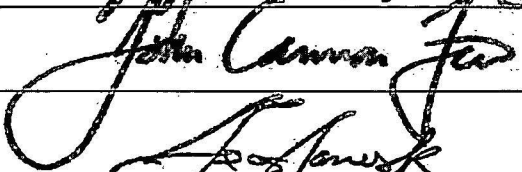


¹ *Faretta v. California*, 422 U.S. 806 (1975).

² *Austin Woods Apartments v. Assa'ad-Faltas*, civil action number 2018-CP-40-00963; *Assa'ad-Faltas v. State*, civil action numbers 2019-CP-40-00112, 2019-CP-40-02217, 2019-CP-40-02218, 2019-CP-40-02219; and *State v. Assa'ad-Faltas*, civil action number 2019-CP-40-01374.

(1) The motion to dismiss or for a directed verdict is denied. Judge Brown's July 8, 2021 order, which allows Respondent to submit filings via email and fax, is specifically limited to the three matters pending before Judge Brown. Therefore, Judge Brown's order is not dispositive of whether Respondent should be held in contempt of court for violating this Court's prior orders and does not entitle Respondent to a dismissal of this matter or a directed verdict.

(2) Respondent's motion for discovery is denied at this time. Respondent's motion for discovery is accompanied by voluminous attachments and affidavits and is not limited to the specific issues before this Court—namely, her compliance, or lack of compliance with prior orders of the Court concerning the manner and method of Respondent's communications and filings with the Court. If Respondent can demonstrate a need for discovery on a matter relevant to the limited issues before the Court in this matter, Respondent may resubmit a more targeted discovery request.

(3) Finally, this Court will consider and grant any reasonable and necessary accommodations for any of Respondent's physical disabilities. During her appearance at the February 22, 2022 *Faretta* hearing, we granted Respondent's request to remain seated, and she was able to fully participate in the proceeding. Should Respondent require additional accommodations, Respondent must file a request for the same no later than ten days prior to her March 22, 2022 hearing. Any such request must include supporting documentation and statement(s) from her treating physician(s).

	A.C.J.
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	J.
	A. J.

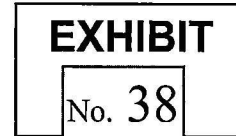
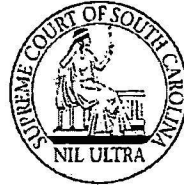
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cc: Marie Assa'ad Faltas
Donald J. Zelenka

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September 23, 2022

Dr. Marie Assa'ad Faltas
PO Box 9115
Columbia SC 29290

Re: Marie Assa'ad Faltas, MD, MPH v. State of South Carolina, et al.
Appellate Case No. 2022-001321

Dear Dr. Faltas:

This will acknowledge receipt of your *pro se* "Extremely Urgent Motion for Chief Justice Beatty to investigate Columbia Municipal Court's persistent falsification of its records to harm Applicant/Appellant severely and for appropriate sanctions." Because you have been restricted from filing such a motion *pro se* under the Court's orders of December 23, 2009, September 27, 2017, and June 10, 2022, I cannot accept your motion for filing.

Very truly yours,

Patricia A. Howard

CLERK

cc:
Alan McCrory Wilson, Esquire

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EXHIBIT

No. 38

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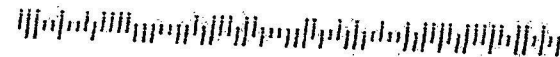
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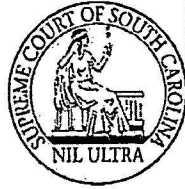
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March 15, 2023

Donald J. Zelenka, Esquire
PO Box 11549
Columbia SC 29211-1549

Re: Marie-Therese Assa'd Faltas, MD., MPH (PCR Application) v. State of
South Carolina
Appellate Case No. 2023-000383

Dear Counsel:

This is to advise that Dr. Faltas has filed a petition for post-conviction relief and a Motion to Proceed in Forma Pauperis in the above matter. A copy of each of these documents is enclosed. Any return, motion, or other response should be filed within thirty days of the date of this letter.

Very truly yours,

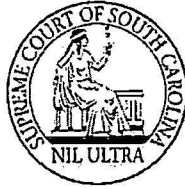
Patricia A. Howard

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cc: Alan McCrory Wilson, Esquire
Marie-Therese Assa'ad Faltas, MD, MPH

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No. 40

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June 13, 2023

Marie Assa'ad Faltas, MD, MPH
PO Box 9115
Columbia SC 29290

Re: Marie-Therese Assa'd Faltas, MD, MPH (PCR Application) v. State of
South Carolina
Appellate Case No. 2023-000383

Dear Ms. Faltas:

This will acknowledge receipt of your request to view the file in the above matter. Other than the return, which was served on you, and the letter from this office dated March 15, 2023 that this office mailed to you, you filed all the other documents in the above case. If you wish to have a set of this file, there will be a copying fee of \$14.25. The file consists of 57 pages at \$.25 per page. If the documents are to be mailed to you, the mail fee would be \$2.00 for a grand total of \$16.25.

This is to advise that the above matter is pending and you will be advised as soon as action has been taken.

Very truly yours,

Brenda J. Shealy

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cc: Alan McCrory Wilson, Esquire
Donald J. Zelenka, Esquire

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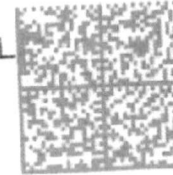
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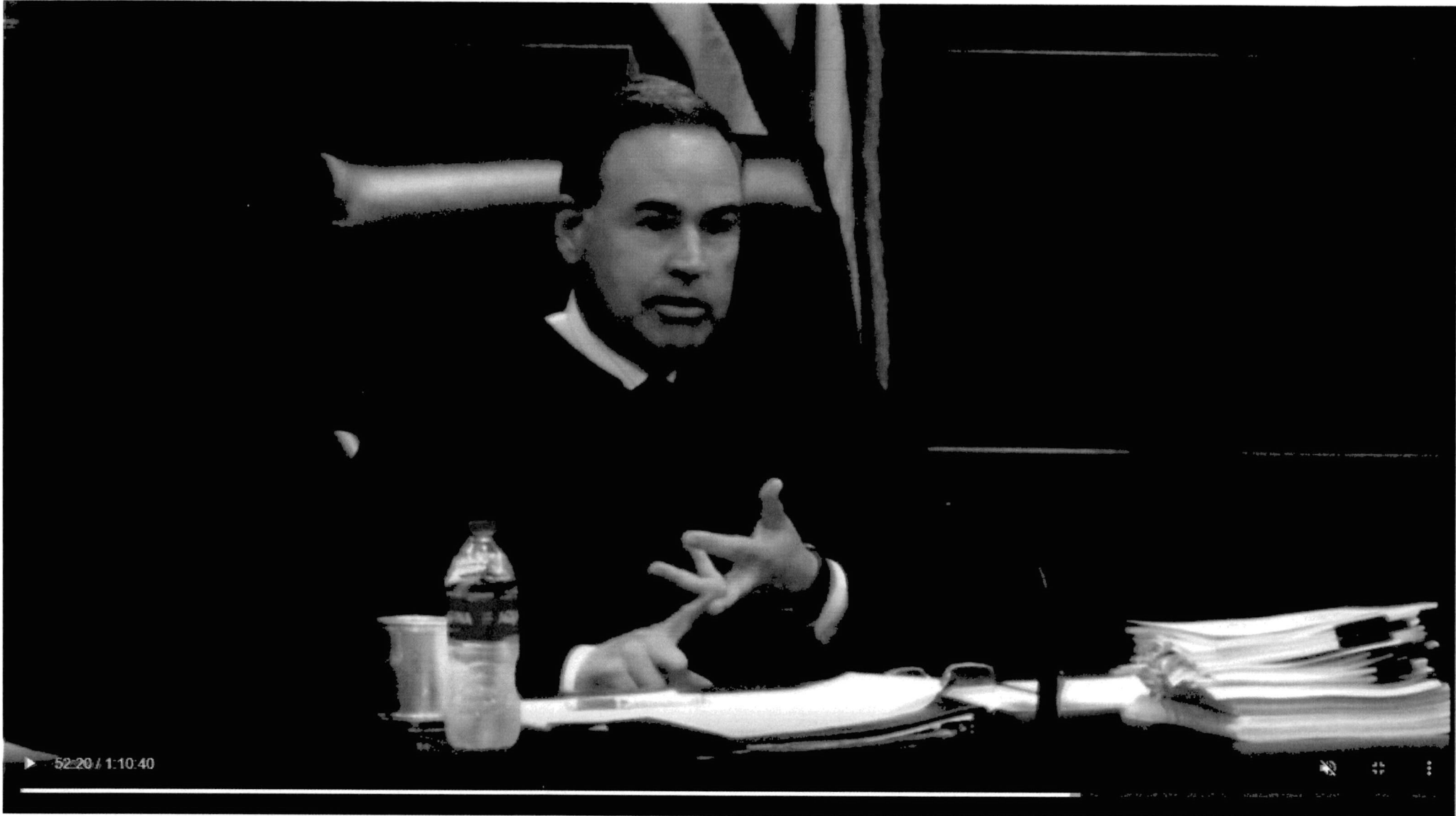
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No. 41



Supreme Court of South Carolina



Case # 2023-000896

Planned Parenthood South Atlantic, et al. v.
State of South Carolina, et al.

▶ 0:00 / 1:10:40



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Wanda H. Carter Email Contact	Deputy Chief Appellate Defender	T: 803-734-1330 F: 803-734-1345
David Alexander Email Contact	Appellate Defender	T: 803-734-1330 F: 803-734-1345
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S.C. SUPREME COURT



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PUBLIC HEARINGS

November 18, 2019

Judicial Merit Selection Commission, 2019

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S.C. SUPREME COURT

REPORTER: Patricia Bachand

1 STATE OF SOUTH CAROLINA)
2 COUNTY OF RICHLAND)

3
4 * * * * *

5 JUDICIAL MERIT SELECTION COMMISSION
6 TRANSCRIPT OF PUBLIC HEARINGS

7 * * * * *

8 BEFORE: G. MURRELL SMITH, JR., CHAIRMAN
9 SENATOR LUKE A. RANKIN, VICE CHAIRMAN
10 SENATOR RONNIE A. SABB
11 SENATOR TOM YOUNG, JR.
12 REPRESENTATIVE CHRIS MURPHY
13 REPRESENTATIVE J. TODD RUTHERFORD
14 HOPE BLACKLEY-LOGAN
15 LUCY GREY MCIVER
16 ANDREW N. SAFRAN
17 J.P. "PETE" STROM
18 ERIN B. CRAWFORD, CHIEF COUNSEL

19 * * * * *

20 DATE: November 18th, 2019
21 TIME: 9:30 a.m.
22 LOCATION: Gressette Building, Room 105
23 1101 Pendleton Street
24 Columbia, South Carolina 29201
25 REPORTED BY: PATRICIA G. BACHAND, COURT REPORTER

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REQUESTED INFORMATION INDEX

(No Information Requested.)

EXHIBIT
No. 43

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1 Q. Are you familiar with Section 2-19-70, including
2 the limitations on contacting members of the General
3 Assembly regarding your screening?

4 A. I'm aware of it.

5 Q. Have you asked any third parties to contact
6 members of the General Assembly on your behalf, or are you
7 aware of anyone attempting to intervene in this process on
8 your behalf?

9 A. No.

10 Q. Have you reviewed and do you understand the
11 Commission's guidelines on pledging and SC Code Section 2-
12 19-70 (E)?

13 A. I am.

EXHIBIT

No. 43

14 MR. FRANKLIN: Mr. Chairman, I would note
15 for the record that any concerns raised during the
16 investigation by staff regarding this -- the candidate were
17 incorporated into the questioning of the candidate today.
18 Mr. Chairman, I have no further questions.

19 CHAIRMAN SMITH: Thank you very much. Any
20 questions for Ms. Chapman? Mr. Strom.

21 MR. STROM: Mr. Chairman, I do want to put
22 on the record, and Ms. Chapman mentioned it, that she
23 worked with me twenty-something years ago.

24 MS. CHAPMAN: Pete, it was longer than that.
25 I think it was probably, I hate to say this, like 29 years

1 ago.

2 MR. STROM: And unfortunately since you've
3 moved to the lake, we haven't seen each other much over the
4 last --

5 MS. CHAPMAN: I haven't seen you in ten
6 years.

7 MR. STROM: I do want to commend you, and I
8 think this is worth telling. Ms. Chapman was working at
9 the -- what grocery store?

10 MS. CHAPMAN: The Chapin Red and White
11 Grocery Store.

12 MR. STROM: Chapin Red and White. And Strom
13 Thurmond came through there campaigning. You had a high
14 school degree. And you all see her personality. And he
15 offered her a job in Charleston. And she moved to
16 Charleston, worked full-time and went to the College of
17 Charleston.

18 Well, not only did she do that, but her
19 sister, shortly after she moved down there, came to see
20 Debbie and said, "Here's my infant. And I can't take care
21 of her."

22 So Debbie worked full-time, raised a baby
23 that wasn't hers, and finished the College of Charleston.
24 During this time she handled all the judicial elections on
25 the -- on the federal side for Senator Thurmond. So she

1 became friends with Judge Anderson and Wilkins, and Judge
2 Joe McCrory and Traxler, all the judges we know that
3 Senator Thurmond appointed. And they decided that she
4 needed to go to law school.

5 And those judges raised the money for her
6 books. I remember somebody else bought her a computer. I
7 got a call from Judge Joe McCrory, and said, "We'd like for
8 you to hire this woman as a law clerk."

9 I said, "Judge McCrory, I appreciate you all
10 considering me, but I've got more than I need."

11 And I hung up the phone. And three minutes
12 later, Judge Joe Anderson called me. And I said, "Yes,
13 sir. When does she need to start and how much do I need to
14 pay her?"

15 And, you know, again, you've seen her
16 personality. And she's had just a phenomenal work ethic.
17 She's the kind of person that everybody likes. And I think
18 you'd make just a excellent judge. I think there would be
19 no better temperament than you. People -- everybody who
20 knows you, loves you. There are some people in your past
21 that were a little jealous. But you're right, it's been
22 twenty-something years since anybody went to the Salty Nut.
23 I believe Representative Rutherford was probably there some
24 of that same time.

25 MS. CHAPMAN: I think he was.

1 MR. STROM: Thank you, Mr. Chairman.

2 CHAIRMAN SMITH: All right. Representative
3 Rutherford, we'll hear about your Salty Nut.

4 MS. CHAPMAN: Well, the bad thing is, is
5 that when we would go, it wasn't like it was some big
6 party. We were with judges, you know. I mean, like
7 federal judges. And I do think that kind of tends to lead
8 to some kind of jealousy.

9 But Pete, I have to say those are some
10 really sweet words. Thank you. Thank you. And for
11 sharing my whole life history with all these people.

12 REPRESENTATIVE RUTHERFORD: Mr. Chairman,
13 thank you. I was a young lawyer in the solicitor's office,
14 and for the most part most of the lawyers that we dealt
15 with were men.

16 MS. CHAPMAN: Yes.

17 REPRESENTATIVE RUTHERFORD: And to a great
18 degree that's still true. But back then Debbie was a
19 standout. And I was one that went to Salty Nut, and it was
20 to get acquainted on a very personal level with other
21 people in the solicitor's office, other defense attorneys,
22 other judges, other people that were invited to be social
23 and not just simply stand in front of one another and be
24 adversaries.

25 And I can tell you that being one of those

1 people that was there, I learned a great deal. You were
2 also one of the first lawyers that I had just met in the
3 solicitor's office, that I was invited to your house for
4 several barbecues. And Judge Eppes used to come in town
5 and we'd all go to your house, and it would be nothing but
6 a chance for us to network and socialize and get to know
7 and see other lawyers.

8 And so standing at a podium, hearing the
9 word Salty Nut can be daunting, but I assure you at the
10 time I got a great deal out of it. And I'm forever
11 grateful for what you did. And to a great degree try to
12 emulate how you practiced law back then, with being social
13 and getting to know people.

14 I remember one of our clients, Della Mae
15 Simmons. And Della Mae lived right around the corner from
16 where I live now, and Della Mae was selling crack out of
17 her house. And Debbie came to me on ten different
18 occasions, trying to make sure that Della Mae could get the
19 best sentence possible.

20 So when I heard the "not being diligent"
21 about your clients, I'm like you've never been on the other
22 end of Debbie trying to get something for one of her
23 clients. And, you know, I listened to you talk about the
24 three lawyers, and the first two you were on a good track,
25 and then you got to the third and then went off the rails.

1 And please tell him I said that.

2 MS. CHAPMAN: Well, I think this is public
3 record.

4 REPRESENTATIVE RUTHERFORD: But I mean,
5 yeah, it just -- you helped me get started when I went into
6 private practice. A lot of people that -- when I read some
7 of the negative comments, I can see those people being in
8 state court and seeing you operate, and not know how you
9 are in Federal Court, and for lack of a better term, what a
10 beast you are in Federal Court, that you've written all
11 those appeals, that you've argued in front of the 4th
12 Circuit, that you've done things that people that may work
13 in the solicitor's office have no idea the detail that it
14 takes to be in Federal Court. Because there are not that
15 many lawyers that practice in Federal Court.

16 So I just want to commend you and say thank
17 you for all that you've done, not just for me but for a
18 bunch of lawyers starting off, teaching us how to do
19 things, how to do them the right way, and showing us that
20 there's more to practicing law than just standing in front
21 a judge and arguing. So thank you for that.

22 MS. CHAPMAN: Thank you, Todd. Golly, y'all
23 going to make me cry.

24 CHAIRMAN SMITH: Senator Rankin.

25 EXAMINATION BY SENATOR RANKIN:

EXHIBIT

No. 43

One of you, OFFICERS OF THE COURTS, please share this with SC Circuit Judge THIS MORNING, ASAP.

EXHIBIT
No. 44

Marie Faltas

Thu 2022-11-17 10:10 AM

To: Timothy L. Griffith <tlgriffith@tlgriffith.com>; dzelenka@scag.gov <DZelenka@scag.gov>; Danielle Dixon@scag.gov <DanielleDixon@scag.gov>

Cc: Marie Assa'ad-Faltas <marieassaadfaltas@gmail.com>; Saxon, Jessica <jsaxon@sccid.sc.gov>; Robert Michael Dudek <rdudek@sccid.sc.gov>; Young, Hervery <hyoung@sccid.sc.gov>; hryan@sccid.sc.gov <hryan@sccid.sc.gov>; Davis, Charlie T <tex.davis@dss.sc.gov>

I am *physically* unable to attend due to my heart and breathing problems. I just received the results of my Holter Monitor; and they are very bad, including a 2.2 second heart stoppage.

Study Result

Narrative

Patient was monitored for 2 days, 12 minutes, and 30 seconds. During this time, patient was in atrial fibrillation continuously with a variable heart rate with the highest heart rate of 142 bpm. There was a 2.2-second pause at 2 AM on November 2. This likely occurred during sleep.

In summary, patient is in continuous atrial fibrillation during this monitoring.

Images

Scan on 11/17/2022 8:42 AM

Scan on 11/15/2022 2:00 PM

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I am NOT feeling well at all this morning because I had further trouble breathing and with my heart rate earlier this morning.

I believe Mr. Griffith's call to me few minutes ago was meant to upset me more and/or entrap me into contempt of court.

Mr. Griffith also told me he *still* did not file the three exhibits I had sent him *seven times* already because they defeat the State's "laches" argument.

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